# 45-57 MOXON ROAD, PUNCHBOWL

Supplementary RFI Response

Prepared for
**HALE CAPITAL DEVELOPMENT MANAGEMENT PTY LTD**
31 January 2024

URBIS

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# EXECUTIVE SUMMARY

This Supplementary RFI Response has been prepared on behalf of Hale Capital Development Management Pty Ltd (**Hale Capital**) to address the matters raised by State government agencies and Council following the lodgement of the Submissions Report for the proposed development at 45-57 Moxon Road, Punchbowl.

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) (since renamed the Department of Planning, Housing and Infrastructure or **DPHI**) in accordance with clause 12, Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021*.

DPE issued a Request for Additional Information to the Applicant on 4 December 2023 requesting a response to certain issues and as well as email correspondence following the lodgement of the Submissions Report. The following specific matters were identified by DPE in their Request for Additional Information:

- Operational Traffic
- Traffic Noise
- Operational Noise.

This Supplementary RFI Response outlines the proposed refinements and clarifications and responds to all issues raised within agency and Council submissions received.

## Overview of Submissions

The Submissions Report responding to submissions received during the SSDA exhibition period was lodged with DPE on 27 October 2023. Following this, supplementary submissions have been received from Council and NSW government agencies, being:

- Transport for NSW (**TfNSW**)
- DPE Water
- Department of Primary Industries (**DPI**) Fisheries
- Environment and Heritage Group (**EHG**)
- Fire & Rescue NSW (**FRNSW**).

This Supplementary RFI response provides a response to the key issues at **Section 4.**

## Actions Taken Since Exhibition

Since the SSDA was publicly exhibited, the Applicant has undertaken further consultation with the local community to discuss the issues raised within their submissions. Updated assessments have been prepared to respond to the issues raised within submissions, being:

- Biodiversity Development Assessment Report
- Transport Management & Accessibility Plan
- Noise and Vibration Impact Assessment
- Civil Engineering Report.

## Response to Submissions

The Applicant has amended the proposed design in response to the submissions and stakeholder consultation, including an update to the site plan to provide 30 bicycle spaces.

The scale and nature of the proposed changes to the development as originally proposed does not warrant the preparation of an Amendment Report.

## Updated Justification and Evaluation

The proposed development has been assessed in accordance with relevant planning instruments and policies. Mitigation measures are proposed to avoid unreasonable or adverse environmental effects arising

from the proposal. Additionally, the proposed development satisfies the Secretary's Environmental Assessment Requirements (**SEARs**) issued for the project.

The key issues for all components of the project identified in the SEARs have been assessed in detail, with specialist reports underpinning the key findings and recommendations identified in the Assessment of Impacts in **Section 6**. It has been demonstrated that for each of the likely impacts identified in the assessment of the key issues, the impact will either be positive or can be appropriately mitigated.

The proposal represents a positive development outcome for the site and surrounding area for the following reasons:

- **The proposal is consistent with state and local strategic planning policies:**

  The proposal is consistent with the relevant goals and strategies contained in:

  – *Greater Sydney Region Plan: A Metropolis of Three Cities*

  – *Our Greater Sydney 2056: South District Plan*

  – *City of Canterbury Bankstown Local Strategic Planning Statement.*

- **The proposal satisfies the applicable local and State development controls:**

  The proposal is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including:

  – *State Environmental Planning Policy (Industry and Employment) 2021*

  – *State Environmental Planning Policy (Planning Systems) 2021*

  – *State Environmental Planning Policy (Resilience and Hazards) 2021*

  – *State Environmental Planning Policy (Transport and Infrastructure) 2021*

  – *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

  – *Canterbury-Bankstown Local Environmental Plan 2023* (**CLEP 2023**).

- **The design responds appropriately to the opportunities and constraints presented by the site:**

  – The design of the proposal responds to the site context whilst seeking to deliver an attractive, modern warehouse and distribution facility. The design has taken into consideration the site qualities as well as neighbouring land uses and built form.

  – The proposed built form reflects the industrial character of the precinct whilst being sympathetic to the adjacent residential area and Creek, providing increased development setbacks.

  – The built form, facade treatment and materiality enhance the quality of the site as well as the provision of increased landscaping with native species and an improved streetscape.

  – The development siting and built form responds to and respects the adjacent residential area to ensure an acceptable noise environment.

  – The development has been designed for heavy vehicles to access the site from the south via Wiggs Road to ensure acceptable traffic impacts.

- **The proposal is highly suitable for the site:**

  – The warehouse and distribution centre use is permissible within the IN2 zone. It also satisfactorily responds to the zone objectives, providing for warehouse land uses, encouraging employment opportunities, and minimising potential adverse effects on other land uses.

  – The site is located within an existing industrial area and the character and scale of the development is compatible with the site context.

  – The site is well connected to key transport nodes, making it highly accessible to the freight network. Access to the site for heavy vehicles is provided by the Wiggs Road approved B-double route.

  – The proposal optimises the use of multiple outdated individual industrial buildings to consolidate into one modern development design to meet current and future tenant demand.

  - The proposal provides a high quality urban design outcome whilst ensuring acceptable noise impacts for nearby residential properties.

- **The proposal is in the public interest:**
  - The proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
  - The proposal will stimulate local investment and contribute significant economic output and value add to the economy each year, delivering up to 854 jobs through the construction and operation phases.
  - Subject to implementation of the recommended mitigation measures, no adverse, social or economic impacts will result from the proposal in terms of traffic, noise and vibration, air quality and odour or views during construction and ongoing operation of the facility. Based on the assessment of noise, air quality and traffic, the proposal will not result in any adverse cumulative impacts.
  - The issues identified during the community and stakeholder engagement have been addressed through the assessment of the impacts of the modified project.

**In view of the above, it is considered that this SSD Application has significant merit and should be approved subject to the implementation of the mitigation measures described in this report and supporting documents.**

# 1. INTRODUCTION

This Supplementary RFI Response relates to the warehouse and distribution centre at 45-57 Moxon Road, Punchbowl (**the site**). On behalf of Hale Capital (**the Applicant**), this Supplementary RFI Response has been prepared to address the matters raised by DPE, public agencies and Council.

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) in June 2023 (SSD-55266460). The SSDA was placed on public exhibition for 28 days between 4 August and 31 August 2023 and the Submissions Report was lodged with DPE on 27 October 2023.

## 1.1. EXHIBITED PROJECT

The proposal is for an innovative multi-level warehouse and distribution facility of a high-quality design that respects and contributes to the local context. The proposal will optimise the use of an existing industrial site within an established industrial precinct to deliver a variety of employment opportunities on site, whilst minimising any potential impacts on local amenity.

The original SSDA sought consent for:

- Demolition of all existing buildings and structures, construction, fit out and operation of a two-storey warehouse and distribution centre comprising 29,309m$^2$ GFA including:
  - 12 warehouse and distribution tenancies with a total 25,565m$^2$ GFA; and
  - 3,744m$^2$ GFA ancillary office space.
- Provision of 20 bicycle parking spaces, 20 motorcycle parking spaces and 178 car parking spaces at ground floor level.
- Approximately 3,450m$^2$ of soft landscaping at ground level.
- Replacement of the five existing vehicular access from Moxon Road with three new access driveways.
- Earthworks and upgrades to existing on-site infrastructure.
- Provision of internal vehicle access road and loading docks.
- Building identification signage.
- Hours of operation 7:00am to 10:00pm Monday to Saturday.

## 1.2. SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

| Appendix | Report | Prepared By |
|---|---|---|
| **Appendix A** | Architectural Plans | SBA |
| **Appendix B** | Biodiversity Development Assessment Report (**BDAR**) | Ecologique |
| **Appendix C** | Civil Engineering Report | Costin Roe |
| **Appendix D** | Civil Engineering Plans | Costin Roe |
| **Appendix E** | Flood Analysis Plans | Costin Roe |
| **Appendix F** | Community Information Session Outcomes | Hill PDA |
| **Appendix G** | Flood Management Plan & Flood Emergency Response Plan | Costin Roe |

| Appendix | Report | Prepared By |
|---|---|---|
| **Appendix H** | Noise and Vibration Impact Assessment (**NVIA**) | RWDI |
| **Appendix I** | Interim Audit Advice | Senversa |
| **Appendix J** | Transport Technical Note (**TN**) | Ason |
| **Appendix K** | Traffic Model | Ason |

# 2. BREAKDOWN OF SUBMISSIONS

The Submissions Report was referred to State government authorities, agencies and the local Council for review, with responses received from Council, TfNSW, DPE Water, DPI Fisheries FRNSW and EHG.

All submissions were managed by DPE, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-55266460). The submissions from DPE Water, DPI Fisheries, FRNSW and TfNSW did not provide any further comments on the proposal and made recommendations for conditions of consent for the development. Council and EHG provided further comments on the proposal, neither of which were registered as objections to the proposal.

The Submissions Report did not include any significant changes to the original proposal and accordingly, it was not required to be renotified. The proponent undertook further community consultation on 23 November 2023 to respond to previous submissions made relating to flood impacts. This is outlined in further detail in the following section of the report. **Section 4** provides detailed responses to all issues raised in the DPE Additional Information Request, Council and agencies. **Section 5** provides responses to issues raised in email correspondence from DPE following the lodgement of the Submissions Report.

# 3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, a minor design refinement and clarifications have been made to the proposed development.

This section summarises identifies the minor amendment that has been made to the project since the lodgement of the Submissions Report. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency and Council submissions outlined in **Section 2**.

## 3.1. FURTHER ENGAGEMENT

Since the lodgement of the Submissions Report on 27 October 2023, the Applicant has undertaken further consultation with the local community as outlined below and detailed in **Appendix F**.

Table 2 Further Engagement Summary

| Consultee | How this group was consulted | Issue | Feedback | Project response |
|---|---|---|---|---|
| Local community | Community information session, Moxon Sports Club, 23 November 2023 | A community information session was held by Hale Capital to respond to submissions made relating to flood impacts. | ▪ Planning requirements for flooding.<br>▪ How the proposed development would impact flooding at neighbouring sites.<br>▪ Potential impact on future development of neighbouring sites.<br>▪ Design and construction of flood management elements of the proposed development.<br>▪ Flood management and water infrastructure assets in the surrounding area. | The project flood and civil engineering representatives (Costin Roe) responded to questions about specific details of the flood modelling and design of the proposal. Regard has been had to the feedback from the local community in the preparation of the updated Civil Engineering Report as part of this Supplementary RFI Response and will continue to be as the project progresses. |

## 3.2. REFINEMENTS TO THE PROJECT

In response to the submission received from Council, the proposed bicycle parking on site has been updated to 30 spaces in accordance with the Austroads Guide to Traffic Management Part 11: Parking C2.2, bicycle spaces.

This refinement is a change that fits within the limits set by the project description. These refinements do not change what the application is seeking consent for, and therefore an amendment to the proposal is not required. Refer to the updated Architectural Plans (**Appendix A**).

## 3.3. ADDITIONAL IMPACT ASSESSMENT

Additional assessments have been prepared to respond to the issues raised within the submissions. These include:

- Biodiversity Development Assessment Report (**Appendix B**)
- Transport Technical Note (**Appendix J**)
- Noise and Vibration Impact Assessment (**Appendix H**)
- Civil Engineering Report (**Appendix C**)
- Flood Management Plan & Flood Emergency Response Plan (**Appendix G**).

The findings and recommendation of the additional assessments are discussed in detail within **Sections 4** and **5** of this report.

# 4. RESPONSES TO SUBMISSIONS

This section provides a detailed summary of the Applicant's response to the issues raised in submissions. The response has been structured as follows:

- Response to DPE Request for Additional Information
- Response to Council submission
- Response to EHG submission.

Commentary in relation to the conditions of consent recommended by DPE Water, DPI Fisheries, FRNSW and TfNSW are provided in **Table 6** below.

