

**URBIS**

**42-44 BOOREA  
STREET,  
LIDCOMBE  
SSD-36464788**

Submissions Report

Prepared for

**HALE PROPERTY SERVICES PTY LTD**

8 December 2022

**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director	Jennifer Cooper
Associate Director	Belinda Thomas
Consultant	Harsha Yadav
Project Code	P0037566
Report Number	1

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# EXECUTIVE SUMMARY

This Submissions Report has been prepared on behalf of Hale Property Services Pty Ltd (**Hale**) to address the matters raised during the public exhibition of the proposed development at 42 and part of 44 Boorea Street, Lidcombe (**the site**).

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) in accordance with clause 12, Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021*. DPE issued letters to the Applicant on 11 August and 17 August 2022 requesting a response to the issues raised during the public exhibition of the application. The following specific matters were identified by DPE in their Request for Additional Information:

- General Clarifications
- Traffic and Vehicle Access
- Air Quality Impact
- Noise Impact
- Ecologically Sustainable Development
- Landscaping
- Waste Management
- Hazards and Risk.

This Submissions Report outlines the proposed refinements, clarifications and amendments and responds to all concerns raised within submissions. It has been prepared in accordance with clause 37 of *Environmental Planning and Assessment Regulations 2021* and seeks to amend the original site area by including part of 44 Boorea Street, Lidcombe (part of Lot B DP 415100) within the development site. This is to enable the increased width of the access driveway in direct response to the submissions received in response to the public exhibition of the SSDA.

## Overview of Submissions

The SSDA was on public exhibition between 14 July and 10 August 2022. A total of ten (10) submissions were received from NSW government agencies, Cumberland City Council (**Council**), stakeholder and a local resident, including:

- Transport for NSW (**TfNSW**)
- NSW Environment Protection Authority (**EPA**)
- Fire & Rescue NSW (**FRNSW**)
- NSW Environment and Heritage
- Heritage NSW
- SafeWork NSW
- Sydney Water
- Jemena Gas

The key issues raised in the submissions can be broadly grouped into the following categories:

- The project
- Procedural matters
- Environmental and social impacts
- Issues beyond the scope of the project.

Based on these categories, this Submissions Report 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 Sydney Water, Council, Environment and Heritage, and TfNSW, to discuss the comments and issues raised within their submissions. Additional assessments have also been prepared to respond to the issues raised within the submissions. These include:

- Traffic Impact Assessment
- Noise and Vibration Impact Assessment
- Air Quality Impact Assessment
- Ecologically Sustainable Design (ESD)
- Waste Management Plan
- Aboricultural Impact Assessment
- Additional Contamination Assessment
- Civil Engineering Report
- CPTED Assessment

## Response to Submissions

The Applicant has refined the proposed design in response to the submissions. The key changes are summarised as follows:

- The original driveway design (and associated swept path analysis) has been amended to provide adequate space to allow for a B-double to enter the Site while another B-double is waiting to exit the Site.
- The vertical access ramp has been modified by increasing its width to accommodate two-way movement of 20m vehicles and avoid potential conflicts.
- The car park entry and exits have also been consolidated to avoid potential conflicts.
- The pedestrian and cyclist access has been amended to provide a 2.5m shared path along the eastern site boundary, with a crossing to avoid potential conflicts.
- The floor plans have been updated to include a waste storage area (10m<sup>2</sup>) within each warehouse tenancy. The GFA calculations have also been updated to exclude the loading area in accordance with the standard definition and consistent with the proposed rear loading arrangements.
- The car parking spaces have been reduced from 191 spaces to 188 spaces to enable additional landscaping to be provided.
- The landscape plans have been updated to increase the tree canopy cover from 10.1% (4,146m<sup>2</sup>) to 10.8% (4,451.7m<sup>2</sup>) of the developable site area and increase the landscape area from 11.1% (4,579m<sup>2</sup>) to 11.5% (4,732.2m<sup>2</sup>) of the developable site area.
- The Eucalypt species located closest to the stormwater easement and proposed building have been replaced with a smaller *Angopora bakeri* which is expected to reach a width and height of 10m, to ensure there is no adverse impact on the stormwater infrastructure due to invasive root penetration.

## 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. 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 to avoid unacceptable impacts.

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: Central City District Plan*
- *Cumberland 2030 Local Strategic Planning Statement*
- *Future Transport Strategy 2056*
- *Better Placed.*

- 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 (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry & Employment) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *Cumberland Local Environmental Plan 2021.*

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

- The proposed warehouse and ancillary office space is considered appropriate development response for the high market demand, given the warehouse vacancy rate in Sydney is at an all-time low of 0.3% according to CBRE.
- The building design responds to the site context, whilst delivering an attractive, modern warehouse and distribution facility. The proposal delivers a high quality façade treatment, including aluminium composite panel cladding and vertical glazing with softly curved corners to the office component. A metal mesh screen effectively tempers the car park massing while the light colour palette of the warehouse component compliments the surrounding industrial buildings. Whilst not readily visible from the street, those facades with public facing aspects have been appropriately articulated to provide visual interest.
- The development provides for functional and spatial requirements of a modern warehouse and distribution centre. By providing space over two levels, the proposal effectively maximises the built form potential of the site and separates users with differing heavy vehicle requirements. Flexible internal spaces with high floor to ceiling heights allows for future market demand to be accommodated. The building design further responds to site constraints including the Sydney Water sewer easement and single site access point by appropriately locating external pavement areas, allowing for one way heavy vehicle movements around the site and positioning of office amenities in close proximity to the site entry.
- Alternative configurations for the warehouse design were considered, however the multi-storey warehouse offers a robust solution to space on the site with hardstands for loading and

unloading of goods, each level can operate independently. The vertical structure maximises floor space and available warehouse storage area, optimising the employment generated by the site.

- The landscape design has taken into consideration the site’s unique characteristics by embellishing the landscape buffer adjacent to Haslam’s Creek and general landscaping across the site, increasing canopy cover from 10.1% to 10.8% and landscape area from 11.1% to 11.5%. The provision of increased landscaping and tree canopy (with a variety of native species) will enrich and soften the site and building facade. This improved landscaping impact would unlikely happen if the existing development remained.
  - The design responds to the site layout by providing an increased driveway crossover area to ensure compliant swept paths of two b-double vehicles concurrently and modifying the battle-axe driveway to maintain safe access for all vehicles, bicycles and pedestrians utilising the site. The proposal also provides an increased ramp dimension to allow two-way movement of 20m vehicles and consolidation of the car entry and exit point, providing safer vehicular access on the site.
- **The proposal is highly suitable for the site:**
- The warehouse and distribution centre use is permissible within the IN1 zone and is aligned with the zone objectives, providing a wide range of industrial and warehouse land uses; encouraging employment opportunities; and minimising any adverse effect of industry on other land uses.
  - The development substantially complies with CLEP 2021 and CDCP 2021 including acoustic amenity, built form and setbacks, car parking and landscaping.
  - The site is located within an existing industrial area and the character and scale of the development is compatible with the industrial context and does not have any unacceptable impacts on amenity of the residential properties surrounding the site.
  - The site is highly accessible to both the transport and regional freight network with good connections to the M4 Motorway and provides for the efficient and economic use of an existing industrial site to deliver sustainable development.
- **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 provide up to 275 jobs per day during the construction phase, and up to 406 jobs once complete and fully operational. The proposal will stimulate local investment and contribute significant economic output and value add to the economy each year. This project is fully funded and ‘shovel ready’ for commencement of construction in 2024.
  - 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 Submissions Report relates to the proposed warehouse and distribution centre at 42 and part of 44 Boorea Street, Lidcombe (**the site**). On behalf of Hale Property Services Pty Ltd (**the Applicant**), this Submissions Report has been prepared to address the matters raised by the Department of Planning, Environment (**DPE**), public agencies, Council, the community and other relevant stakeholders.