## 4.1. DEPARTMENT REQUEST FOR ADDITIONAL INFORMATION

Table 3 Response to DPE RFI

| Submission | Response |
|---|---|
| **Operational traffic** | |
| An updated traffic impact assessment is required to model and assess the impacts of the following scenario:<br><br>a. where vehicles longer than 12.5 metres do not use the Canterbury Road and Moxon Road intersection to access the site and only access the site from Wiggs Road via the intersection with Belmore Road, and<br><br>b. implementation of traffic management and mitigation measures such as reducing the intensity of traffic generation or scheduling vehicles outside peak periods, to limit the deterioration in intersection efficiency (as per the TfNSW Guide to Traffic Generating Developments).<br><br>Should scheduling vehicle departure/arrival timing be proposed as a traffic management measure), modelling results need to be provided for hours outside the identified AM and PM peak hour periods to demonstrate intersection efficiency would not be unacceptably deteriorated. | a. The SIDRA model has been updated to show that heavy vehicles over 12.5m would access via Wiggs Road at the Belmore Road intersection, instead of the Canterbury Road and Moxon Road intersection. According to the revised SIDRA model, this re-distribution of traffic would result in a maximum of six heavy vehicles from the scenario outlined in the TMAP Issue IX. Consequently, with this revision, the intersection is expected to continue operating with minimal difference from what was modelled originally.<br><br>Details of the updated network diagram and SIDRA modelling results are available in the Technical Note (**TN**, **Appendix J**) Section 2.<br><br>b. According to the conducted SIDRA model presented in the TN, the development's net impact on trip generation is deemed moderate when considered against the background traffic onto the road network. Consequently, the implementation of traffic management measures is deemed unnecessary. Furthermore, the traffic profile outlined in the TMAP Issue IX indicates a decline in background traffic outside network peak hours which would not warrant for any modelling outside these hours.<br><br>This suggests that additional SIDRA modelling for hours beyond the identified AM and PM peak periods are not required. |

| Submission | Response |
|---|---|
| Details of SIDRA model calibration and validation must be provided to ensure the predicted traffic impacts associated with the development are accurate and can be relied upon by the Department. The additional information must include:<br><br>a. Description of the calibration and validation techniques used, including specific reference to the relevant TfNSW and Austroads guidelines and SIDRA user guide<br><br>b. SIDRA saturation flow, gap acceptance and queue survey records<br><br>c. Comparison of observed and modelled intersection performance descriptors<br><br>d. Justification for all relevant calibration parameters adopted for the base case model<br><br>e. Justification for all input parameters adopted for the future project case model. | A thorough traffic survey was carried out to validate the base case model as outlined in TMAP Issue IX. The surveys covered the following aspects:<br><br>▪ Saturation flow,<br><br>▪ Gap acceptance, and<br><br>▪ Queue distances.<br><br>Details of the validation process are provided in TN Section 3. |
| Please update both the SIDRA and TNM models to ensure the correct traffic generation input data is used. | The SIDRA and TNM models have been updated to include all heavy vehicles longer than 12.5m routed to the site via the intersection of Wiggs Road / Belmore Road. The updated model results are reported in Section 2 of the TN. |
| **Traffic noise** | |
| If the CadnaA software package does not implement the TNM's acceleration functions, the official TNM software package listed in Appendix B4 of the NSW Road Noise Policy must be implemented, and the Noise and Vibration Impact Assessment (NVIA) subsequently updated to include accurate traffic noise impact prediction at the most-affected residential receivers along Moxon Road and Wiggs Road. | Modelling has been updated in NVIA Section 7, using TNM. Traffic noise level predictions have changed by <0.5 dB, and predicted increase in noise level at all receivers remains <2 dB. |
| **Operational noise** | |
| The updated NVIA has not demonstrated the development can comply with the evening period amenity noise criterion level of LAeq,15min 43 dB(A) for suburban areas at all surrounding residential receivers in the R3 medium density residential zone. Noise mitigation and management measures must be identified in the additional information, including but not limited to reducing the | The application of the high traffic noise amenity criteria has been restricted to receivers R1-R9, which are located on lots fronting Moxon Road. This criteria is based on logging conducted at the front of 52-54 Moxon Road (R4) and meets the requirements for a high traffic noise amenity criteria as specified in the NPfI: |

| Submission | Response |
|---|---|
| intensity of traffic generation and/or reducing the proposed hours of operation. | ▪ Traffic noise is identified as the dominant noise source at the site – confirmed via attended measurements. No industrial noise was audible, therefore no correction needs to be applied.<br>▪ The existing traffic noise level (determined using the procedure outlined in A2, Fact Sheet A, that is, measuring traffic instead of industrial noise) is 10 dB or more above the recommended amenity noise level for the area.<br>▪ It is highly unlikely traffic noise levels will decrease in the future.<br>Receivers R10-R18 have been assessed against the standard amenity criteria, and are compliant at all times of day. |
| As per Section 3.3.1 of the Noise Policy for Industry, all noise sources related to the proposed development must be clearly identified and included. The Department notes that it is apparent the noise model is missing some noise sources (e.g. substation, internal noise breaking out of rooftop skylights). | No significant sources of noise are anticipated beyond what is documented within this report, as stated in NVIA Section 5.2. No significant noise generating activities are proposed within the warehouse, and therefore noise breakout from skylights is expected to be negligible. For the substation, we have referred to the Ausgrid Transformer Noise Calculator (V3.2- 28 July 2022). which indicates that noise levels of <32dB are expected at the nearest residential receivers. |
| As the anticipated worst-case scenario presented in Table 5.4 of the updated NVIA considers the number of noise sources per hour, additional information is required to clarify whether the ‘per hour’ figures have been taken to be the worst-case 15-minute assessment scenario or that the ‘per hour’ figures have been adjusted to give a set of 15-minute model inputs. | It is standard best practice for traffic modelling to be based on hourly intervals and, for the purposes of noise modelling, the worst case 15 minute interval to be derived as 25% of the worst case traffic modelling hourly figure. We note that traffic modelling is not undertaken at 15 minute intervals, and there is no applicable guidance that informs what an appropriate conversion factor should be to produce noise modelling at the required 15 minute intervals.<br>We understand that DPE’s concern is that the 25% average may differ from the actual worst case 15 minute internal. As a hypothetical worst case 15 minute interval, even if approximately 30% of the maximum number of trucks anticipated to arrive at the site within the worst case hour all arrived within one 15 minute interval (corresponding to 1 truck per minute), this would result in a less than 1dB impact on the noise modelling results. As such, the noise assessment is considered to sufficiently |

| Submission | Response |
|---|---|
| | respond to the worst case 15 minute interval, and represents an appropriate worst case assessment of noise impacts. |

## 4.2. COUNCIL SUBMISSION

Table 4 Response to Council submission

| Submission | Response |
|---|---|
| **Biodiversity Assessment Report and Landscape Plan** | |
| Council notes that the proposed width of the riparian landscaping zone on the western side of the property is currently unclear from the BDAR and Landscape Plan provided. | The width of the proposed western landscape setback within the site is up to 10.5m. The riparian buffer from the top of the bank of Salt Pan Creek is between 37.25m and 72.95m. |
| Accordingly, Council requests that the width of the riparian landscaping zone should be consistent with the relevant requirements as outlined in DPI Fisheries Policy and guidelines for fish habitat conservation and management. Increasing the width of the riparian zone landscaping should be a requirement to mitigate the impacts of the proposal given there have been no avoidance or minimisation measures proposed in accordance with Section 6.4 of the *Biodiversity Conservation Act 2016*. | Existing development at the site consists of warehouse buildings built to the western site boundary, with no setback provided. The proposed development is setback between approximately 37m and 73m from the top of the bank of Salt Pan Creek. Where existing warehouse buildings are located along the western boundary of the site, this is proposed to be replaced with a landscape setback, planted with species to enhance the value of the riparian corridor. Avoidance and minimisation measures are proposed through the siting and layout of the development, up to 73m from Salt Pan Creek, to avoid and minimise any potential impacts on the Creek and riparian corridor. |
| **Vegetation Management Plan (VMP)** | |
| Council requests that the proposal should include a Vegetation Management Plan (VMP) to be prepared in accordance with the Guidelines for vegetation management plans on waterfront land and best practice methodology. The VMP should include the replanting of all structural layers (canopy, midstorey and groundcover). Species selected should contain a high diversity, be consistent with the species list for the Plant Community Type (PCT) 3448 which is part of the Cooks River/Castlereagh Ironbark Forest Community and be of local provenance. The Vegetation Management Plan would need to incorporate the riparian landscaping zone along the eastern side of the property to reduce the long-term | Noted. DPE has advised that the VMP is to form a condition of consent. |

| Submission | Response |
|---|---|
| impact of the proposal on the Salt Pan Creek Riparian Corridor. | |
| **Urban Heat Island Effect** | |
| Council notes that the proposed development will provide large expanses of concrete areas that will create heat sinks. As such, Council requests that the scheme is altered to provide more opportunities for deep soil zones and tree plantings to mitigate these effects. | The landscape design maximises the number of trees, volume of deep soil and tree canopy, while recognising the flooding constraints and associated impacts of the suspended slab which is necessary to meet Council flood planning requirements. A tree planting ratio of 2.9:1 is proposed which represents only a very minor non-compliance with Council's Tree Management Manual. This is considered acceptable based on the site context and the environmental benefits of the proposal. In accordance with the *Canterbury Bankstown Development Control Plan 2023* (**CB DCP**), preference has been given to deep soil planting to ensure trees grow to maturity, maximising tree canopy coverage and reducing urban heat island effects. The development proposes to increase the total tree canopy cover at the site to 3,556m$^2$ (an increase of 231m$^2$).<br><br>The existing and proposed landscape areas are as follows:<br>▪ Existing: ~2,825m$^2$ (<10% of the site).<br>▪ Proposed: 3,451m$^2$ (10% of the site area).<br><br>The proposal provides an increased landscaped area than that currently on site, and meets Council's 10% landscaping requirement. |
| **Flood Prone Land** | |
| Council notes the subject site is situated on flood prone land. As such, Conditions of Consent relating to flood impacts should be required. | Noted, DPE to advise any conditions of consent required. |
| Additionally, Council requests that the adequacy of the stormwater system downstream is assessed given the proposed intensification of the site. | The proposal does not result in an intensification of the site from a stormwater perspective; the proposed development decreases the peak runoff generated by the site. With reference to civil engineering plan Co13924.01-SSDA42, the development increases the total pervious surface area, decreasing the peak runoff to Salt Pan Creek.<br><br>Additionally, the site currently discharges water untreated into Salt Pan Creek. The proposed development includes for a Gross Pollutant Trap to |

| Submission | Response |
|---|---|
| | be installed prior to the discharge point, meaning that water leaving the site post-development will have improved water quality versus the current site configuration. The proposal also includes a rainwater harvesting tank to capture runoff for non-potable re-use on the site. Given peak runoff is being reduced and the discharge condition to the Creek will be improved, an assessment of the adequacy of the stormwater system downstream is not considered to be required. An assessment of peak flows is shown on civil engineering drawing SSDA42. |
| **Parking** | |
| Council requests that the proposed car parking rates are reviewed against the intent of the Green Travel Plan and considers opportunities to maximise the number of people who walk, cycle or utilise public or active transport to and from the Site. | A Preliminary Green Travel Plan (**GTP**) has been prepared and provided within Section 10 of the TMAP, including provisions for active and public transport movements. This includes end of trip facilities and bicycle parking spaces. As outlined within the TMAP Issue IX, it is expected to have 225 full time equivalent staff to be on site at any given time. Application of the mode share targets that provided within the Preliminary GTP (Section 10 of the TMAP Issue IX) to this staff number, it is anticipated to have 34 people taking public transport and 16 people taking active transport to the site. The refined proposal includes 30 bicycle parking spaces, plus end of trip facilities. |
| Council requests that the adequacy of Accessible Parking is to be assessed by prior to the issue of development consent. | Noted. The accessible parking provision has been assessed and complies with CB DCP, refer to Section 6.2 of the TMAP. Accessible parking spaces have been designed in accordance with AS2890.6. |
| **Bicycle Spaces** | |
| Council notes the *Austroads Guide to Traffic Management Part 11: Parking C2.2*, bicycle spaces includes reference to bicycle parking provision based on their floor area and User Class. | Noted. |
| Consequently, Council requests that the bicycle parking provision proposed is reviewed against Austroads Guide to Traffic Management Part 11: Parking C2.2, bicycle spaces | The proposed site plan (**Appendix A**) has been updated to provide 30 bicycle spaces to satisfy the requirement. |

| Submission | Response |
|---|---|
| **Driveway access along Moxon and Wiggs Road** | |
| Council's Traffic Unit receive several community concerns regarding speeding and near miss conflicts between vehicles accessing properties along Moxon Road and Wiggs Road. | The existing site has five accesses, while the proposal involves an overall reduction of the existing access driveways from five to three, reducing the potential for potential vehicle conflicts.<br><br>The proposed access provides sufficient sight lines for vehicle drivers to identify and give way to vehicles and pedestrians. The pedestrian and vehicular sight distances have been outlined within AG02 of TN Appendix C. Please see further response below. |
| To mitigate these issues, Council requests that the existing median island is extended along the entire site frontage to restrict access into the three driveways to left-in left-out only. | SIDRA modelling has been undertaken with full movements at all three accesses for future 2034 project case. (Refer to Section 7.7.3 of the TMAP Issue IX.) The results outline that all three accesses would operate at Level of Service (LoS) A during AM and PM peak hour with a Degree of Saturation (DoS) of 0.25 and 0.29 respectively. This demonstrates that the proposed accesses would perform well with no queuing onto public road.<br><br>The traffic modelling has demonstrated that the proposed access into the site is acceptable from a traffic impacts perspective and there is therefore no need to propose any mitigation measures, such as the extension of the median island.<br><br>Additionally, in response to TfNSW and DPE requirements, any vehicles larger than a 12.5m Heavy Rigid Vehicle (HRV) are not allowed to use Canterbury Road / Moxon Road intersection and shall only enter and exit the subject site via Wiggs Road and intersection with Belmore Road. All heavy vehicles over 12.5m in length would access the site via a left-in and right-out movement. |
| **Traffic** | |
| Council requests that traffic management (specifically truck movements) and impacts on the road network are reviewed / assessed by a qualified traffic consultant. | Ason Group is a qualified and specialist transport planning and engineering company with recognised industry experience. Ason has completed a detailed traffic study assessing all surrounding public roads and intersections in consultation with TfNSW and DPE for the proposed development. Ason has completed several additional traffic surveys in response to DPE RFI demonstrating |

| Submission | Response |
|---|---|
| | SIDRA analysis completed fit for the purpose of the project. |
| Council notes the following traffic generation rates pertinent to the subject proposal:<br>• AM Peak: 152 trips per hour<br>• PM Peak: 164 trips per hour<br>• Daily: 1,348 trips per day | The existing traffic generation is 18 vehicle trips per hour and 14 vehicle trips per hour during the AM and PM peak respectively, and 358 trips per day. The Proposal is forecasted to generate 152 trips per hour and 164 trips per hour during the AM and PM peak respectively, and 1,348 trips per day. Therefore, the proposed development traffic generation results in a net increase of 134 and 150 vehicular trips during AM peak hour and PM peak hour, and 990 trips per day. Refer to Section 7.2 of the TMAP Issue IX |
| Additionally, Council notes the local traffic generation will increase with the subject development by 3.3%. | The proposed development is expected to marginally increase demands across the modelled network, with an increase between 0.8% and 3.3% in 2024 and 0.6% and 2.8% in 2034. Detailed SIDRA analysis has been completed in consultation with TfNSW which concludes the impact of the proposal onto surrounding road network is minimal, even the intersection with the highest demand increasing would still operate at a LoS B in all modelled scenarios. Refer to Section 7.7 of the TMAP Issue IX.<br>It is important to note that, with reference to Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments, Appendix F.1.5, typically if development traffic is less than 5% then it does not warrant details intersection assessment, noting that it is unlikely to have any material impact on those intersections. |
| Council's Traffic Unit receive several community concerns regarding speeding and near miss conflicts between vehicles accessing properties along Moxon Road and Wiggs Road. An increase in traffic generation along these routes may further exacerbate these conflicts. | The existing site has five access driveways, while the proposal involves an overall reduction of the existing access driveways from five to three, which would alleviate the exposure of the conflicts compared to the existing scenario.<br>The proposed access provides sufficient sight lines for vehicle drivers to identify and give way to vehicles and pedestrians. The pedestrian and vehicular sight distances have been outlined within AG02 of TN Appendix C.<br>SIDRA modelling has been undertaken with full movements at all three accesses for future 2034 project case. The results outline that all 3 accesses would operate at a LoS A during AM and PM peak |

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| | hour with a DoS of 0.25 and 0.29 respectively. This suggests that the proposed accesses would perform well with no queuing onto public road. Refer to Section 7.7.3 of the TMAP Issue IX.<br><br>In addition, the projected traffic generation is low, and the traffic volumes accessing the accesses would be low, as such the likelihood of the conflicts is expected to be low. The operation of the access driveways is unlikely to have any material impact along Moxon Road and Wiggs Road.<br><br>Finally, an Operational Traffic Management Plan (**OTMP**) is proposed for the development. All three access driveways would operate under priority control and always give to Moxon Road and pedestrian crossing. This can be formalised through signage and line-marking as part of OTMP preparation at Occupation Certificate stage. |
| To mitigate these issues, Council requests that the existing median island is extended along the entire site frontage to restrict access into the three driveways to left-in left-out only. | Response as above. |
| **Pedestrian Sight Distance** | |
| Council requests that all sight triangles for pedestrian safety at the exit(s) to Moxon Road must comply with AS2890.1:2004 – Fig 3.3, be shown on the plan, and conditioned to be kept clear of any obstruction at all driveways. This should be illustrated on the final plans. | Noted. The pedestrian sight distance requirements comply with AS2890.1:2004 – Fig 3.3 and have been outlined within AG02 of TN Appendix C. |
| **Vehicular Sight Distance** | |
| For sight distance for exiting motorists, Council notes that the triangle shown on Figure 3.3 of AS2890.2:2018 should be kept clear of obstructions such as parked vehicles. | Noted. The pedestrian sight distance requirements comply with Figure 3.3 of AS2890.2:2018 and have been outlined within AG02 of TN Appendix C. |
| As such, Council requests for The Applicant to apply to the Traffic Committee for restrictive signage such as No Stopping or “No Stopping vehicles less than 6 m excepted” and fund these installations. The Applicant is to apply for the parking restrictions a minimum of three months prior to occupation of the premises. | Noted and agreed by the Applicant. |

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| **Existing Services** | |
| Council notes The Applicant is required to liaise with Ausgrid and make arrangements to relocate any services such as the power pole without Council's involvement at the Applicant's cost. | Noted and agreed by the Applicant. |
| **Detailed Flood Risk Assessment and Site Specific Flood Emergency Response Plan** | |
| Council notes the complexities of flood/stormwater affectations present on the subject site and their impact on the Salt Pan Creek. As such, Council requests a Detailed Flood Risk Assessment to be conducted for the site for mainstream flooding from Salt Pan Creek in addition to overland flow flooding. | A detailed Flood Risk Assessment has been conducted over the site which considers the site response to both overland flow flooding from the Wiggs Road Channel, as well as the mainstream flooding associated with the Salt Pan Creek. Reference should be made to the Civil Engineering Report, ref. Co13924.01-04.rpt. |
| As part of the Detailed Flood Risk Assessment, the following matters must be addressed:<br><br>o Reference should be made to the recently released Council's DCP and LEP 2023.<br><br>o Significant flood impacts (flood level increase >0.01m) are found on adjacent properties including 59 Moxon Road Punchbowl, properties upstream of Moxon Road and Salt Pan Creek Tributary D for the simulated flood events, i.e., 20%, 5%, 1%, 0.5%, 0.2% AEP. It was not clear why the true flood impact extent for the 1% AEP event was not shown in Afflux Map C013924.01-F03 but it can be deduced that the peak flood levels have increased, e.g. 3.16 m AHD for pre-development vs 3.22 m AHD for post-development at 59 Moxon Road. Further the PMF afflux map was not provided.<br><br>o It was not clear whether the levee along the western boundary has been included in the flood model, and whether the levee would be extended north in the post-development scenario following the demolition of the existing building. Should the levee be demolished, the site would be exposed to mainstream flooding from Salt Pan Creek for more frequent events. Should the levee be retained, it is unclear how the flows would be discharged downstream via the proposed flood conveyance zone.<br><br>o Confirmation is required on the current height of the levee to help establish whether the site is | ▪ The CB DCP 2023 has been referenced - refer to Civil Engineering Report, ref. Co13924.01-04e.rpt.<br><br>▪ Refer Appendix G2 of the Civil Engineering Report (**Appendix C**) for clarified flood plans. Flood level impacts are generally less than 10mm in the reported flood events (i.e. 20%, 5%, 1%, 0.5%, 0.2% AEP).<br><br>▪ Yes - the levee and existing levee wall (and warehouse wall, which acts as a proxy-levee) has been included in the flood model. The levee wall is to be maintained/extended as part of the proposed development and is included in the post-development flood model. This scenario also includes the existing outfall pipes to the Salt Pan Creek.<br><br>▪ The top of levee wall level is RL4.00 from the Land Partners survey. The 1% AEP flood levels in Salt Pan Creek vary between RL3.70 and 3.30 adjacent to the site. The levee wall extends into the property to the south as shown in the excerpt below. The buildings fronting Salt Pan Creek also act as flow restrictions, directing flood waters from salt pan creek to the south. The proposed development does not change any of these key flow management structures, or the characteristic flood response. |

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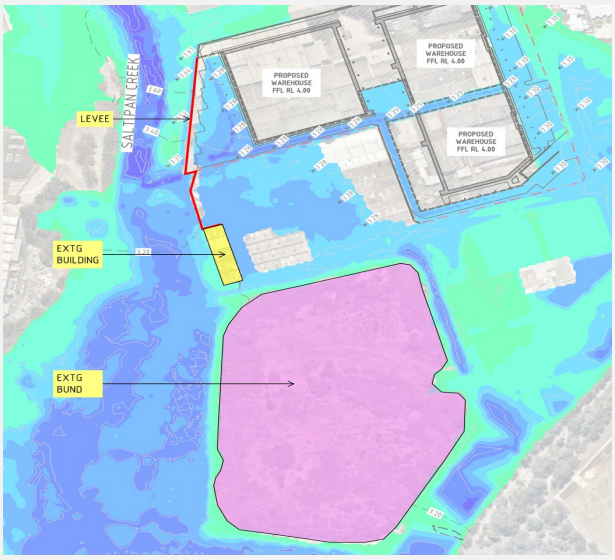
| currently protected from mainstream flooding from Salt Pan Creek up to the 1% AEP event as claimed in the report. It should be noted that mainstream floodwaters can still enter the site from the south (via 59 Moxon Road) where there is no levee. | Figure 1 Extent of Existing Levee Wall<br>  |
| Council notes that the statement that the site will not be affected by sea level rise is incorrect. The Salt Pan Creek Flood Study (2011) indicated that peak flood level increase in the order of 0.06m can be expected on Moxon Road for the +0.55m sea level rise scenario and increase of 0.14m can be expected for the +0.91m sea level rise scenario. The sensitivity of the site flood levels to sea level rise should be assessed based on the service life of the development as per ARR2019 recommendations. | Noted. The proposed building FFL is RL4.00, which is approximately 700mm above the 1% AEP flood level within the site, and 400mm above the flood level in Salt Pan Creek which is isolated from the site via the levee wall. The noted sea level rise of 140mm results in a peak water level in Salt Pan Creek below the levee wall, therefore not impacting on the site.<br><br>The Civil Engineering Report models the 0.5% & 0.2% AEP storms with an increased inflows and higher model tailwater levels which can be assessed as a proxy to climate change. The 0.5% AEP storm is reflective of the 0.55m sea rise level scenario, and the 0.2% AEP storm is reflective of the 0.91 sea level rise scenario. The downstream water levels adopted are reflective of the below Table 7 from the Salt Pan Creek Flood Study (2011). The model D/S water levels are at approximately Location 11 – 20m U/S of railway bridge. The Civil Engineering Report adopts the following tail water levels as a conservative measure:<br><br>▪ CRC Tuflow 0.5% AEP – 3.2m (1% AEP + 0.3m), Flood Study 0.24m<br><br>▪ CRC Tuflow 0.2% AEP – 3.5m (1% AEP + 0.6m), Flood Study 0.45m. |

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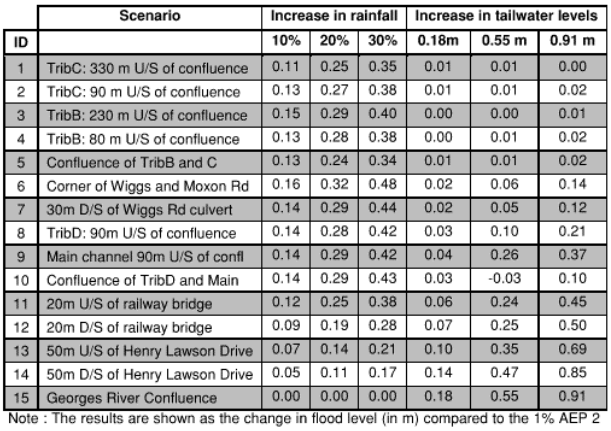
| | Figure 2 Salt Pan Creek Flood Study (2021)<br>Table 7 Results – Increase in Peak Flood Level (m) due to Climate Change<br>  |

| | Scenario | Increase in rainfall | | | Increase in tailwater levels | | |
|---|---|---|---|---|---|---|---|
| ID | | 10% | 20% | 30% | 0.18m | 0.55 m | 0.91 m |
| 1 | TribC: 330 m U/S of confluence | 0.11 | 0.25 | 0.35 | 0.01 | 0.01 | 0.00 |
| 2 | TribC: 90 m U/S of confluence | 0.13 | 0.27 | 0.38 | 0.01 | 0.01 | 0.02 |
| 3 | TribB: 230 m U/S of confluence | 0.15 | 0.29 | 0.40 | 0.00 | 0.00 | 0.01 |
| 4 | TribB: 80 m U/S of confluence | 0.13 | 0.28 | 0.38 | 0.00 | 0.01 | 0.02 |
| 5 | Confluence of TribB and C | 0.13 | 0.24 | 0.34 | 0.01 | 0.01 | 0.02 |
| 6 | Corner of Wiggs and Moxon Rd | 0.16 | 0.32 | 0.48 | 0.02 | 0.06 | 0.14 |
| 7 | 30m D/S of Wiggs Rd culvert | 0.14 | 0.29 | 0.44 | 0.02 | 0.05 | 0.12 |
| 8 | TribD: 90m U/S of confluence | 0.14 | 0.28 | 0.42 | 0.03 | 0.10 | 0.21 |
| 9 | Main channel 90m U/S of confl | 0.14 | 0.29 | 0.42 | 0.04 | 0.26 | 0.37 |
| 10 | Confluence of TribD and Main | 0.14 | 0.29 | 0.43 | 0.03 | -0.03 | 0.10 |
| 11 | 20m U/S of railway bridge | 0.12 | 0.25 | 0.38 | 0.06 | 0.24 | 0.45 |
| 12 | 20m D/S of railway bridge | 0.09 | 0.19 | 0.28 | 0.07 | 0.25 | 0.50 |
| 13 | 50m U/S of Henry Lawson Drive | 0.07 | 0.14 | 0.21 | 0.10 | 0.35 | 0.69 |
| 14 | 50m D/S of Henry Lawson Drive | 0.05 | 0.11 | 0.17 | 0.14 | 0.47 | 0.85 |
| 15 | Georges River Confluence | 0.00 | 0.00 | 0.00 | 0.18 | 0.55 | 0.91 |