The State Significant Development Application (**SSDA**) was lodged with the DPE in June 2022 (SSD-36464788). The SSDA was placed on public exhibition for 28 days between 14 July and 10 August 2022. This Submissions Report has been prepared in accordance with the DPE *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) July 2021*. It has also been prepared in accordance with clause 37 of *Environmental Planning and Assessment Regulations 2021* as it seeks to amend the original site area by including part of 44 Boorea Street, Lidcombe (8m<sup>2</sup>) part of Lot B DP 415100) within the development site to enable the increased width of the access driveway. Owner's consent has been provided with this report. The DPE *State Significant Development Guidelines – Preparing a Amendment Report (Appendix D) July 2021* state an Amendment Report is required where the applicant wants to change what it is seeking consent for and needs to amend the project description in the relevant environmental impact statement (EIS) or modification report. A separate Amendment Report is not considered necessary in this case as the proposed amendment relates only to a minor plan refinement to increase the width of the access driveway.

## 1.1. PROJECT DESCRIPTION

The proposal will deliver an innovative multi-level warehouse and distribution facility of a high-quality design that is consistent with the local context. The proposal will provide for the optimal use of land within an established industrial precinct to deliver a variety of employment opportunities, while minimising any potential impacts on local amenity. The project description has not changed from when it was exhibited and seeks development consent for the same works as outlined below.

The SSDA seeks development consent for:

- Construction, fit out and operation of a two-storey warehouse and distribution centre comprising approximately 39,249m<sup>2</sup> GFA.
- Provision of 34 bicycle parking spaces, 10 motorcycle spaces and 191 car parking spaces at the ground and first floor level.
- Approximately 4,579m<sup>2</sup> (11.1%) of landscaping across the site and 134 proposed trees with a total canopy cover of 4146m<sup>2</sup> (10.1% of the site).
- Provision of one point access onto the site through a 'battle axe style' driveway from Boorea Street.
- Earthworks and upgrades to existing on-site infrastructure.
- Provision of internal vehicle access route and loading docks.
- Building identification signage.
- Operation 24 hours per day seven days per week.

As noted above, to enable the increased width of the access driveway part (8m<sup>2</sup>) of Lot B DP 415100 is included in the site area for the SSDA.

Clause 37 of *Environmental Planning and Assessment Regulations 2021* requires an amended application to provide details of the change, including the name, number and date of any plans that have changed, to enable the consent authority to compare the development with the development originally proposed. Three plans have been updated to incorporate part of the lot including:

- Site Analysis Plan and Summary DA050 Revision H dated 2.12.2022
- Ground Floor Plan DA100 Revision N, dated 2.12.2022
- Services/Constrains Plan DA 106 H, dated 2.12.2022

An extract of the Ground Floor Plan, Figure 1 clearly shows the lot boundaries overlaid with site boundary extent required. The additional 8m<sup>2</sup> area is clearly identified on the plan with a 'bubble' around the amended

portion of the site area extending onto the adjoining lot. The total developable area has increased by 8m<sup>2</sup> to 41,069m<sup>2</sup>. As shown in Figure 2 the additional area to be included in the site area is a grass verge.

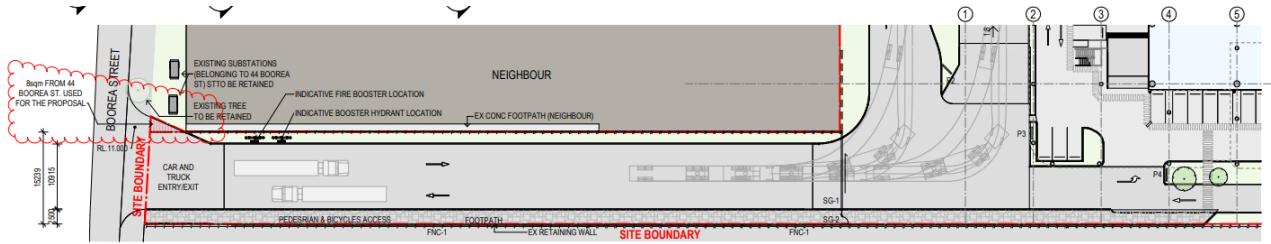


Figure 1 – Ground Floor Plan

Source: SBA Architects



Figure 2 – Additional Site Area

Source: Urbis

The additional 8sqm of 44 Boorea Street, included in the site area is a grassed area and does not contain any trees or infrastructure. Given it is a grassed area and not a footpath, it will not adversely impact on pedestrian access along Boorea Street. The additional 8sqm is also zoned IN1 General Industrial and therefore will continue to support the industrial land for industrial uses. As the additional land included in the site area is minor (8sqm), does not contain any significant vegetation or infrastructure, there are no additional impacts that will occur from extending the development into the adjacent lot, therefore the additional land does not require further environmental assessment. The additional land included into the site area will have a positive outcome by ensuring the safety of trucks entering the site.

## 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	Submissions Register	Urbis
Appendix B	Additional Contamination Assessment	JBS&G

<b>Appendix</b>	<b>Report</b>	<b>Prepared By</b>
<b>Appendix C</b>	Architectural Plans	SBA Architects
<b>Appendix D</b>	Landscape Plans	Geoscape
<b>Appendix E</b>	Design Report	SBA Architects
<b>Appendix F</b>	Traffic Impact Assessment	Ason
<b>Appendix G</b>	Noise and Vibration Impact – Response	RWDI
<b>Appendix H</b>	Air Quality Impact Assessment	RWDI
<b>Appendix I</b>	Hazardous Material Response	WSP
<b>Appendix J</b>	Arboricultural Impact Assessment	Canopy Consulting
<b>Appendix K</b>	Civil Engineering Report	Costin Roe
<b>Appendix L</b>	Civil Engineering Plans	Costin Roe
<b>Appendix M</b>	CPTED Assessment	HillPDA
<b>Appendix N</b>	Ecologically Sustainable Design (ESD)	Northrop
<b>Appendix O</b>	Waste Management Plan	JBS&G
<b>Appendix P</b>	Land Owners Consent	Hale Property Services Pty Ltd

## 2. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

### 2.1. BREAKDOWN OF SUBMISSIONS

The SSDA was publicly exhibited between 14 July and 10 August 2022. There were eight submissions received from public agencies and Cumberland City Council. Two submissions were received from a local resident and a stakeholder group (Jemena Gas). All submissions were managed by DPE, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-36464788).

Submissions from Transport for NSW, Sydney Water, NSW Environment Protection Authority (EPA), Council, and the Environment and Heritage Group provided comments on the proposal. Heritage NSW, SafeWork NSW and Fire & Rescue NSW did not raise any objections or provide any further commentary. One local resident registered their response as an objection. Jemena Gas provided their response as a submission.

Most issues related to the environmental impacts of the proposal as set out in **Table 2** below. The resident objection related to the project and raised an issue considered beyond the scope of the project. Council raised an issue in relation to social impacts. In their Request for Additional Information, DPE raised issues in relation to the project, cumulative impacts, procedural matters and environmental impacts. No submissions raised issues in relation to economic impacts.

### 2.2. CATEGORISING KEY ISSUES

In accordance with the DPE *State Significant Development Guidelines*, the issues raised in the submissions have been categorised as outlined in **Table 2**.