Note : The results are shown as the change in flood level (in m) compared to the 1% AEP 2 hour event with a 1 m AHD level in the Georges River.

| | |
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| With the provision of flood storage on-site, Council requests that longer storm durations be assessed as the storm which will produce the peak volume at the flood storage on-site is unlikely to be the shorter duration storm such as the 45-minute as adopted in the assessment. The mean/median temporal pattern adopted for the flood modelling should be reported. | The updated Civil Engineering Report includes assessment of longer storm durations (90min). The updated report also includes the mean/median temporal patterns adopted in the flood model at Appendix G2.2. |
| Council requests that Detailed Flood Risk Assessment be undertaken based on a concurrent mainstream and overland flow flooding scenario (assuming the levee is retained/extended) as it is likely the overland flow would not be able to discharge into Salt Pan Creek in the event of elevated creek levels, and assuming the pumps do not have sufficient capacity to discharge overland flows downstream of the levee in time. | Refer to Section 7 and Appendix G1 & G2 of the Civil Engineering Report for a detailed Flood Risk Assessment. The risk assessment considers the concurrent mainstream and overland flow scenario and assumes that the pumps are not operational. |
| Council notes further clarification is required to determine whether the columns/piers under the suspended slabs have been included in the flood model. Consideration should be given to the potential loss in flood storage displaced by the columns/piers. | The total volume of storage available under the slab is approximately 14,000$m^3$, whilst the volume of structure under the suspended slab is estimated to be less than 120$m^3$ (assuming nominal 1m diameter column & 100 columns within the floodplain to an average depth of 1.5m). This is less than 1% of the available flood storage volume and is considered negligible. |
| Council requests that a site-specific Flood Emergency Response Plan is developed considering the high hazard flows anticipated, with H3 hazard found even in the 20% AEP event, cutting access to the south-eastern warehouse | With reference to the flood plans in Civil Engineering Report Appendix G2, it is noted that the southern driveway is inundated by H3 hazard flooding in storms at the 20% AEP. However, the northern driveway is flood free up to the 0.2% AEP |

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| completely and preventing evacuation. AP Stormwater has significant concern for the risk to life and property/goods for the proposed development in view of the high hazard flows anticipated around the site. | flood, allowing safe egress from the site and north up Moxon Road. Flood conveyance is provided around the site under suspended slabs to allow safe passage of water beneath the working surfaces of the warehouse. The suspended slabs are above the 1% AEP flood level plus a minimum 300mm of freeboard. The warehouse achieves a minimum 500mm freeboard to the 1% AEP flood level. The high hazard flows will occur beneath the suspended slab in dedicated flood conveyance channels. Refer to Flood Emergency Response Plan (**Appendix G**). |
| In consideration of the adverse impacts caused by the proposed development, Council notes that the proposed imported/net fill of 26,200m$^3$ is not acceptable. | As noted above and as shown on the flood plans in Appendix G of the Civil Engineering Report, there are no adverse impacts to the surrounding properties as a result of the development. The importation of fill is required to achieve the flood planning level of RL4.00. |
| Council requests that a comparison of the peak flood levels around the site should be provided in a tabular format to confirm the model validation results. | Peak flood level comparison is provided on clarified Afflux Plans and spot levels included in pre/post development, refer Civil Engineering Report Appendix G2. |
| **Site Entries and Vehicular Crossings** | |
| Council notes the northern access is not in line with Council's VFC Policy in that the minimum clearance of 2m is not provided at the property boundary. As such, Council requests that the driveway needs to be redesigned such that the splays do not encroach the adjoining property frontage. Since the northern driveway needs to cater for heavy vehicles the splays / wings will be larger and therefore, a minimum of 3m clearance may be required from the northern boundary. See image below (red line showing the potential location of northern driveway). | The Council Standard Drawing S-004 outlines that the minimum clearance from VFC to side property boundary for multi-dwellings, commercial and industrial properties is 2m.<br><br>The clearance of 2m has been provided on the current site plan, refer to below figure.<br><br>The design review shows the current design is in accordance with Council VFC policy and can accommodate heavy vehicles without encroaching the property frontage, refer to below figure.<br><br>Therefore, the current design provides 2m clearance from VFC to side property boundary which satisfies the requirements. |
| Additionally, Council requests that the driveway catering for egress of 19m AV from ground level as well as 1st floor must provide a queue length suitable for two AVs behind the property. The current 10m driveway length proposed is insufficient. | SIDRA modelling has been undertaken at the Northern Access for future 2034 project case. (Refer to Section 7.7.3 of the TMAP Issue IX.) The results outline that the Northern Access would operate at a LoS A during AM and PM peak hour with a DoS of 0.22 and 0.26 respectively. This |

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| | demonstrates that the proposed access would perform well with no queuing onto the public road.<br><br>The development has been designed to allow for one AV to queue within the property in response to the results of the traffic modelling undertaken. The modelling has found that the traffic conditions do not require a queue length of two AVs within the property, and that the proposed development will operate with acceptable traffic impacts as designed. The driveway on the ground floor has adequate space for vehicles to queue if needed, and vehicles running on ground floor will give way to vehicles from Level 1. As such, the current design would not result in any queuing on public road network, and the access will be open during the operation of the site, as such this would not be of any issues to Moxon Road.<br><br>Additionally, an OTMP and a Loading Dock Management Plan (**LDMP**) are proposed for the proposal to provide guidance for future tenants in relation to the management of vehicular movements at the site. |
| Council requests that the driveway is to be redesigned to allow minimum 3m clearance from northern boundary. | Refer to the above VFC response. |
| Council notes that it is good practice to segregate light vehicles from heavy with separate accesses for each category. Consequently, Council requests that the proposed scheme is reconfigured to allow the middle driveway to be allocated for light vehicles / staff and visitors. The other two driveways towards the northern and southern property boundaries be used for heavy vehicles. | The middle driveway will be allocated to light vehicles. Some on-site car parking will be accessed via other shared crossovers, however, this will not result in any significant traffic, noting these spaces will primarily be staff with minimal movements. The following matters are also noted:<br><br>▪ Sharing LV and HV at this location will only be in a short section of the driveway,<br><br>▪ This section of access driveway is within the property boundary,<br><br>▪ There are no reverse manoeuvres at this immediate location that would impact on safety,<br><br>▪ Staff will have induction processes including briefings regarding traffic safety,<br><br>▪ Shared access by cars and trucks is permitted under the relevant Australian Standards. Section 3.3.2 of AS2890.2:2018 makes provision for car parking on circulation |

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| | roadways used by trucks and other commercial vehicles,<br>▪ The “service area” – where trucks are reversing – is separated from car parking areas and pedestrian activity,<br>▪ The proposed internal road through the hardstand area would operate under a speed limit of 10-20km/hr which can be formalised through signage and line-marking as part of OTMP preparation. |
| **Central Access** | |
| As similarly addressed above, Council notes the central access is located within the Figure 3.1 PROHIBITED LOCATIONS OF ACCESS DRIVEWAYS of AS 2890.1. Additional conflicting movements will be generated with the proposed driveway location particularly during peak hours and is a cause of safety concern. | The current central access location was nominated for the following reasons to meet the requirements of the civil engineering design:<br>▪ The location is the furthest south the driveway could be located without introducing steep grading in the suspended carpark.<br>▪ To soften the grades, the carpark would need to be cambered towards Moxon Road, which then introduces significant structural complexity into the suspended carpark area.<br>▪ Cambering the car park reduces the head height clearance between the suspended structure and the flood conveyance beneath, compromising the site’s ability to accept flooding from Moxon Road.<br>The northern edge of the driveway has been located to meet the requirements of the existing Moxon Road bus zone.<br>Section 3.2.3 of AS2890.1:2004 provides that Figure 3.1 Prohibited Locations of Access Driveway shall not be applied to any access driveway serving a property which is physical impossible. Considering the civil engineering design requirements, the location is acceptable. Further, the central driveway is to access car parking spaces, limiting traffic movements and avoiding material impacts on the public road network. The access driveway would operate under priority control and would always give priority to Moxon Road and pedestrian crossing. It can be formalised through signage and line-marking as part of OTMP. |

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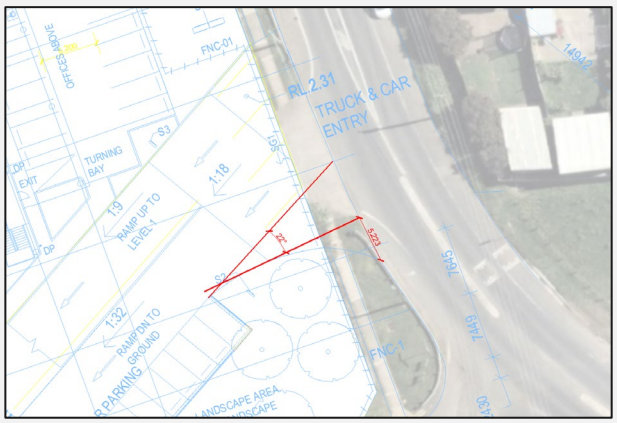
| **Southern Access** | |
| Council notes the proposed southern access does not correspond with Council's Vehicular Footway Crossing (VFC) Policy as it is not perpendicular to the kerb and gutter. | The Council Standard drawing S-004 does not mandate a 90 degree requirement and demonstrates that 30 degree maximum side splays on VFCs may be acceptable where entry and exit is to kerbside traffic lanes, or to provide for truck turning movements. Currently, the VFC at the southern access is 22 degrees, refer to below figure; this entry is to kerbside traffic lanes and will cater for Heavy vehicle. Therefore, the current design meets Council's VFC Policy.<br>Figure 3 Southern Access VFC<br>  |
| Council notes that there is a power pole that would need to be relocated at the Applicant's cost in liaison with Ausgrid. | Noted and agreed by Applicant. |
| Council notes there presently are guardrails on either side of the proposed driveway. These are council assets and will have to be adjusted at the Applicant's cost. | Noted and agreed by Applicant. |
| Council notes that the southern truck and car entry vehicular crossing has 2 lanes and is excessively wide for pedestrians to cross. Council request that this entry is reconditioned with a central splitter island/pedestrian refuge. The splitter island will also serve to separate vehicles entering from the north and south. This entry needs to be rotated towards 90deg to Moxon Rd to reduce the width of the VC. | The design aims to utilise the existing access driveway and widen it to accommodate future vehicles (not to provide new access), so the design will not materially change the current traffic management scheme. While the adjacent access to the south relates to a private property, this has considered as an intersection and accordingly, the driveway access is outside of the prohibited location (6m away from the tangent point). As such, a 90-degree angle with Moxon Road is not the most appropriate design for this driveway. Additionally, the current VFC is 22- degree which meets Council VFC policy. Refer to the figures |

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| | within Item 7.6. Therefore, the current design meets Australian Standards and Council policy.<br><br>Additionally, the southern access driveway would operate as entry only for few staff and HV movements, and the traffic volume is forecasted to be 44 LV trips and 28 HV trips during AM peak hour, 5 LV trips and 9 HV trips during PM peak hour. Pedestrian movement along this future access is anticipated to be low and as such, the proposal is not expected to result in conflicts between vehicles and pedestrians. On this basis and noting that the driveway design complies with Council policy and Australian Standards, there is no need for a splitter island. Traffic management is proposed as part of OTMP and through provision of appropriate signage and line marking. |
| Similarly, Council notes the northern exit vehicular crossing has 2 lanes. It is about 16m wide. Accordingly, Council requests that this entry is reconditioned with a splitter island/ pedestrian refuge. 8-10m is probably the limit for pedestrians to cross safely and is the preferred maximum width of a vehicular crossing. | The northern access driveway would operate as exit only for LV and HV, and the traffic volume is forecasted 13 LV trips and 22 HV trips during AM peak hour, 65 LV trips and 19 HV trips during PM peak hour. Pedestrian movement along this future access is anticipated to be low and as such, the proposal is not expected to result in conflicts between vehicles and pedestrians. Figure 3.1 of AS2890.2:2018 outlines the minimum design for an access driveway on a minor road, and does not suggest that 8-10m for a pedestrian crossing or the maximum width of a vehicular crossing is a requirement. On this basis and noting that the driveway design complies with Council policy and Australian Standards, there is no need for a splitter island. Traffic management is proposed as part of OTMP and through provision of appropriate signage and line marking. |
| Council requests that traffic movements along Moxon Road are to be assessed for turn lanes into the site | Traffic movements along Moxon Road have been assessed and provided within Appendix C of the TMAP. |
| **Road Dilapidation Survey Report** | |
| Council notes the construction phase of the project will generate increased truck movements along Moxon Road and Wiggs Road carrying heavy loads. Therefore, Council requests that a Roads Dilapidation Survey Report is generated for Moxon Road and Wiggs Road between Canterbury Road and Belmore Road in order to assess any potential | A Roads Dilapidation Survey Report and detailed CTMP can be provided as conditions of consent. It is expected that forecast construction traffic volumes will generally remain consistent with that of the future operational traffic assessed as part of the application (or less) and are therefore acceptable. |

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| damage of the Council's road assets made during the construction phase of the project. | |
| **Footpaths, Kerb Ramps and Bus Stops** | |
| Council requests that the proponent considers reconditioning the existing footpaths, kerb ramps and bus stops along the frontage of the site to Council's satisfaction and at the applicant's cost at the completion of works. | Footpaths and kerb ramps affected by the development will be replaced in accordance with AS at the Applicant's cost. |
| **Proposed Vehicular Footway Crossing (VFC) profiles** | |
| Council notes its previous comments have not been addressed. The proposed Vehicular Footway Crossing Profiles for access (1) & (3) still fail to comply with Council Standard drawing S-004. As such, Council requests that the proposed Vehicular Footway Crossing Profiles for access (1) & (3) are rectified to comply with Council Standard drawing S-004. | Please refer to the VFC response above. |
| **Proposed Finished Floor Levels** | |
| Council notes its previous comments have not been addressed. Proposed Finished Floor Levels have not been addressed in the latest architectural plans as raised previously | The finished floor level range will vary from RL3.8 (being the minimum Flood Planning Level) to RL4.5. Final levels would be subject to +0.5m/-0.2m variance to allow for variations in allowances for geotechnical conditions, final building layout and allowable building height, and drainage conditions.<br><br>A note is included in the civil engineering drawings which states: "A floor level range of RL3.8 to RL4.5 is considered necessary for future detail design considerations including bulk earthworks, drainage conditions final building layouts and other factors". Refer to Section 3.2 of the Civil Engineering Report. |
| **Swept Paths** | |
| Council notes the attached Swept Path Analysis indicated an AV truck wheels driving over areas without proposed VFCs and as such a non-compliant. Accordingly, Council requests that this diagram is amended to demonstrate a VFC as appropriately required. | Please refer to the VFC response above. |
| **Ramps and Nominated Reduced levels** | |

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| Council requests that all longitudinal sections through all ramps with nominated reduced levels and grades are designed by a suitably qualified engineer in accordance with AS2890 series and shall be provided to Council for further assessment. | Ramps assessment have been provided within the Section 8.3.2 and Appendix C (AG01) of the TMAP. |
| **Existing Pipelines** | |
| Council requests that the exact location, size and depth of all existing pipelines to be reused for stormwater connections discharging Salt Pan Creek must be verified and nominated on the stormwater management plans. | The existing pipes being utilised for site discharge are shown on the drainage plans. Please refer to the site survey submitted as part of the SSDA. |
| **Proposed Temporary Basin** | |
| Council requests that the location, size and depth of any proposed temporary basin during construction must be shown on the stormwater management plans. | The proposed temporary sediment basins for construction will be located and sized to respond to site run off volume and flow paths to mitigate and manage any potential impacts of construction in relation to stormwater and surrounding land. The sediment basins will be designed in accordance with CB DCP requirements, including appropriate treatment of stormwater prior to discharge. The exact location, size and depth of the basins will be confirmed following any development approval through the detailed design phase, prior to construction. The Applicant confirms agreement to the detail of temporary sediment basins forming a pre-commencement condition of consent. |
| **Acid Sulphate Management Plan** | |
| Council requests that mitigation measures listed in the Acid Sulphate Management Plan form part of the Conditions of Consent. | Noted and agreed by the Applicant. |
| **Air Quality Assessment** | |
| Council requests that mitigation measures listed in the Air Quality Assessment form part of the Conditions of Consent | Noted and agreed by the Applicant. |
| **Detailed Site Investigation (DSI)** | |
| Council notes the DSI states that a Remedial Action Plan (RAP) is required. | Noted and agreed by the Applicant. |

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| Council requests that a NSW Environment Protection Authority accredited site auditor be appointed to audit reports compiled as part of the contaminated land assessment, remediation, and validation process. | Noted and agreed by the Applicant. |
| Prior to consideration of development consent, Council requests that a site audit statement and site audit report are to be provided to the Principal Certifier from the site auditor that clearly states that the site is, or can be, made suitable for the intended use. The site audit statement and site audit report must include any restrictions or management requirements for the site. | The Site Audit Statement will be provided once the works identified in the Remediation Action Plan have been completed. These works will be undertaken in accordance with the development consent. At this stage, Interim Audit Advice has been provided (**Appendix I**) which confirms the acceptability of the DSI, RAP and LTEMP. |
| **Hazardous Building Materials Assessment** | |
| Council requests that the site-specific recommendations listed within the Hazardous Building Materials Assessment form part of the Conditions of Consent. | Noted and agreed by the Applicant. |
| **Light Spill Assessment** | |
| Council requests that the site-specific recommendations listed within the Light Spill Assessment form part of the Conditions of Consent. | Noted and agreed by the Applicant. |
| **Noise and Vibration Impact Assessment** | |
| Council notes the sites' hours of operation are between 7:00AM to 10:00PM. | Noted and agreed by the Applicant. |
| Taking this into consideration and the sites proximity to residential precincts, Council requests that the management and mitigation measures identified within the Noise and Vibration Impact Assessment form part of the Conditions of Consent. | Noted and agreed by the Applicant. |
| Additionally, Council requests that, prior to occupation, the Principal Certifier shall obtain a report from an appropriately qualified acoustic consultant, not previously involved with the development, stating that any operational noise management and mitigation measures outlined in the noise and vibration impact statement have been implemented and that the relevant noise criteria have been satisfied. | Noted and agreed by the Applicant. |

| Submission | Response |
|---|---|
| **Preliminary Long-Term Environmental Management Plan** | |
| Council requests mitigation measures identified within the Preliminary Long-Term Environmental Management Plan form part of the Conditions of Consent. | Noted and agreed by the Applicant. |
| **Remediation Action Plan** | |
| Council requests mitigation measures identified within the Remediation Action Plan form part of the Conditions of Consent. | Noted and agreed by the Applicant. |
| **Waste Management Plan (WMP)** | |
| Council requests the submission of a comprehensive Waste Management Plan, covering all aspects of demolition, construction, and ongoing operations at the subject site. | DPE has confirmed that the submission of a Waste Management Plan will form a condition of consent. |
| **Construction Traffic Management Plan and Site Pedestrian Traffic Management Plan** | |
| Council requests that a Construction Traffic Management Plan (CTMP) / Site Pedestrian Traffic Management Plan (SPTMP) shall be required to be submitted six months prior to the commencement of works on the site, for both demolition and construction phases of the development / project should this DA be approved. | Noted and agreed by the Applicant. |
| Prior to the issue of any Construction Certificate for this development, Council that the applicant requests approval from Council's Traffic and Transport Section for a CTMP / SPTMP. This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below. | Noted and agreed by the Applicant. |

## 4.3. EHG SUBMISSION

Table 5 Response to EHG submission

| Submission | Response |
|---|---|
| **Flooding** | |
| EHG is satisfied that the flood assessment and risk management advice has been adequately | Noted and agreed by the Applicant. |

| Submission | Response |
|---|---|
| addressed. EHG has no further comments on flooding for this project. | |
| **Biodiversity** | |
| Water Quality Impacts on Biodiversity Values<br><br>EHG notes the proposal for stormwater to be discharged from the site into an existing drain which flows directly into Salt Pan Creek without being filtered by any vegetation within the riparian zone. Two endangered ecological communities (Coastal Saltmarsh; Swamp Oak Floodplain Forest) and other sensitive estuarine vegetation (Mangrove Forest) occur a short distance downstream. The Coastal Saltmarshis also known habitat for the threatened plant Wilsonia backhousei.<br><br>The highest risk of impacts on these biodiversity values is likely to be from site remediation and bulk earthworks during the construction phase (EIS section 3.2.3.1), and this risk is exacerbated by the presence of ' Type D' soils (as indicated in section 8, Civil Engineering Report, Rev E), which are soils that contain a significant proportion of fine (<0.005 mm) 'dispersible' materials that will never settle unless flocculated (see section 3.2.7 of the Landcom 'Blue Book' 2004).<br><br>The Submissions Report states that the water quality and quantity measures proposed in the Civil Engineering Report "will ensure that no adverse impacts result on receiving waterways as a result of the development" (page 16). Section 3.2 of the Civil Engineering Report states that "Soil Erosion and Sediment Control measures, including sedimentation basins are to be placed in accordance with submitted drawings and the Soil and Water Management Plan in section 8 and Appendix B".<br><br>However, section 8 nominates sedimentation basins only as one of the "typical management measures" but does not confirm commitment to such a measure. Further, neither the submitted drawings in Appendix A nor the draft Soil and Water Management Plan in Appendix B indicate a requirement for a sedimentation basin; and to the contrary suggestion, drawing C013924.01- SSDA20 Rev C states that "a sedimentation basin may be considered unnecessary". Lack of use of a | Noted and agreed by the Applicant. |

| Submission | Response |
| --- | --- |
| sedimentation basin would make prevention of sediment to the riparian zone reliant on silt fencing, with the point of concentration at the southwestern corner of Lot 1 DP 618465 being a high-risk point. Given the sensitivity of the receiving environment and the soil type, EHG recommends the use of a sedimentation basin during the construction phase and that the conditions of approval reflect the need for such a measure. | |
| Threatened plant species<br><br>EHG previously raised that records from the Salt Pan Creek corridor of threatened plant species Acacia pubescens (Vulnerable under Biodiversity Conservation Act 2016; Vulnerable under Environment Protection and Biodiversity Conservation Act 1999) and Wilsonia backhousei (Vulnerable) had not been documented, nor potential impacts on them considered, in the biodiversity development assessment report (BDAR). EHG notes the response that "These species are not on or adjacent to the subject land, nor is there suitable habitat for either species within the subject land and the adjacent riparian land". However, the revised BDAR (version 6) contains very little description of the adjacent riparian zone in Table 6-3 - describing it as "heavily infested with weeds"- and several photos in Appendix A. However, there is no description of the habitat and no documentation of any surveys undertaken for these species.<br><br>EHG accepts the opinion that the part of the riparian zone immediately adjacent to the development site does not provide suitable habitat for Wilsonia backhousei because of the absence in that area of saltmarsh vegetation. However, according to the assessor's vegetation mapping, in new figure 3-2, saltmarsh does occur within 140 metres of the in-stream point of discharge of the proposed development's stormwater. The species therefore should be identified and considered as a potential impact entity.<br><br>In the case of Acacia pubescens, the revised BDAR does not address EHG's previous comments regarding the many records in the Salt Pan Creek riparian corridor of the species. Last week, Canterbury-Bankstown Council staff confirmed with | As indicated in the previous response (EHG.1 in Table 2), the streamlined module for planted native vegetation (BAM Appendix D) does not require survey strictly in accordance with the BAM. The Streamlined assessment module planted native vegetation BAM operational manual (DPE 2022) states the following:<br><br>“2.2 D.2 Assessment of planted native vegetation for threatened species habitat<br><br>If the application of D.1 justifies the application of the streamlined assessment under D.2 of the Module, the planted native vegetation is not required to be assessed under the standard BAM. However, the vegetation may still provide habitat for threatened flora and fauna species. If the answer to any one of Questions 4–6 is ‘yes’, assess the suitability of the planted native vegetation for use by threatened species (both ecosystem and species-credit species).”<br><br>While it is not required to survey these areas strictly in accordance with the BAM, it is expected that a reasonable understanding of habitat suitability for threatened species is provided in the BDAR/BCAR. This may require rapid vegetation and habitat assessments and walking transects to identify any notable habitat features or evidence of threatened species occupation. Record any incidental sightings or evidence of threatened fauna species using, inhabiting or being part of the planted native vegetation.<br><br>Despite not being required, BDAR Section 1.5 has been expanded to provide the survey efforts undertaken external to the subject land’s planted vegetation within the adjacent riparian corridor.<br><br>BDAR Section 5.2 Threatened species records states that: |