Table 2 Categorising Issues Raised

Category of Issue		Summary of Matters Raised
The project	Operation hours	<ul style="list-style-type: none"> <li>Impact on the amenity of surrounding developments due to the 24-hour operation of the development.</li> </ul>
	Project justification	<ul style="list-style-type: none"> <li>Address why the project is important and what it will deliver that the existing development or alternatives cannot.</li> </ul>
	Employment generation	<ul style="list-style-type: none"> <li>Confirm the current and peak employment generated by the existing site operations.</li> </ul>
	Cumulative impacts	<ul style="list-style-type: none"> <li>Assess the cumulative impacts of SSD-10470 (as modified) with the development.</li> </ul>
	Consistency with GFA number within EIS and TA	<ul style="list-style-type: none"> <li>Ensure GFA is consistent between the EIS and TA</li> </ul>
Procedural matters	Identification of relevant statutory requirements	<ul style="list-style-type: none"> <li>Signage assessment against Schedule 1 of State Environmental Planning Policy</li> </ul>

Category of Issue		Summary of Matters Raised
		(Industry and Employment) 2021.
Environmental Impacts	Traffic and access	<ul style="list-style-type: none"> <li>▪ Conflict between heavy vehicles and light vehicles entering the site and manoeuvring across the site.</li> <li>▪ Consolidate the pedestrian and bicycle access.</li> <li>▪ Consolidate the car entry/exit point within the site.</li> <li>▪ Confirm the number of B-Doubles that can be accommodated in the unhitching area at any given time and the need for an unhitching area.</li> <li>▪ Traffic impacts to public road network and queuing.</li> <li>▪ Clarification on functionality of car parking area and turning bays and with appropriate swept path analysis.</li> <li>▪ Impact of upper-level columns on the movement of heavy vehicles.</li> <li>▪ Provide assessment of the Boorea Street / St Hilliers Road intersection.</li> <li>▪ Provide a Loading Dock Management Plan.</li> <li>▪ Provide trips generated for the whole of development.</li> <li>▪ Conflict between vehicles manoeuvring up and down the ramp to Level 1.</li> <li>▪ Provide approved land use, GFA and operational/management plan for the existing development.</li> <li>▪ Provide clarification regarding level of service (<b>LOS</b>) and</li> </ul>

Category of Issue		Summary of Matters Raised
		<p>degree of saturation (<b>DOS</b>) of the proposed development.</p> <ul style="list-style-type: none"> <li>▪ Provide clarification regrading peak hour traffic generation rate calculation.</li> <li>▪ Provide clarification regarding consistency with the RMS guideline related to traffic generation.</li> <li>▪ Traffic impact due to increased number of heavy vehicles during the peak hours.</li> </ul>
	Parking Impacts	<ul style="list-style-type: none"> <li>▪ Reduce car parking spaces on site.</li> <li>▪ Increase mode share targets.</li> <li>▪ Inclusion of End of Trip (<b>EoT</b>) facilities.</li> <li>▪ Shortfall of loading and unloading bays.</li> </ul>
	Air quality	<ul style="list-style-type: none"> <li>▪ Impact of construction of the building on air quality.</li> <li>▪ Provide clarification on daily truck movements and modelling assumptions.</li> <li>▪ Assess the impact of trucks moving within the site and an overall cumulative impact.</li> </ul>
	Noise and vibration	<ul style="list-style-type: none"> <li>▪ Provide justification on the use of the 'Urban' classification for receivers within Noise Catchment Area 01(<b>NCA01</b>) and Noise Catchment Area 02 (<b>NCA02</b>).</li> <li>▪ Clarify what the 30 second reversing time is based on.</li> <li>▪ Provide extent of heavy vehicle movements on the ground floor extending around the entire building and returning movements from upper level.</li> </ul>

Category of Issue	Summary of Matters Raised
	<ul style="list-style-type: none"> <li>▪ Confirm the full construction and operational noise inventories.</li> <li>▪ Confirm if the noise modelling incorporates side loading of B-Doubles on the external hardstand.</li> <li>▪ Extensive community consultation throughout the ongoing stages of the project to ensure all impacted residents are kept informed.</li> </ul>
Tree Removal and Pruning	<ul style="list-style-type: none"> <li>▪ Provide an Arboricultural Impact Assessment &amp; Tree Protection Plan in line with prepared in line with AS4970-2009 Protection of Trees on Development.</li> <li>▪ Consent for removal of tree 17 located on neighbouring property site.</li> <li>▪ Pruning works to be carried out to AS4373 – 2007.</li> <li>▪ Clarify what trees are being removed and replacement trees.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>▪ Insufficient landscaping (a minimum of 15% is required as per the DCP).</li> <li>▪ Explore increased planting opportunities.</li> <li>▪ Impact of proposed trees above and adjacent to the proposed onsite detention (<b>OSD</b>) tank.</li> <li>▪ Provide details on what the current existing riparian setback width is along the creek and details on revegetation along Haslam’s Creek.</li> <li>▪ Clarify if tree hollows are located on site.</li> <li>▪ Demonstrate enough space to accommodate the growth of trees to maturity.</li> </ul>

Category of Issue		Summary of Matters Raised
	Flood impacts and stormwater	<ul style="list-style-type: none"> <li>▪ Flood impact assessment to be undertaken for all flood events up to the Probable Maximum Flood (PMF) event.</li> <li>▪ Provide layout and the cross-sectional details of the OSD system.</li> <li>▪ Provide adequately sized High Early Discharge (HED) control chamber/pit to ensure the chamber area is hydraulically minimal and achieves high early discharge as quickly as possible.</li> <li>▪ Provide grate level and invert level against the pit on the plan.</li> <li>▪ Appropriate management of surface runoff.</li> <li>▪ Provide detailed assessment of the proposed stormwater system.</li> <li>▪ Impact of tree species in close proximity to Sydney Water's underground assets.</li> <li>▪ No building is to be constructed over the stormwater channel or within 1m from the outside wall of the channel or within Sydney Water easement/land whichever is larger.</li> <li>▪ Provide fencing along the Sydney Water's stormwater channel.</li> <li>▪ Identify the impact of the proposed development including any proposed earthworks on the existing flood behaviour and on adjacent properties under both mainstream and overland flooding conditions for the full range of floods up to the PMF.</li> <li>▪ Include the 0.5% and 0.2% Annual Exceedance Probability</li> </ul>



Category of Issue		Summary of Matters Raised
		<p>(AEP) year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change and associated impacts.</p> <ul style="list-style-type: none"> <li>▪ Consider any impacts the development may have on the social and economic costs to the community as consequence of flooding.</li> <li>▪ Address any impacts the development may have upon existing community emergency management arrangements for flooding.</li> <li>▪ Ensure that occupiers and owners of the site are educated on the potential flood risks within and outside the vicinity of the development, before, during and after a flood event.</li> </ul>
	Wastewater	<ul style="list-style-type: none"> <li>▪ Potable water servicing should be available via a DN100 uPVC watermain (laid in 2002) on Boorea Street.</li> <li>▪ Wastewater servicing should be available via a DN225 GSW wastewater main (laid in 1945) within the property boundary.</li> </ul>
	Water Sensitive Urban Design (WSUD)	<ul style="list-style-type: none"> <li>▪ Provide details of the bio-retention system on the stormwater plans.</li> <li>▪ Demonstrate the pollution removal including the MUSIC model with the input parameters and output results.</li> </ul>
	Contamination	<ul style="list-style-type: none"> <li>▪ Insufficient sampling to establish that the site is not the source of chlorinated compound contamination.</li> </ul>

Category of Issue		Summary of Matters Raised
	Waste collection	<ul style="list-style-type: none"> <li>Provide on-site waste collection point.</li> <li>Provide waste storage space within each tenancy.</li> </ul>
	Environmental Sustainable Design (ESD)	<ul style="list-style-type: none"> <li>Provide dimensions of the solar panels.</li> <li>Explain how the solar panels will be used to offset the developments power demand given it will be occupied by up to 10 individual tenancies.</li> <li>Confirm if the improvements discussed in the ESD Report are commitments.</li> </ul>
	Dangerous goods	<ul style="list-style-type: none"> <li>Confirmation that the proposed development will not have any impacts in relation to dangerous goods.</li> </ul>
	Hazardous materials	<ul style="list-style-type: none"> <li>Clarify why asbestos containing materials (<b>ACMs</b>) will be left in-situ.</li> <li>Clarify the relevance of the Hazardous Building Materials Reports</li> <li>Preparation of a separate Hazardous Materials Management Plan to assist with the ongoing management of hazardous materials.</li> </ul>
	Infrastructure	<ul style="list-style-type: none"> <li>Provide the details of works (if any) within 3 metres of gas mains.</li> </ul>
Social Impacts	Crime risk	<ul style="list-style-type: none"> <li>Prepare a Crime Prevention Through Environmental Design (CPTED) Assessment Report.</li> </ul>
Issues beyond the scope of the project or not relevant to the project	Single driveway from Boorea Street	<ul style="list-style-type: none"> <li>Single point access into the site form Boorea Street located opposite low density residential developments.</li> </ul>

### 3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in **Section 2**.

#### 3.1. FURTHER ENGAGEMENT

Since the public exhibition of the SSDA between 14 July and 10 August 2022, the Applicant undertaken further consultation with agencies outlined below.