| Submission | Response |
| --- | --- |
| EHG the continued occurrences of this species on the west bank of Salt Pan Creek, including one group of plants immediately opposite the subject site and many others within a short distance downstream. Even without this confirmation, the proximity of the prior records to the site, and EHG's prior comments, should trigger surveys for this species in the riparian zone adjacent to and downstream from the subject land. Although photos in Appendix A suggest that the area has been examined, the revised BDAR lacks documentation of surveys targeting this species or of any other evidence to support the contention stated in the Submissions Report that the species is not present on land adjacent to or downstream from the subject land. Further, drawing C013924.01-SSDA40 Rev E in the Civil Engineering Plan indicates that works to connect the site stormwater discharge to the existing drainage infrastructure within the riparian zone are part of the development. These may be a source of direct impacts on this species, or its habitat should be present in the vicinity. | ▪ Threatened species records returned from a Bionet 10km search radius of the subject land (the locality) are identified in Table 5 2 along with habitat requirements and/or commentary relevant to the subject land.<br>▪ Table 5-2 identifies A.pubescens and the existing records of this species were noted during the desktop assessment for this project, in particular that it is likely the species is either of planted nature (as part of the pathway installation) or self-seeded from planted specimens:<br>▪ A.pubescens in Table 5-2 is stated as ‘not present’ with all tree species present on the subject site identified by the arborist), and<br>▪ Table 5-2 identifies that the saltmarsh habitat of W.backhousei is not present.<br>The previous Submissions Report only concluded that A.pubescens and W.backhousei are not present on the subject land and land adjacent to the site. It is not contested that A.pubescens is not present on land downstream of the subject land. However, surveys targeting this species beyond the subject land’s planted native vegetation are not required for this project. Despite the adjacent riparian land not being part of the subject land and detailed BAM surveys not required, Section 5.1 Habitat Assessment has been updated to describe the riparian land adjacent the subject land and the inspection details undertaken during an assessment of the watercourse (which included the riparian zone) as follows:<br>▪ Three transects from top of creek bank to the subject land boundary were measured for distance in metres, and<br>▪ Between and outside of each transect the site was randomly meandered and observations recorded on tape recorder, photographed and GPS measurements collected.<br>▪ Additional description of the adjacent riparian land is provided in BDAR Section 5.1.2.<br>▪ W.backhousei and A.pubescens will not be directly impacted by the proposal. |

| Submission | Response |
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| | BDAR Section 6.4 provides an assessment of potential indirect impacts on the riparian corridor, Salt Pan Creek and downstream estuarine wetland system, and in turn the W.backhousei and A.pubescens that are located in these environments.<br><br>Based on available site information, it is anticipated that all stormwater connection works can be achieved within the subject land's boundaries and without direct disturbance to the riparian zone.<br><br>Should any works be required external to the subject land, and in turn any direct impacts to the riparian corridor, consultation and additional approval would be sought from the relevant regulatory authorities and legislation. |
| Avoid and minimise vegetation clearing<br><br>While the EIS indicates significant additional tree planting is proposed to offset potential impacts, and the BDAR indicates hollow bearing trees are absent, the removal of existing trees and the benefits that they provide, will take decades for a juvenile tree to grow and replace. The removal of some of the 82 trees may also remove the potential supply of future hollows that would be expected to form in time. It is recommended the development first avoids the clearing the existing native trees to mitigate impacts on local biodiversity, the urban heat island effect and urban tree canopy cover.<br><br>Many established natives (though not necessarily locally indigenous) trees currently occur along the Moxon Road frontage, which provide immediate urban tree canopy and ecosystem services,. These include:<br><br>T2 - Eucalyptus globulus 114 cm, dbh<br><br>T7 - Melaleuca quinquenervia, 76 cm dbh<br><br>T9 - Melaleuca quinquenervia, 49 cm dbh<br><br>T10 - Casuarina glauca, 47 cm dbh<br><br>T11- Melaleuca quinquenervia, 49 cm dbh<br><br>T12 - Casuarina glauca, 35 cm, dbh<br><br>T13- Melaleuca quinquenervia, 49 cm dbh<br><br>T14 - Eucalyptus tereticornis, 42 cm dbh | As indicated in the Submissions Report, the filling required to mitigate existing flooding issues (as required to maintain compliance), the avoidance of vegetation clearing is not achievable. The proximity of planted trees to buildings, internal roads and car parks also requires maintenance lopping/trimming to remove hazards to public safety and assets. The potential for future hollow development is limited as any limb failure or other decay (that would typically develop into a hollow) would not be retained to avoid safety risks. |

| Submission | Response |
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| T15 - Eucalyptus tereticornis, 62 cm dbh<br>T23 - Eucalyptus saligna, 61 cm dbh<br>T24 - Eucalyptus saligna, 36 cm dbh<br>T27 - Eucalyptus scoparia, 47 cm dbh<br>T28 - Eucalyptus microcorys, 43 cm dbh<br>T29 - Eucalyptus microcorys, 59 cm dbh<br>T30- Melaleuca quinquenervia, 34 cm dbh<br>T31- Melaleuca quinquenervia, 68 cm dbh<br>T75- Melaleuca quinquenervia, 56 cm dbh<br>T77 - Eucalyptus scoparia, 40 cm dbh<br>EHG recommends further consideration be given to retaining as many native trees as possible in the proposed 10m wide landscape buffer. | |
| The revised BDAR has responded in part to EHG's previous comments on light spill, however EHG's specific concerns about impacts of light spill on the riparian habitat in the Salt Pan Creek corridor have not been addressed. | A lighting design and a light spill assessment was provided by Cundall (03 June 2023) for the proposal. BDAR Section 6.4 (Indirect impacts) concludes the consequence of increased light impacts is considered a low risk based on the lighting design and spill assessment, including:<br>▪ Zero light pollution from the proposed exterior lighting into the night sky, this result exceeds the allowable acceptable allowance of 0.02 lux and is in line with International Dark-Sky and Australasian Dark Sky practices.<br>▪ Adaptive controls will manage the lighting systems brightness to reduce the need to have the system on all night when areas are not in operation.<br>▪ Application of a maximum colour temperature (CCT) of 3000 K to reduce the adverse effects on humans and wildlife of blue, violet and ultra-violet wavelengths emitted by the light source. These effects disrupt the natural circadian rhythms of all living things.<br>A range of exterior lighting and operation hours and dimming levels are also proposed, which included the following:<br>▪ Operating sunset to 8:00 pm at 100% light output. |

| Submission | Response |
|---|---|
| | ▪ 75% light output from 8:00pm to 10:30pm<br>▪ 50% light output from 10:30pm to 11:00pm with PIR sensor to increase light level to 75% when people approach the area.<br>▪ 0% light output from 11:00pm to 6:00am with PIR sensor to increase light level to 15-20% when people approach the area.<br>▪ The curfew hours (11:00pm to sunrise) lighting control will be zoned, meaning only essential luminaires for building security will be operational during these times.<br>Cundall applied new research that support the reduction of bright light and large contrasts to a lower illuminance level with more consistent light and the feeling of safety. These approaches are not yet acknowledged in current AS/NZS 1158 exterior lighting standards.<br>It is considered that these measures will appropriately mitigate what is considered a low consequence risk on the degraded riparian land adjacent to the site. |

## 4.4. RECOMMENDED CONDITIONS OF CONSENT

Table 6 Response to Recommended Conditions of Consent

| Submission | Response |
|---|---|
| **DPE Water** | |
| The RTS has been reviewed by DPE Water and all requirements have been adequately addressed by the proponent. DPE Water recommends (post approval) that the minor construction work for the site connection to the existing drainage pipeline consider the Guidelines for Controlled Activity on Waterfront Land (DPE, 2022). | Noted and agreed by the Applicant. |
| **DPI Fisheries** | |
| DPI Fisheries has reviewed the Response to Submissions Report and relevant attachments and provide the following recommendations for conditions of consent:<br>• DPI Fisheries policy advocates the use of terrestrial riparian buffer zones adjacent to areas of Key Fish Habitat as per the Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013) available | ▪ The proposed Architectural Plans confirm that the warehouse and distribution centre is to be located over 30m from the top of the bank of Salt Pan Creek. As such, any condition of consent is not necessary or required. |

| Submission | Response |
|---|---|
| on the Department's website at www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation in order to maintain the riparian buffer zone and limit disturbance and susceptibility to bed or bank erosion. A minimum riparian buffer of 30m must be maintained between the development and the top of bank of Salt Pan Creek. | ▪ Noted and agreed by the Applicant. |
| • A comprehensive Erosion and Sediment Control Plan (ESCP) must be implemented during construction to mitigate against impacts on Salt Pan Creek, adjacent coastal wetlands (TYPE 1 KFH habitat) and mangroves (TYPE 2 KFH). The ESCP will conform to best practice provided in the Landcom document Managing Urban Stormwater – Soils & Construction Volume 1 ('Blue Book') (Landcom, 2004). | Noted and agreed by the Applicant. |
| **FRNSW** | |
| FRNSW note The Fire Safety responses at Section 4 of the Submissions report, when implemented, would satisfy the recommendations made by FRNSW in our previous letter out concerning this matter dated 8/08/2023 (D23/73485).<br><br>FRNSW therefore submit no further recommendations for consideration, nor any requirements beyond that specified by applicable legislation at this stage. | Noted and agreed by the Applicant. |
| **TfNSW** | |
| <u>Green Travel Plan</u><br><br>Comment:<br><br>TfNSW notes that the submitted Transport Management and Accessibility Plan recommends a comprehensive Green Travel Plan (GTP) be undertaken to minimise the traffic generating impacts of the proposed development on the adjacent road network.<br><br>Recommendation:<br><br>• Prior to the issue of the first Occupation Certificate, the proponent shall prepare a detailed Green Travel Plan (GTP) in consultation with Council. The NSW Government provides a range of resources to help in the development of a GTP at www.mysydney.nsw.gov.au/travelchoices/tdm#support | Noted and agreed by the Applicant. |
| <u>Operational Traffic Management Plan</u> | As part of this Supplementary RFI Response, the Applicant has confirmed that |

| Submission | Response |
| --- | --- |
| Comment:<br><br>Upon review of the submitted swept path analyses for articulated vehicles measuring 20 meters in length navigating the Canterbury Road and Moxon Road intersection, it is noted that these vehicles may encounter difficulties in executing a right turn movement from Canterbury Road into Moxon Road, as well as left turn from Moxon Road onto Canterbury Road. The documentation suggests an increased likelihood of these vehicles mounting the kerb during such manoeuvres.<br><br>As such, TfNSW recommended a suggested condition in the agency's submission dated 1 September 2023, stating that the Operational Traffic Management Plan for the service hardstand area should stipulate that all vehicles exceeding the length of a Heavy Rigid Vehicle (i.e., longer than 12.5 metres in length), must access the site exclusively through Wiggs Road, which is a designated B-double route, via its intersection with Belmore Road.<br><br>The Response to Submissions has sought reconsideration of the need for the above condition and furnished data from a traffic survey, indicating daily usage of the aforementioned intersection by 67 vehicles at minimum 19 meters in length.<br><br>Notwithstanding the traffic survey data submitted, TfNSW maintains its stance, underpinned by a commitment to a safer systems approach, that the additional heavy vehicle activity attributable to the proposed development intensifies the potential for safety hazards, particularly with the potential for articulated vehicles mounting the kerb at Canterbury Road and Moxon Road intersection. Consequently, TfNSW reasserts the necessity of the following suggested condition for consideration by the Department:<br><br>Recommendation:<br><br>All vehicles larger than a Heavy Rigid Vehicle (i.e., longer than 12.5 metres in length) shall only enter and exit the subject site via Wiggs Road (approved B-double route) and intersection with Belmore Road. This requirement is to be incorporated into the Operational Traffic Management Plan for the service/hardstand area. | all vehicles larger than a Heavy Rigid Vehicle shall only enter and exit the subject site via Wiggs Road and intersection with Belmore Road, and the acceptability of the traffic impacts of the proposed development. |

# 5. DEPARTMENT CORRESPONDENCE

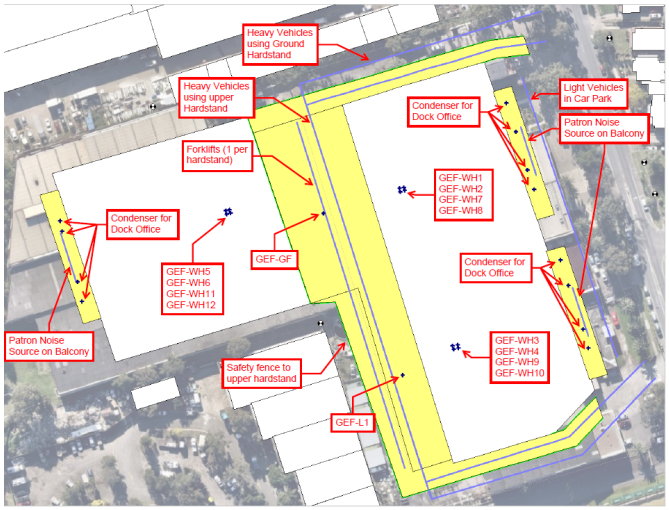
This section provides a detailed summary of the Applicant's response to the issues raised in email correspondence received from DPE, prior to the issue of the Request for Additional Information letter dated 4 December 2023. The following tables respond to each separate email correspondence received.

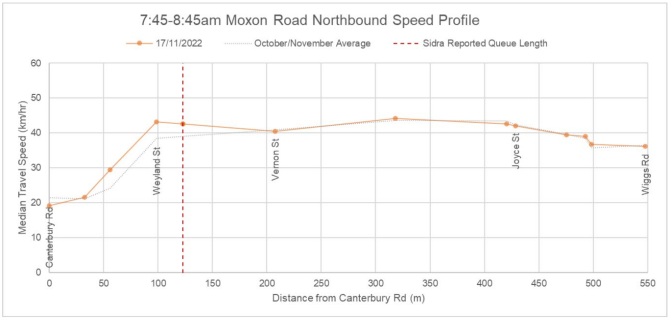
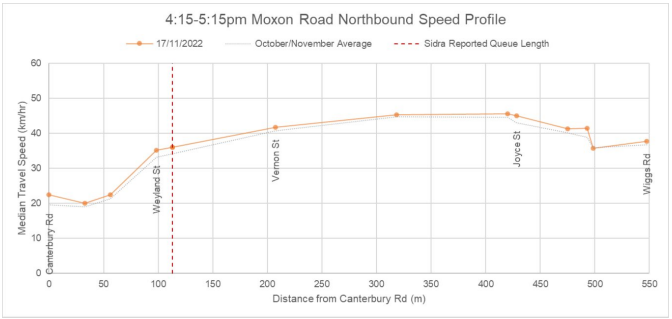
Table 7 DPE correspondence dated 30 October 2023

| Comment | Response |
|---|---|
| **Operational Noise** | |
| The RWDI noise report does not appear to have made any adjustment to measured LAeq,period noise levels at unattended monitoring locations when deriving high traffic amenity levels at applicable assessment locations (note that the approach of simply grouping residential receivers into two separate noise catchment areas by distance from Moxon Road is not accepted) | If a 3dB reduction in traffic noise level was allowed for in the noise model, commensurate with change in distance from Moxon Road to the next row of receivers and effectively lowering the criteria by 3dB, predicted noise levels would still be compliant at these locations. Even if the effect of traffic was omitted at receivers beyond these, noise levels would still be compliant. Any such adjustments made will not change the outcome of the assessment within the NVIA. |
| The RWDI noise report does not appear to have considered the relevant EPA guidance when determining noise amenity category for residential receivers (see more information at https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)) | The residential receivers are within an R3 zone and accordingly, the suburban classification has used as per Table 2.3 of the NPfI. If DPE are suggesting that an Urban classification is more appropriate for all affected receivers based on the measured RBLs and classification description provided in Column 4, we would agree. Please confirm your acceptance of this approach and we will update the report accordingly. |
| The RWDI noise report does not appear to have evaluated noise impact at the most-affected sensitive location(s), which may be at locations above ground floor | Most receivers here are single storey. A sensitivity of receiver height was conducted as part of the noise impact assessment for the double storey dwellings. Receivers most affected showed little difference (<1dB). The sensitivity of receiver heights was undertaken for 1 Craig Street, 60 Moxon Road (this receiver is currently under construction so was included provisionally), 46 Moxon Road and 52 Moxon Road (two-storey townhouses). |
| The RWDI noise report does not appear to have identified residential receivers that have the potential to exceed LAeq,15min 43 dBA trigger level during the evening period | The NVIA does not find that any receivers exceed the evening criteria, hence none have been nominated. |
| The RWDI noise report does not appear to have provided an accurate prediction of potential increase in traffic noise as speed of 45 km/h has been assumed for all road segments, even for segments where development-related vehicles will begin | TNM implementation in CadnaA does not incorporate the acceleration features of the algorithm. RWDI has further broken up the departure segments from site into five segments, each with an assigned average speed and length assuming a full throttle correction and a 0.6m/s2 acceleration rate obtained the International Journal of Transportation Science and Technology - Vol |

| Comment | Response |
|---|---|
| acceleration from 0 km/h until max allowable speed is reached. | 5 Issue 2, Truck acceleration behaviour study and acceleration lane length recommendations for metered on-ramps, Oct 2016. This resulted in a total traffic noise increase at the worst receiver (R2) of 0.3dB. Predicted increases and all other receivers were less than this. When adding these changes to the previously predicted increases, the conclusion of the NVIA still remains: “All increases to traffic noise levels are <2 dB and therefore meet the RNP criterion. The greatest magnitude increase is 1.5 dB to the LAeq,15h descriptor, at R1 and R2. The change in character of the existing noise environment is anticipated to be negligible”. |

Table 8 DPE telephone call 9 November 2023

| Comment | Response |
|---|---|
| **Operational Noise** | |
| Provide a screen grab from the RWDI noise model that shows the locations of noise sources modelled with labels to identify what the noise sources are to be provided. | Screen grab from the RWDI noise model “Noise Source Location Markup” provided.<br><br>Figure 4 RWDI noise model Noise Source Location Markup<br><br>  |
| **Traffic** | |
| Confirmation of the times of day the Moxon Road intersection queue observations were made and justification of the derivation of the 95th percentile queue distance. | For the purpose of traffic model development, all data needs to be sourced from the same day, as fluctuations in vehicle demand directly influence queue lengths, travel speeds and signal operation. Queue observations reported in the TMAP were captured on the day of turn count collection [17/11/2022], and during the peak periods assessed [8-9am, 4-5pm]. |

| Comment | Response |
| --- | --- |
| | Assessment of northbound speed profiles sourced from TomTom mobile data, showed a sharp drop in travel speeds on approach to Canterbury Road. This is expected on approach to a signalised intersection, as queueing vehicles are stationary during the red signal. In both peaks, speeds dropped significantly after Weyland Street, approximately 100m south of Canterbury Road. Additionally, comparing the October/ November average to the survey day showed similar profiles, indicating that the survey day is largely representative of typical performance.<br><br>In summary, the results of the TomTom data evaluation align with on-site observations from the survey day and the performance of the SIDRA model. The results analysis outcome is fit for purpose and there is no need for adjustments to the model calibration or validation. Charts below show the survey day, October/November Average, as well as the SIDRA queue length being questioned, for both peaks.<br><br>Figure 5 Traffic survey data results<br>  <br>  |
| While the RTS referred to SIDRA model output at the southern entry in response to road safety concerns, it is unclear how the horizontal curve from Moxon Road to Wiggs Road and sight limitation have been accounted for in the SIDRA model. | SIDRA, as an intersection modelling assessment tool, focuses exclusively on intersections and does not take into account horizontal curves or sight distances on intersection approach. The TMAP outlines a range of implemented controls aimed at mitigating the risk of vehicle collisions and enhancing overall safety. An advisory speed signage (i.e. 45 km/h around bend) on Wiggs Road has been recommended to be installed to ensure a time-gap of 7.2 seconds for minimum gap sight |

| Comment | Response |
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| | distance (MGSD) of 90m for right turning vehicles from Wiggs Road to Moxon Road. This can be further explored with Council further as part of the detailed design at the Construction Certification stage.<br><br>In addition to these mitigation measures, the TMAP notes that the site access operates well in the SIDRA models, and as such minimal delays are expected for vehicles accessing the site. As such, the likelihood of vehicles queuing on Moxon Road while entering the site is low, subsequently reducing the likelihood of collisions or impacts on bus performance/safety. The SIDRA modelling results were not referenced to address road safety concerns directly, but to provide supplementary information to further support justifications made on a road design and operational management basis. |

Table 9 DPE correspondence dated 14 November 2023

| Comment | Response |
|---|---|
| **Operational noise** | |
| The updated NVIA has not demonstrated compliance with an evening noise criterion level of LAeq,15min 43 dB(A) can be achieved at the potentially most affected residential receivers. Note that residential receivers setback less than 75 m from Moxon Road have been assigned with a high traffic amenity noise criterion level of LAeq,15min 47 dB(A) during the evening period rather than suburban amenity level of 43 dB(A) or façade specific high traffic amenity noise level criterion value between 43 dB(A) and 47 dB(A). Should adjustments be made to the monitored traffic noise level at unattended monitoring location U1 (front yard of 52 Moxon Road), the applicable amenity noise level at 3/52 Moxon Road would likely be closer to 43 dB(A) given the upper floor room is farther away from U1 monitoring location and that the potentially most affected point has restricted angle of view of Moxon Road (i.e. would receive less traffic noise than the unattended monitoring location). | Please refer to response to DPE RFI, **Table 3**. |
| Demonstration that the operational noise modelling has captured all noise sources | Please refer to response to DPE RFI, **Table 3**. |

| Comment | Response |
|---|---|
| related to the development. Upon looking at the attached markup, it is apparent that the noise model is missing some noise sources (e.g. substation, internal noise breaking out of rooftop skylights). | |
| **Traffic Noise** | |
| It is unclear why RWDI has chosen to implement a different set of modelling assumptions when the US FHWA Traffic Noise Model already has embedded vehicle speed profiles for cars, medium trucks and heavy trucks to calculate LAeq,period noise level near stop signs or start point of acceleration. The Department notes that RWDI has shown in the attached response the predicted increase in LAeq,period traffic noise between baseline and development scenarios can indeed be higher than the stated increase in noise of 1.5 dB(A) in the EIS and draft RTS noise reports. As such, details of the traffic noise model implementation must be provided to allow the Department to understand any limitations in the predictive modelling undertaken by RWDI, including the identification of the most affected receiver location along Moxon Road. | Please refer to response to DPE RFI, **Table 3**. |
| **Intersection Performance** | |
| Evidence that demonstrates traffic modelling has been calibrated and validated against observed 95th percentile back of queue distance. The traffic response appears to have compared measured median (i.e. 50th percentile) travel speed profile along Moxon Road with SIDRA's modelled 95th percentile queue length. Information regarding calibration should address how potential queue spillback from the Stacey Street and Canterbury Road intersection and swept path constraint at the Moxon Road and Canterbury Road intersection have been accounted for in the traffic modelling. | Vehicle travel speed data includes multiple sources of delay including queueing/ intersection delay, as well as road geometry and kerbside activities such as pick up and drop off and parking manoeuvres. Although speed is influenced by queue length, specific queue lengths cannot be quantified based on this data.<br><br>The SIDRA models are calibrated to signal timing data, and classified turn counts data, both collected on 17 November 2022. Validation was undertaken by comparing modelled queue lengths against observations made on site on the same day. The TomTom Travel speed data has been assessed as it is a readily available supplementary data source and the median travel speed best represents the likelihood that a queue reaches a certain distance. This is generally where the travel speeds drop sharply as this indicates that a considerable number of vehicles across the hour were required to stop at on that section of road. It |

| Comment | Response |
|---|---|
| | should also be noted that drivers typically reduce their speed gradually on approach to the back of queue, or the stop line at a red signal. This behaviour is captured in the travel speed data, and generally results in a shallower decline in recorded median speed compared to speeds in the queueing area. This slowing effect is not considered as part of the queue length in SIDRA, and subsequently also wasn't considered during the site inspection. 95$^{th}$ percentile speeds likely represent the best/ least delayed journey during the period and 5$^{th}$ percentile speeds are more likely to capture roadside activity, not related to signal queueing. Additionally, both 95th and 5th percentile speed recordings could potentially only represent 1 vehicle out of the sample recorded.<br><br>SIDRA Network calculates a capacity reduction for upstream lanes depending on the likelihood of downstream queues blocking a portion of the green signal period.<br><br>Further, SIDRA does not consider swept path constraints. The models do account for geometric delay and calculates different turning speeds for different vehicle classes depending on the turn geometry. |
| **Swept path constraint** | |
| In-principle support from TfNSW around not implementing operational restrictions on 20m long articulated trucks using the Moxon Road and Canterbury Road intersection. | As confirmed in **Table 6**, the Applicant accepts the recommended TfNSW condition of consent that all vehicles larger than a Heavy Rigid Vehicle (i.e., longer than 12.5 metres in length) shall only enter and exit the subject site via Wiggs Road (approved B-double route) and intersection with Belmore Road. This requirement is to be incorporated into the Operational Traffic Management Plan for the service/hardstand area. |
| **Flooding** | |
| Flood damage assessment and flood emergency response plan. | Provided at **Appendix G**. |