Table 3 Further Engagement Summary

Issue	How this group was consulted	Feedback	Project response
Cumberland City Council	Urbis contacted Council via telephone on 2 November 2022	Mr Bala Sudarsibn, Senior Development Assessment Engineer at Cumberland City Council confirmed he was not aware of any existing community emergency management arrangements for flooding in this location.	N/A
NSW Department of Environment and Heritage	Urbis contacted NSW Department of Environment and Heritage via telephone and email on 2 November 2022	Ms Janne Grose, Senior Conservation Planning Officer, to confirm if the recommended BDAR mitigation measures would form part of conditions of consent.	N/A
Jemena Gas	Urbis contacted Jemena Gas via telephone and email on 2 November 2022	Mr Muhammad Siddiqui confirmed Jemena's comment related to location of gas mains.	Jemena Gas suggested proponent to provide further details when construction is underway.
TfNSW	Urbis contacted TfNSW via telephone on 2 November 2022	Contacted Ms Shoba Sivasubramaniam from TfNSW to clarify points raised in the TfNSW letter.	TfNSW requested justification for parking in the RTS. It is noted parking spaces comply with the DCP.
EPA	Hale consulted with EPA via email.	Submission of a report with findings of	Additional Contamination Assessment has been undertaken by JBS&G

Issue	How this group was consulted	Feedback	Project response
		additional investigations.	and is attached at <b>Appendix B</b> .

## 3.2. REFINEMENTS TO THE PROJECT

The following table summarises the minor refinements and clarifications proposed since public exhibition and in response to submissions made, and as a result of further engagement undertaken.

Importantly, these refinements are changes that fit 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.

Table 4 Design Refinements to Proposed Development

Location	Proposed Refinements
<b>Site</b>	<ul style="list-style-type: none"> <li>▪ The floor plans have been updated to include a waste storage area (10m<sup>2</sup>) within each warehouse tenancy. The GFA calculations have also been updated to exclude the loading area in accordance with the standard definition and consistent with the proposed rear loading arrangements.</li> <li>▪ The car parking spaces have been reduced from 191 spaces to 188 spaces to enable additional landscaping to be provided.</li> <li>▪ The driveway access and swept path has been reviewed to facilitate a B-double truck waiting to exit, while another B-double truck enters the site to respond to swept path requirements and concerns raised in the submissions. The splay access has been extended across the property boundary line of 44 Boorea Street. Accordingly, this site has been included within the SSDA, including provision of owner's consent.</li> <li>▪ Increased ramp dimension to allow two-way movement of 20m vehicles.</li> </ul>
<b>Ground</b>	<ul style="list-style-type: none"> <li>▪ Consolidation of the car entry and exit point.</li> <li>▪ Consolidation of the pedestrian and cyclist access to a 2.5m shared path along the eastern site boundary.</li> <li>▪ Increased canopy cover from 10.1% to 10.8% of the site area (4,451.7 m<sup>2</sup>).</li> <li>▪ Increased landscape area from 11.1% to 11.5% of the site area (4,732.2m<sup>2</sup>).</li> <li>▪ Replace Eucalypt species located closest to the stormwater easement and proposed building with a smaller <i>Angopora bakeri</i> expected to reach a width and height of 10m.</li> </ul>

Refer to the revised Architectural Plans (**Appendix C**) for further details on the design refinements made since public exhibition.

## 3.3. ADDITIONAL IMPACT ASSESSMENT

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

- Traffic Assessment (**Appendix F**)
- Noise and Vibration Response (**Appendix G**)
- Air Quality Impact Assessment (**Appendix H**)
- Hazardous Materials Response (**Appendix I**)
- Arboricultural Response (**Appendix J**)
- Civil Engineering Report (**Appendix K**)
- Civil Engineering Plans (**Appendix L**)
- ESD Report (**Appendix N**)
- Waste Management Plan (**Appendix O**)

New reports have also been prepared to undertake additional assessments, including:

- CPTED Assessment (**Appendix M**)

The Arboricultural Impact Assessment was prepared with the original application but was not submitted.

- Arboricultural Impact Assessment (**Appendix J**)

The findings and recommendation of the additional assessments are discussed in detail within **Section 4** 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 according to the categorisation of issues outlined in **Section 2**. The Table below set out responses to issues raised in submissions as categorised in **Table 5**.

### 4.1. THE PROJECT

Table 5 Response to Submissions

Submission	Response
<b>Operation hours</b>	
<p>The 24-hour operation of the warehouse will hamper the amenity and harmony of the residents from a noise perspective.</p>	<ul style="list-style-type: none"> <li>▪ The detailed impact assessment reports confirm the proposed development will not adversely impact the amenity of the surrounding developments, including the residential precincts to the east and south.</li> <li>▪ As provided in the updated Noise and Vibration Impact Assessment (<b>NVIA</b>) (<b>Appendix G</b>), the proposal is compliant with the Noise Policy for Industry (NPfI) for the residential receivers at NCA01, NCA02 and NCA03. A detailed assessment with fully documented acoustic treatments will be undertaken at the detailed design phase of the development, followed by construction/installation supervision of mechanical plant and equipment acoustic treatment, to confirm the noise levels. In terms of traffic noise, it is assumed that 80% of existing road traffic will occur during the day period. The noise assessment found that the increase in traffic noise from the proposed development will be less than 1dBA along Boorea Street and will not impact the acoustic amenity of residences along this frontage.</li> <li>▪ The Air Quality Impact Assessment (<b>AQIA</b>) outlines the results of the dispersion modelling which indicate most pollutants concentrations from the operation of the development will comply with the established criteria at nearby residential receptors. Although there are predicted exceedances at sensitive receptors for the annual PM2.5 criterion, the predicted maximum concentration is dominated by the background air quality conditions. The operation activities are not anticipated to significant increase background concentrations. The AQIA provides a range of mitigation measures to ensure the construction phase can</li> </ul>

Submission	Response
	<p>be adequately managed to ensure the short-term and temporary dust related impacts remain low risk.</p>
Project justification	
<p>DPE has requested to expand on the project justification to address why the project is important and what it will deliver that the existing development or alternatives cannot.</p>	<p>An updated project justification is provided in <b>Section 5</b>. The key points are summarised as follows:</p> <ul style="list-style-type: none"> <li>▪ Alternative configurations for the warehouse design were considered, however the multi-storey warehouse offers a robust solution to space on the site with access bays for loading and unloading of goods, each level can operate independently.</li> <li>▪ The development provides for functional and spatial requirements of a modern warehouse and distribution centre. By providing space over two levels, the proposal effectively maximises the built form potential of the site and separates users with differing heavy vehicle requirements. Flexible internal spaces with high floor to ceiling heights allows for future market demand to be accommodated.</li> <li>▪ The building design further responds to site constraints including the Sydney Water sewer easement and single site access point by appropriately locating external pavement areas, allowing for one way heavy vehicle movements around the site and positioning of office amenities in close proximity to the site entry.</li> <li>▪ The proposed warehouse and ancillary office space is considered appropriate for the expected market demand, which indicates Sydney now has the fastest growing industrial rental market across the Asia Pacific.</li> <li>▪ The provision of increased landscaping and tree canopy (with a variety of native species) will enrich and soften the site and building facade. This improved landscaping impact would unlikely happen if the existing development remained.</li> <li>▪ The proposed development stands to make a very positive contribution to the livelihood of residents across the wider region, creating new employment opportunities closer to residents'</li> </ul>