Table 10 DPE correspondence dated 28 November 2023

| Comment | Response |
|---|---|
| **Noise** | |
| The applicable evening period project noise trigger level is LAeq,15min 43 dB(A) based on the suburban category amenity noise level for R3 medium density residential receivers identified in the NVIA.<br><br>There is insufficient evidence to demonstrate that traffic noise level influencing the change from suburban amenity category to high traffic amenity category at the most affected receiver or at the catchment identified as residential ≤75m from Moxon Road is what each assessment location would experience. Therefore, the land use based suburban amenity category would apply as per EPA's guidance on determining the Noise Policy for Industry amenity category for residential receivers. | RWDI do not agree with this statement, especially at the most affected receiver. RWDI has demonstrated all three requirements of Section 2.4.1 of the NPfI to apply this correction, namely:<br><br>▪ Traffic noise is identified as the dominant noise source at the site – confirmed via attended measurements. No industrial noise was audible, therefore no correction needs to be applied.<br><br>▪ The existing traffic noise level (determined using the procedure outlined in A2, Fact Sheet A, that is, measuring traffic instead of industrial noise) is 10 dB or more above the recommended amenity noise level for the area – 62 dB vs 45 dB; more than 10dB.<br><br>▪ It is highly unlikely traffic noise levels will decrease in the future – RWDI do not consider there is any doubt this is the case.<br><br>As a way forward, RWDI has amended the NVIA to apply the high traffic amenity criterion to the first row of receivers facing Moxon Road only and R9 given its considerable angle of view to Moxon Road. If DPE require further explanation or information this should be discussed. |

# 6. UPDATED PROJECT JUSTIFICATION

This section provides an updated justification and evaluation of the project as a whole. In responding to the submissions received, no additional mitigations measures are proposed beyond those submitted with the original SSDA. We note that the Applicant has confirmed agreement to a number of proposed condition of consent to respond to issues raised in submissions and ensure the acceptable construction and operation of the proposal. With regard to the project justification, it is noted that the additional assessments undertaken in response to the issues raised in submissions have not materially altered the impacts of the development.

The proposed development has been assessed with regard to the matters for consideration under section 4.15 of the EP&A Act and the SEARs issued by DPE. We conclude that the proposed development can be supported for the following reasons.

## 6.1. PROJECT DESIGN

The site location and design of the proposal has been carefully considered to ensure any potential impacts of the development are minimised, particularly having regard to the industrial-residential interface.

The proposal seeks to meet the objectives of the project through enabling industrial uses and employment opportunities to be delivered on site. The proposal seeks to deliver an innovative and modern employment-generating development on an existing, outdated industrial site. The proposal creates a total of 29,309m$^2$ GFA, critical employment facilities and floorspace within an existing industrial area which would attract modern tenants and greater job opportunities. The proposal seeks to make efficient use of the site by consolidating multiple lots to deliver employment opportunities in both the short and long-term.

The layout and design of the proposal has been developed to maximise benefits on the public domain and provide enhancements to the streetscape and local context. The proposal incorporates a modern, attractive façade design with carefully considered articulation to provide a positive relationship to surrounding land uses. The proposed development incorporates an increased setback to Moxon Road and the Salt Pan Creek riparian corridor. A greater setback is provided on the Moxon Road frontage, which includes a 10 metre landscape buffer. This is to enhance the planting and landscape outcomes of the site, whilst also improving visual amenity with the residential area across the road. The proposal includes extensive uplift in relation to landscaping and planting including native species.

The façade is of a high quality design with the aim to act as a soft transition between the streetscape and warehouse buildings. Offices are provided along the east and west facades to provide visual interest and engage with surrounding context. The offices have been intentionally located to face the neighbouring residential area and the Salt Pan Creek corridor to achieve a positive connection and welcoming aesthetic. This orientation means the warehouses and associated activities are contained to the central core of the facility, being screened from the residential area and Salt Pan Creek.

The siting and design of the proposal has been carefully considered to ensure potential impacts of the development are minimised. This includes the layout of the proposed built form to minimise noise impacts to nearby residential properties and site design and access to maximise vehicular and pedestrian safety and minimise traffic impacts on the local road network.

## 6.2. STRATEGIC CONTEXT

The proposal is consistent with State and local strategic planning policies. The site is highly suitable for the proposed development being an existing industrial site within a long-standing industrial area. The proposal will deliver additional industrial floorspace in an industrial employment zone to meet growth and demand.

The generation of additional employment for the Southern City Region will also contribute to the 30-minute city vision set in the Region Plan. The proposal will provide a range of employment opportunities of benefit to the local community and broader Sydney region.

## 6.3. STATUTORY CONTEXT

The relevant State and local environmental planning instruments are assessed in Appendix C to the EIS. The assessment concludes that the proposal complies with the relevant provisions within the relevant instruments as summarised below:

- The proposed development has been assessed and designed in respect to the relevant objects of the EP&A Act as defined in Section 1.3 the Act.
- This EIS has been prepared in accordance with the SEARs as required by Schedule 2 of the EP&A Regulations.
- Consideration is given to the relevant matters for consideration as required under the *Biodiversity Conservation Act* and the SSD is supported by a BDAR.
- This SSDA pathway has been undertaken in accordance with the Planning Systems SEPP as the proposed development is classified as SSD.
- Concurrence from TfNSW will be required as per the Transport and Infrastructure SEPP for 'traffic generating development'.
- The proposal complies with all relevant provisions under the CBLEP 2023. The proposed development is consistent with the objectives of the IN2 zone.
- The proposed development has been assessed in accordance with the Resilience and Hazards SEPP and the development complies with the relevant clauses.
- The proposal generally accords with the relevant provisions of the CBDCP 2023.

## 6.4. COMMUNITY VIEWS

As set out in **Sections 3** and **4**, feedback received during the public exhibition has informed the design refinements made to the proposal. Consultation feedback received during the assessment of the application will continue to be considered.

## 6.5. LIKELY IMPACTS OF THE PROPOSAL

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below:

- **Natural Environment**: the proposal addresses the principles of ecologically sustainable development in accordance with the requirements at Clause 194 of the Regulations and as outlined below:
  - Precautionary principle: the precautionary principle relates to uncertainty around potential environmental impacts and where a threat of serious or irreversible environmental damage exists, lack of scientific certainty should not be a reason for preventing measures to prevent environmental degradation. The proposal will not have any unacceptable environmental impact on Salt Pan Creek, the riparian corridor or identified coastal management area. The proposal will not impact any Critically Endangered Ecological Community and the development will not result in any threat of serious environmental damage or degradation.
  - Intergenerational equity: the needs of future generations are considered in decision making and that environmental values are maintained or improved for the benefit of future generations. The development represents sustainable development by making best use of the existing site, proposing considered improvements and uplift to existing environmental values through landscape design and water quality and quantity management.
  - Conservation of biological diversity and ecological integrity: The project seeks to improve and enhance the existing vegetation on site and the interface with Salt Pan Creek to the western site boundary. This is through increased tree planting onsite to achieve greater tree canopy, landscaped setbacks and planting integrated into building facades. The proposal will not have any unacceptable impacts on the conservation of biological diversity and ecological integrity.
  - Improved valuation, pricing and incentive mechanisms: this requires the holistic consideration of environmental resources that may be affected as a result of the development including air, water and the biological realm. It places a high importance on the economic cost to environmental impacts and

places a value on waste generation and environmental degradation. The development will not have any unacceptable environmental impacts in relation to air quality, ecology, water quality or waste management. The effects of the development will be acceptable and managed accordingly by the proposed mitigation measures as required.

Overall, the proposal will not have any unacceptable impacts on the natural environment. The ESD report (Appendix H of the EIS) identifies a number of different sustainability initiatives including energy savings, energy efficiency, rainwater capture and reuse, improved thermal performance of the building fabric, and reduction in greenhouse gas emissions. It demonstrates the proposed development will meet best practice ESD outcomes, in which these initiatives will serve to provide occupants with lower running costs, as well as benefits to the surrounding environment with an ecologically and economically sustainable development.

- **Built Environment**: the proposal has been assessed in relation to the following key built environment impacts:
  - Visual Impacts: As set out in the EIS and the VIA, the proposed development is expected to generally create minor to moderate visual impacts including for people who experience direct views of the development from the residential dwellings on Moxon Road and Moxon Sports Club. Visual impacts will be significantly mitigated through the high-quality building design, as well as the proposed landscaping and extensive tree planting in the site setbacks.
  - Traffic Impacts: As set out in the EIS, **Sections 4**, **5** and the TMAP, the local road network will continue to perform at an acceptable level of service and the proposal is not expected to result in any adverse impacts on the surrounding road network during operation. In accordance with TfNSW requirements, heavy vehicles over 12.5m in length will be restricted to left-in and right-out access to the site to ensure acceptable impacts on the local road network. Access driveways and car and bicycle parking proposed are in accordance with Council policy and guidance, ensuring the safe operation of the site from a transport perspective.
  - Trees and Landscaping: As set out in the EIS, **Section 4**, the AIA and Landscape Plans, the proposal includes significant landscaped setbacks which is an improvement to the existing quality of the site. The proposed planting offsets exceeds the number of trees to be removed to achieve improved canopy cover targets. The proposal provides a significant landscaping uplift to the site, including native species, particularly in relationship to the public domain.
  - Air Quality: As set out in the EIS and the AQIA, the operation of the proposal would result in the achievement of all air quality criteria. Accounting for the background air quality conditions, and adopting worst-case assumptions in relation to truck idling, the proposal will not have any unacceptable air quality impacts associated with the construction and operation of the proposed development.
  - Noise and Vibration: As set out in the EIS, **Section 4**, **5** and the NVIA, exceedances are expected at the residential receivers opposite the entry and exit driveways, and to Moxon Sports Club during the operational phase at daytime peak period. These exceedances are controlled by vehicle sources. However, the existing traffic noise levels already exceed NSW Road Noise Policy Guidelines and the changes arising from the development are expected to be less than 2 dB. Accordingly, there will be no perceptible change to existing traffic noise impacts, resulting in compliance with the Road Noise Policy. The construction phase is expected to have exceedances at non-industrial receivers. All reasonable and feasible construction noise mitigation measures will be implemented to avoid unreasonable or unacceptable impacts during this temporary period.
- **Social**: The proposal will have positive social impacts by enabling employment generating uses to be delivered on site in the short-term, providing local employment opportunities both in the construction and operational phases. It will provide up to **585** jobs per year when operational and **269** jobs during construction.
- **Economic**: The proposal will have positive economic impacts through enabling the delivery of operational industrial uses on site which will result in investment and economic benefit for Punchbowl as well as the wider region.

The potential impacts can be mitigated, minimised or managed through the measures discussed in detail in the EIS and as summarised in **Appendix D** of the EIS.

## 6.6. SUITABILITY OF THE SITE

The site is considered highly suitable for the proposed development for the following reasons:

- The warehouse and distribution centre use is permissible within the IN2 zone. It also satisfactorily responds to the zone objectives, providing for warehouse land uses, encouraging employment opportunities, and minimising potential adverse effects on other land uses.
- The site is located within an existing industrial area and the character and scale of the development is compatible with the site context.
- The site is well connected to key transport nodes, making it highly accessible to the freight network. Access to the site for heavy vehicles is provided by the Wiggs Road approved B-double route.
- The proposal optimises the use of multiple outdated individual industrial buildings to consolidate into one modern development design to meet current and future tenant demand.
- The proposal provides a high quality urban design outcome whilst ensuring acceptable noise impacts for nearby residential properties

## 6.7. PUBLIC INTEREST

The proposed development is considered in the public interest for the following reasons:

- The proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- No adverse environmental, social or economic impacts will result from the proposal.
- The proposal will provide up to **854** jobs during the construction and operation stages. It will stimulate local investment and deliver significant economic output and value add to the economy.
- The issues identified during the stakeholder engagement have been addressed through the development of the design of the proposal and the assessment of the impacts.

Having considered all relevant matters, we conclude that the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

# 7. DISCLAIMER

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

# APPENDIX A ARCHITECTURAL PLANS

# APPENDIX B BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT

# APPENDIX C CIVIL ENGINEERING REPORT

# APPENDIX D CIVIL ENGINEERING PLANS

# APPENDIX E FLOOD ANALYSIS PLANS

# APPENDIX F COMMUNITY INFORMATION SESSION OUTCOMES

# APPENDIX G FLOOD MANAGEMENT PLAN & FLOOD EMERGENCY RESPONSE PLAN

# APPENDIX H NOISE & VIBRATION IMPACT ASSESSMENT

# APPENDIX I INTERIM AUDIT ADVICE

# APPENDIX J TRANSPORT TECHNICAL NOTE

# APPENDIX K TRAFFIC MODEL

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