Submission	Response
	<p>homes. The proposed development is considered “likely” to have a “moderate” positive impact and as such, presents a “high” and positive social impact. This high and positive social impact would not occur if the existing development was note redeveloped.</p>
<b>Employment generation</b>	
<p>Confirm the current and peak employment generated by the existing site operations.</p>	<ul style="list-style-type: none"> <li>▪ There are currently 50 employees associated with the existing site operations with a range up to a maximum of 65 employees at the peak of operations.</li> <li>▪ The proposal will generate a significant increase in employment in the Lidcombe area with an estimated total of 406 operational jobs within the proposed facility.</li> </ul>
<b>Cumulative impacts</b>	
<p>Confirm the extent to which the cumulative impacts of SSD-10470 (as modified) have been considered in the assessment of the development, particularly in relation to noise and traffic impacts. Page 21 of the EIS makes reference only to changes anticipated to SSD-10470-Mod-1 and does not appear to consider the original SSD and its impacts.</p>	<ul style="list-style-type: none"> <li>▪ SSD-10470 was approved on 25 June 2021 for the demolition of existing buildings and construction and operation of Woolworths Warehouse and Distribution Centre at 11 and 13 Percy Street, Auburn.</li> <li>▪ The Traffic Assessment (<b>Appendix F</b>) has undertaken a SIDRA analysis including the St Hilliers Road/Boorea Street/Rawson Street intersection which is utilised by SSD-10470. The assessment indicates that the net traffic volumes arising from the proposed development would not result in material changes to degree of saturation (DOS) and average vehicle delay (AVD). Most importantly, the level of service (LOS) would remain unchanged.</li> <li>▪ As such, the traffic impact analysis concludes that the net traffic generation volumes are of a sufficiently low order that once distributed on to the surrounding road network, the impacts of these volumes at the key intersections would be negligible. Therefore, the intersections such as the St Hilliers Road/Boorea Street/Rawson Street intersection utilised by SSD-10470 would operate as currently occurs.</li> <li>▪ With regard to noise impacts, the NVIA assess relative increase in traffic noise on Boorea</li> </ul>



Submission	Response
	<p>Street which is accessed by SSD from Percy Street. The NVIA that as per the vehicle volume data on Boorea Street, the predicted increase in daytime and night traffic noise levels for receivers near Boorea Street is calculated to be less than 1 dBA. As such, the noise impacts due to traffic generation associated with the construction and operation of the proposed development is therefore expected to be negligible.</p>
<p><b>Amendment to supporting documents regarding references</b></p>	
<p>Gross floor area (GFA) has been expressed in different ways within the EIS and supporting reports. The total GFA for the development needs to be confirmed in accordance with the definition provided under the Cumberland Local Environmental Plan 2021. For example, the EIS (Table 6) states warehouse GFA of 35,111 m<sup>2</sup> and the Traffic Assessment (TA) states 24,740 m<sup>2</sup> of warehouse GFA in Section 2.1. The TA also references different office GFA in Section 2.1 and 4.1.1. Any calculations that rely on GFA such as traffic generation and car parking may also require subsequent revision.</p>	<p>The GFA has been recalculated in accordance with the GFA definition contained within the LEP. The proposed GFA for the development is 28,962m<sup>2</sup> which equates to an FSR of 0.7:1. The updated Traffic Assessment (TA) states the recalculated gross floor area (GFA) (refer <b>Appendix F</b>).</p>
<p>Section 6.1.15 of the EIS requires updating as it looks as though it is referring to a draft version of the Aboriginal Cultural Heritage Report (ACHR).</p>	<p>This Submission Report confirms that the ACHR submitted at the time of lodgement is the final version.</p>
<p><b>Height of adjoining developments</b></p>	
<p>The DPE require the design report to state the heights of existing and adjacent buildings, 'double height' is not an appropriate form of measurement.</p>	<p>The Design Statement is updated (<b>Appendix E</b>) to replace "double height" with "17m" high industrial warehouses to the South.</p>
<p><b>Gas supply to the development</b></p>	
<p>The DPE requires confirmation if the reticulated gas supply that was decommissioned, is going to be re-connected to the development?</p>	<p>Gas infrastructure was decommissioned on 27 April 2022 and there is no intent to recommission a gas supply for the proposed development.</p>

## 4.2. PROCEDURAL MATTERS

Submission	Response
<p><b>Identification of relevant statutory requirements</b></p>	

Submission	Response
<p>An assessment against the Part 2, Part 3 and Schedule 1 of the <i>State Environmental Planning Policy (Industry and Employment) 2021</i> is required.</p>	<ul style="list-style-type: none"> <li>▪ The SSD seeks consent for business identification signage and refers to wayfinding signage in section 3.2.2.2 of the EIS. The term “wayfinding” should be deleted and replaced with “business identification signage”. Wayfinding signage does not form part of this application and will form part of any future tenant development application if consent is required to be obtained.</li> <li>▪ Appendix C of the EIS included an assessment against Schedule 1 of the <i>State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)</i>.</li> <li>▪ Part 2 of the Industry and Employment SEPP does not apply. This section relates to the Western Sydney Employment Area and is not relevant to this site.</li> <li>▪ Clause 3.6 of the Industry and Employment SEPP requires a consent authority to consider the objectives of the policy and comply with the assessment criteria contained within Schedule 5.</li> </ul> <p>The objectives of the policy aim to</p> <ul style="list-style-type: none"> <li>(a) <i>to ensure that signage (including advertising)—</i> <ul style="list-style-type: none"> <li>(i) <i>is compatible with the desired amenity and visual character of an area, and</i></li> <li>(ii) <i>provides effective communication in suitable locations, and</i></li> <li>(iii) <i>is of high-quality design and finish, and</i></li> </ul> </li> <li>(b) <i>to regulate signage (but not content) under Part 4 of the Act, and</i></li> <li>(c) <i>to provide time-limited consents for the display of certain advertisements, and</i></li> <li>(d) <i>to regulate the display of advertisements in transport corridors, and</i></li> <li>(e) <i>to ensure that public benefits may be derived from advertising in and adjacent to transport corridors</i></li> </ul> <ul style="list-style-type: none"> <li>▪ The proposed signage is consistent with the character of other industrial developments</li> </ul>

Submission	Response
	<p>within the Lidcombe area, in terms of their size, locations, materials and descriptions.</p> <ul style="list-style-type: none"> <li>▪ The proposed signage is in a location that is well below the roof level and therefore will not adversely impact on the visual character of the area.</li> <li>▪ The proposed signage is to be used to provide identification and direction. The proposed signage will be of suitable scale, design and location for its intended purpose and provide effective communication.</li> <li>▪ The proposed signage is of high-quality finish utilising materials such as steel perforated mesh with white writing ensuring a positive visual impact.</li> <li>▪ It is noted the aim of the SEPP is also to regulate signage and provide time limited consents. The site is not located or adjacent to a transport corridor.</li> </ul>

### 4.3. ENVIRONMENTAL IMPACTS

Submission	Response
<b>4.3.1. Traffic and access</b>	
<p>The DPE notes that the notes that heavy vehicles and light vehicles will be separated however this is only apparent once light vehicles enter their designated parking areas. Provide clarification if there any physical changes are proposed to the existing driveway.</p>	<ul style="list-style-type: none"> <li>▪ The proposal seeks to widen the existing driveway by removing parking and allow for improve traffic flow at the access point.</li> <li>▪ Light and heavy vehicles will be separated internally, with the hardstand separated from car parking areas. Access and circulation around the parking aisles and ramps shall be limited to cars, motorcycles and other light vehicles.</li> </ul>
<p>In order to mitigate potential conflict between heavy vehicles, light vehicles, bicycles and pedestrians which share a common entry point to the development, all way finding, building identification, traffic control and direction signage (including driveway / internal traffic lane markings) shall be</p>	<ul style="list-style-type: none"> <li>▪ Indicative line-marking is shown in the Design Commentary section of the TA at <b>Appendix F</b>.</li> <li>▪ Further details regarding the proposed wayfinding signage and line marking will be provided with the detailed drawings at the Construction Certificate (CC) staged and</li> </ul>

Submission	Response
<p>provided for consideration and assessment prior to determination.</p>	<p>implemented prior to release of the (OC) Occupation Certificate.</p> <ul style="list-style-type: none"> <li>▪ It is requested a condition of consent be included which requires preparation of a signage and line-marking plan, prepared by a suitably qualified professional prior to CC release.</li> </ul>
<p>The DPE suggests the pedestrian and bicycle access be consolidated to allow pedestrian crossing provided for bicycle users to cross from the driveway to the car parking / building area.</p>	<p>A consolidated pedestrian and cyclist access (2.5m wide) is provided at the eastern side of the site (refer updated TA at <b>Appendix F</b>).</p>
<p>The Department acknowledges the shared driveway is an existing situation but notes that the development also represents a significant intensification of the site. Clarify how the potential conflict between heavy and light vehicles will be managed within the site across multiple tenancies.</p>	<ul style="list-style-type: none"> <li>▪ 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 roadways used by trucks and other commercial vehicles. It is only the 'service area' (where trucks are reversing) that should be separated from car parking areas and pedestrian activity.</li> <li>▪ The proposed design does not require a light vehicle to transverse with the hardstand areas of heavy vehicles. As such, the proposal is considered to provide an acceptable level of separation between light and heavy vehicles.</li> </ul>
<p>The DPE suggest the car entry / exit points within the site are consolidated as dual car entry / exit points in close proximity to the upper-level ramp creates unnecessary conflict zones.</p>	<ul style="list-style-type: none"> <li>▪ The updated design has consolidated the two car entry/exit points at the ground level. Refer updated drawings at <b>Appendix C</b>.</li> </ul>
<p>Demonstrate that the turning bays in the car parks can function as intended if all surrounding spaces are occupied.</p>	<ul style="list-style-type: none"> <li>▪ The proposed turning bays have been designed in compliance with AS2890.1 and provide for the required function, i.e.. perform a turn manoeuvre.</li> </ul>
<p>The DPE seeks clarify on the number of B-Doubles that can be accommodated in the unhitching area at any given time.</p> <p>The DPE also requires clarification on the inclusion of unhitching area noting the ground level supports B-Double parking in front of each tenancy for loading/unloading activities.</p>	<ul style="list-style-type: none"> <li>▪ The nominated area has been sized to accommodate a single 26m B-double vehicle at any one time. This is based on the predicted infrequency of B-double vehicle access and provision for side-loading within the hardstand area. Only one B-double vehicle per hour is expected to service the site during peak times, with a total of 19 expected through the day. The unhitching area is only nominated in response to Section 4.1 (i) of AS2890.2:2018 which requires an area for uncoupling for the potential scenario where other roller shutter doors for the</li> </ul>

Submission	Response
	<p>tenancy are in use and side-loading of B-doubles is not possible. In that instance, the truck can move to the unhitching area, uncouple the rear trailer and then rear-load the trailers to the respective tenancy.</p>
<p>Confirm if heavy vehicles (excluding B-Doubles) will be fully enclosed within the internal loading areas, noting the architectural drawings for the ground level shows them external, the upper level shows them internal and the TA shows both levels as internal.</p>	<ul style="list-style-type: none"> <li>▪ All rear-loading shall occur within the building to ensure that that hardstand area is sufficiently clear to allow unimpeded access to the various tenancies. This is recognised in the calculation of the GFA in accordance with the Standard LEP definition.</li> </ul>
<p>Confirm if Warehouse 1 will be supported with B-Double access as this is not shown as possible in the TA.</p>	<ul style="list-style-type: none"> <li>▪ Vehicles up to a maximum of 20m articulated vehicles (<b>AV</b>) will service Warehouse 1. This will be enforced through a Loading Dock Management Plan (<b>LDMP</b>).</li> </ul>
<p>The DPE notes the TA demonstrates that a B-Double cannot access the site without occupying the full width of the driveway and a 20m semi-trailer is marginal.</p> <p>Provide clarification on how this is intended to operate so as to not create a risk to users of the site and the public road network, noting that vehicles accessing the site would not be permitted to queue on the public road network. A risk assessment is to be undertaken on the proposed access arrangements.</p>	<ul style="list-style-type: none"> <li>▪ The site is currently accessed by B-doubles with no reported operational or access-related issues. As such, the continued (infrequent) arrivals by B-doubles is deemed acceptable, subject to the widening of the driveway to improve the arrangement.</li> <li>▪ 20m AVs can access the Site concurrently with other exiting heavy vehicles, as demonstrated by Sheet AG03 in Appendix C of the original TA. The swept paths have been provided in compliance with the Australian Standards and Austroads guidance.</li> <li>▪ As demonstrated by the traffic generation profile in Appendix A of the TA, the volume of both 20m AV and B-double movements is expected to be very low, with the vast majority of vehicles being smaller configurations. Figure 3.1 of AS2890.2:2018 (which provides the design requirements of heavy vehicle driveways) states: <p style="margin-left: 40px;"><i>The design (20m long) AV will take up most of the public road width when turning left into or out of the driveway, as will the HRV when turning out.</i></p> </li> <li>▪ The original driveway design has been amended to provide adequate space to allow for a B-double to enter the Site while another B-double is waiting to exit the Site. The updated TA includes swept path analysis which</li> </ul>

Submission	Response
	demonstrates the suitability of the amended driveway design.
<p>The DPE notes that the upper level is proposed to be accessed by up to and including a 20m heavy vehicle. The design of the development must demonstrate that two 20m heavy vehicles can utilise all sections of the ramp at all times as an opposing movement.</p>	<ul style="list-style-type: none"> <li>▪ The volume of larger vehicles expected to service the Site is relatively low. With reference to Appendix A of the submitted TA, most truck movements are expected to be smaller rigid trucks.</li> <li>▪ The ramp has been redesigned to accommodate two-way flow for 20m AVs. The updated TA includes swept path analysis which demonstrates compliance.</li> </ul>
<p>Confirm if the swept paths utilised on Drawing AG18 in the TA utilise a B99 or B85 vehicle. The DPE suggests that a B99 vehicle be used which is consistent with Drawing AG11.</p> <p>Additionally, DPE notes that functionality of car parking area and turning bays have not been demonstrated with appropriate swept path analysis.</p>	<ul style="list-style-type: none"> <li>▪ The swept path analysis shown on Drawing AG18 provided for a B99 vehicle for the outside path, with a B85 vehicle on the inside path. This is in accordance with Clause 2.5 of AS2890.1:2004 which states: <i>Areas in which it is necessary for two vehicles to pass one another shall be designed for a B85 vehicle to pass a B99 vehicle.</i></li> <li>▪ The car parking areas have been designed in compliance with AS2890.1:2004.</li> </ul>
<p>The DPE notes that the swept path drawings (AG00) make a number of comments requiring further amendments to the design in order to achieve design compliance. These amendments are required to be demonstrated prior to determination and not prior to construction certificate.</p>	<ul style="list-style-type: none"> <li>▪ The plans have been amended to address the comments which refer to further amendments being required - please refer to <b>Appendix F</b>.</li> </ul>
<p>The DPE notes that the location of the upper-level columns on the ground level creates difficulties for heavy vehicle manoeuvring. Provide alternate opportunities available to improve this situation?</p> <p>Alternatively, the Applicant is to confirm that the columns will not impede heavy vehicles movements or pose a safety risk to heavy vehicles, users of the site, or the structural integrity of the building if impacted by a heavy vehicle.</p>	<ul style="list-style-type: none"> <li>▪ The updated swept path analysis (<b>Appendix F</b>) complies with the relevant Australian Standards and Austroads guidance and demonstrate that access can be maintained.</li> <li>▪ It is confirmed that the columns would not affect the structural integrity of the building if impacted by a heavy vehicle. A Structural Feasibility Statement can be provided prior to CC if required.</li> </ul>
<p>The DPE notes that the egress movements for heavy vehicles from the northern most docks on the ground level are marginal even with perfect turn performance. DPE recommends exploring opportunities to improve this including widening of this section of roadway.</p>	<ul style="list-style-type: none"> <li>▪ The swept path analysis software is conservative to demonstrate the maximum area required. However, it is expected vehicle configurations may be slightly smaller and/or drivers will utilise manoeuvres which differ from the swept path analysis. Vehicle size</li> </ul>

Submission	Response
	<p>restrictions for the end bay (limited to a HRV) are to be implemented. Further vehicle size limitations could be contemplated but are not deemed necessary.</p>
<p>The TA should provide an assessment of the Boorea Street / St Hilliers Road intersection.</p>	<ul style="list-style-type: none"> <li>▪ The original TA did not include additional intersection analysis based on the ‘moderate’ traffic volumes during peak periods, comprising 36 vehicle/hr in the AM peak, and 25 vehicle/hr in the PM peak.</li> <li>▪ The updated TA includes the Boorea Street / Hilliers Road intersection (<b>Appendix F</b>). As per the updated SIDRA output results within the TA, the additional traffic volumes are not anticipated to have a material impact on the operation of this intersection, with LOS remaining consistent, and a maximum increase in overall delay of 0.4 seconds.</li> </ul>
<p>A Loading Dock Management Plan for the development is to be provided.</p>	<ul style="list-style-type: none"> <li>▪ A preliminary LDMP is provided in the updated <b>Appendix F</b>.</li> <li>▪ It is anticipated a condition of consent may be imposed requiring a detailed LDMP and Operational Management Plan prior to OC release.</li> </ul>
<p>The DPE believes that the in the absence of known tenants, many of the measures suggested in the Green Travel Plan may not be practical or achievable.</p> <p>Provide confirmation on how the measures envisaged under the Green Travel Plan will be implemented across the tenancies with future tenants.</p>	<ul style="list-style-type: none"> <li>▪ The proposed measures outlined in the Green travel Plan (<b>GTP</b>) will be refined as part of the final OMP and prior to OC release. Section 3.4 of the GTP provides for a Travel Plan Coordinator to be appointed who will be responsible for further consultation with future tenants, when known. This can be incorporated into the final OMP</li> </ul>
<p>The DPE requires trips for the whole of development to be provided in accordance with the layout of Table 11 in the TA not just additional trips.</p>	<ul style="list-style-type: none"> <li>▪ Table 11 summarises the net change in development trips. Details for all vehicle movements generated by the development, by vehicle type are provided in Appendix A of the updated TA.</li> </ul>
<p>Council is of the view that the south-eastern corner of the warehouse 5 is likely to block the sight line of the vehicles manoeuvring up and down the ramp to level1 loading area. Appropriate measures to address the issue need to be implemented.</p>	<ul style="list-style-type: none"> <li>▪ Appropriate line marking, signage and convex mirrors are to be installed to manage flow around the corner.</li> <li>▪ Further detailed information can be provided with the signage and line-marking plan to be</li> </ul>

Submission	Response
	<p>prepared by a suitably qualified professional and prior to CC release.</p>
<p>Council suggests that in order to eliminate the conflict between the vehicle manoeuvring up and the down the ramp to level 1, appropriate ramp access priority system such and a traffic signal system and sign must be implemented. The priority should be given first to the vehicle ascending the ramp.</p>	<ul style="list-style-type: none"> <li>▪ The ramp has been designed to provide for two-way flow which avoids potential conflicts.</li> </ul>
<p>Council suggests that at every turning corner turn speed limit sign must be installed to warn the truck driver of the narrowness of the road and the sharpness of the bend.</p>	<ul style="list-style-type: none"> <li>▪ Further detailed information can be provided with the signage and line-marking plan to be prepared by a suitably qualified professional and prior to CC release.</li> </ul>
<p>Council suggests that appropriate traffic control mechanism must be incorporated at the exit point front the car parking area where the existing trucks from the ground level warehouses are likely to cause conflict.</p>	<ul style="list-style-type: none"> <li>▪ As per the updated plans show, the car park access points have been consolidated. Both light and heavy vehicles will have appropriate sight distances, with giveaway marking and signage to be provided, as appropriate.</li> <li>▪ It is proposed to provide a signage and line-marking plan prepared by a suitably qualified professional prior to CC release.</li> </ul>
<p>The long-section profile through the car ramp is to be provided.</p>	<ul style="list-style-type: none"> <li>▪ A long section has been provided with the updated plans attached at <b>Appendix C</b>.</li> </ul>
<p>In order to assess the current approved provision the following information is required:</p> <p>The approved land use and the associated approved architectural floor plan showing GFA for each land use.</p> <p>The approved operational plan/ management plan that describes how the vehicular operation including the truck hourly movements are operated.</p>	<ul style="list-style-type: none"> <li>▪ Hale only recently purchased the site and does not hold copies of the approved architectural drawings for the existing building. Further, it is unclear whether the site benefits from an approved OMP, however, this would appear unlikely based on the age of the building.</li> <li>▪ The traffic impacts of the existing development are incorporated in the baseline data, including operation of the existing intersections. It is unclear why this additional documentation has been requested and/or how it would further inform the potential traffic impacts of the proposed development.</li> </ul>
<p>The report indicates the level of service at the intersection of Olympic drive and Boorea street as at level of service (LOS) at B while the degree of saturation (DOS) at 0.939 during PM peak hour which appears to be inconsistent. Clarification is needed as to how the how this is consistent.</p>	<ul style="list-style-type: none"> <li>▪ The LOS for signalised intersections is derived on the average delay. The DOS reported relates to the worst movement being the right-turn from Olympic Drive south, to Boorea Street. It is noted that the Proposal will result in an additional 5 veh/hr making this movement.</li> </ul>



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<p>Similar situation is noted during AM peak hours as well.</p>	
<p>The peak hour traffic generation rate calculation does not appear to be consistent. It is not clear how the existing traffic generation peak hour rate of 0.34veh/100m<sup>2</sup> in AM and 0.28veh/100m<sup>2</sup> in PM for the subject site are arrived at. Detailed clarification is required. The rate applied should be consistent with the rate outlined in RMS Guidelines.</p>	<p>The baseline traffic flows are shown by Figures 6 and 7 of the TA (<b>Appendix F</b>). These figures are based on traffic surveys undertaken on 15 March 2022 to establish the baseline traffic flows on the surrounding road network.</p> <p>As shown, the site is currently generating 66 veh/hr in the AM peak (i.e. the combined movements in and out of the “Site Access”) and 54 veh/hr in the PM peak. Based on the existing GFA of 19,271m<sup>2</sup> , this equates to:</p> <ul style="list-style-type: none"> <li>▪ 0.34 veh/hr per 100m<sup>2</sup> in the AM peak; and</li> <li>▪ 0.28 veh/hr per 100m<sup>2</sup> in the PM peak.</li> </ul> <p>The RMS Guidelines are based on traffic surveys that were undertaken 20+ years ago. Further, the updated trip rates contained within the Technical Direction TDT 2013/4a were undertaken 10 years ago. The assessment has adopted rates based on actual travel movements and as previously outlined above.</p> <p>In response to the rates provided within the TfNSW TDT 2013/4a, the average rates (excluding Site 2, which is not a comparable Site) equates to:</p> <ul style="list-style-type: none"> <li>▪ 0.247 veh/hr per 100m<sup>2</sup>; and</li> <li>▪ 0.182 veh/hr per 100m<sup>2</sup></li> </ul> <p>As such, the trip rates adopted for the proposal are greater than if the applicable rates were adopted from the most recent TfNSW guidance on trip rates.</p>
<p>The traffic generation for proposed development is not consistent with the RMS guideline (0.5 vehicles/100m<sup>2</sup> of GFA in AM peak and daily of 4 veh/100m<sup>2</sup> daily). The volume of traffic generated will be higher than that calculated in the Traffic Report. Appropriate measures or justification should accompany to support the development.</p>	<ul style="list-style-type: none"> <li>▪ The trip rates have been derived based on the actual Site traffic generation characteristics.</li> <li>▪ The rates referred to by Council have been adopted from the TfNSW (formerly Roads Traffic Authority) <i>Guide to Traffic Generating Developments, Version 2.2</i>, October 2002. As noted above, surveys in which this rate was derived from are now 20+ years old and it is considered more appropriate to adopt trip based on surveys of the site operations.</li> </ul>
<p>The critical concern will be the increase in the number of heavy vehicles during the peak hours.</p>	<ul style="list-style-type: none"> <li>▪ The modelling assessment has considered the increase in heavy vehicles expected. As</li> </ul>

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	detailed in the TA ( <b>Appendix F</b> ), the proposal is not expected to have a material impact on the operation of the road network.
<p>The table showing operational traffic flow indicates that 34 heavy right vehicles including 7 semi-trailer and double-B trucks trip during AM peak hour. Clarification is required as to how this additional heavy traffics are managed during the peak noting that the adjacent intersection of Olympic drive and Boorea Street already has the DOS exceeding 0.65 at the intersection. The situation is likely to be still worse during Pm peak hour.</p>	<ul style="list-style-type: none"> <li>▪ The site already accommodates 13 heavy vehicles in the AM peak hour. The modelling assessment is based on the net additional development traffic associated and demonstrate the DOS would increase from 0.65 to 0.66. This is not considered to be a material increase, and the network is expected to continue to operate in a manner consistent with the existing conditions.</li> </ul>
<p>TfNSW recommends that a TAG should be included as a separate appendix in the GTP.</p> <p>The TAG should focus on active and public transport modes rather than private vehicles</p>	<ul style="list-style-type: none"> <li>▪ A TAG has been developed and is provided as Appendix A of the Framework Travel Plan (provided within the TA attached at <b>Appendix F</b> of this report).</li> </ul>
<p>TfNSW recommends that a Green Travel Plan should be submitted to TfNSW with enough time to review prior to occupancy.</p>	<ul style="list-style-type: none"> <li>▪ Agreed - it is expected that this would form a part of the conditions of consent.</li> </ul>
<p>Any increase in traffic may cause traffic congestion</p>	<ul style="list-style-type: none"> <li>▪ As detailed in the TA (<b>Appendix F</b>), the proposal is not expected to have a material impact on the operation of the road network</li> </ul>
<p>Access to the site is via a single driveway on Boorea Street directly opposite a low density residential area. Warehouses should be constructed away from residential areas.</p>	<ul style="list-style-type: none"> <li>▪ The proposed access to the site is maintained via the battle-axe driveway from Boorea Street. There is no alternative access available to the site which is within an established industrial context.</li> </ul>
<b>4.3.2. Parking Impact</b>	
<p>TfNSW recommends reducing the amount of carparking proposed in order to discourage car driving as a preference.</p>	<ul style="list-style-type: none"> <li>▪ The proposed car parking spaces have been refined based on the increased landscaping and the revised GFA calculations. The proposed car parking is considered appropriate for the site based on its locational context and access to public and active transport options. The GTP will encourage mode shift and any redundant car parking could be repurposed if not required over time.</li> </ul>
<p>TfNSW is of the view that the mode share targets proposed by the applicant for car driver/passenger is still too high (Table 5 - FTP). Consideration should be given to encouraging a greater mode</p>	<ul style="list-style-type: none"> <li>▪ Mode share targets will be incorporated in the final GTP. As per TfNSW's request, the GTP is to be submitted to TfNSW for further review prior to occupancy.</li> </ul>

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<p>shift from the private vehicle to public and active transport modes.</p> <p>TfNSW recommends that mode share targets be made higher for all public and active transport modes, and car usage mode shares are reduced further. This could include further encouragement of carpooling.</p>	<ul style="list-style-type: none"> <li>▪ Submission of the GTP to TfNSW can form part of the conditions of consent.</li> </ul>
<p>TfNSW recommends that the provision of bicycle spaces be monitored over time to ensure there is sufficient provision to further encourage cycling as a mode – both for staff and visitors.</p>	<ul style="list-style-type: none"> <li>▪ Monitoring of the bicycle parking would form part of the monitoring process.</li> </ul>
<p>TfNSW notes that the purpose of the FTP is to “outline the overarching requirements for a future Sustainable / Green Travel Plan package to be delivered in future occupier-specific Plans”, and “...requiring the implementation of the final GTP prior to occupation of the development”. TfNSW therefore confirm that the GTP is to be prepared for the mixed use development and submitted to TfNSW. GTP is to be prepared in consultation with TfNSW, prior to approval from DPE. In summary, a GTP should:</p> <ul style="list-style-type: none"> <li>▪ Identify and determine a course for the delivery of mode share targets and strategies that encourage the use of sustainable transport options that reduce the dependence on and proportion of single occupant car journeys to the site, based on credible data.</li> <li>▪ Be prepared by a suitably qualified transport or traffic consultant.</li> <li>▪ Include specific tools and actions to help achieve the objectives and mode share targets.</li> <li>▪ Include measures to promote and support the implementation of the plan.</li> <li>▪ Identification of a responsible party (or Committee) for the ongoing implementation of the GTP.</li> <li>▪ Confirmation of extent and nature of end of trip (EoT) facilities and bike parking and how they will be promoted to staff, residents and visitors.</li> </ul>	<ul style="list-style-type: none"> <li>▪ It is expected the GTP will be developed in consultation with TfNSW and finalised prior to OC release.</li> <li>▪ EoT facilities will be provided within each individual tenancy.</li> </ul>

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<ul style="list-style-type: none"> <li>▪ Consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets.</li> <li>▪ Include a draft Transport Access Guide (TAG) to provide information to staff, residents and visitors about the range of travel modes, access arrangements and supporting facilities that service the site.</li> <li>▪ Identification of a communications strategy for conveying GTP information to staff, residents and visitors, including for the TAG.</li> </ul>	
<p>The Cumberland City Council is of the view that the proposal provides a shortfall of on-site car parking spaces and loading and unloading bays.</p> <p>The Council requires the following minimum car parking and loading and unloading bays as per the relevant rates envisaged under the Cumberland DCP 2021:</p> <ul style="list-style-type: none"> <li>▪ 221 car parking spaces, including 117 spaces to service the warehouse and 104 spaces to service the office,</li> <li>▪ 48 loading and unloading bays, including 38 bays to service the warehouse and additional 10 bays to service the office.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The proposed car parking spaces have been refined based on the increased landscaping and the revised GFA calculations. The proposed car parking is considered appropriate for the site based on its locational context and access to public and active transport options. The GTP will encourage use of public and active transport.</li> <li>▪ The proposal will provide 48 loading and unloading bays, including 38 bays to service the warehouse and additional 10 bays to service the office. These loading bays are consistent with Council's DCP requirements, given the revised GFA calculations.</li> </ul>
<b>4.3.3. Air quality</b>	
<p>The DPE notes that as per Section 2.3.1 of the Air Quality Impact Assessment (AQIA), construction stages do not proceed past earthworks and road construction.</p> <p>DPE requires the AQIA to assess impact of construction of the building on air quality.</p>	<ul style="list-style-type: none"> <li>▪ An updated Air Quality Report is provided (<b>Appendix H</b>) which presents a qualitative assessment of potential air quality impacts associated with the proposed works and has been conducted in general accordance with the methodology described in the previously mentioned IAQM Guideline.</li> <li>▪ The air quality assessment concludes that the construction phases can be adequately managed so that the short-term and temporary dust related impacts will remain to be low risk.</li> </ul>
<p>The DPE notes that Section 8.1.1 of the AQIA assumes 51 daily truck movements where the TA predicts approximately 114 daily truck movements (9% of 1267 daily vehicle movements). Provide clarification on the modelling assumptions between</p>	<ul style="list-style-type: none"> <li>▪ The AQIA has been updated (<b>Appendix H</b>) to clearly state the 51 movements are per hour and not per day 40 movements are light vehicles (LV), 9 are medium vehicles (MV), and 3 are heavy vehicles (HV). This equates to</li> </ul>

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the AQIA and TA and amend the relevant report as required.	1,224 total movements and 288 medium/heavy movements per day.
The DPE notes that Section 8.1.1 of the AQIA appears to focus on dust related emission generation and Section 8.1.2 of the AQIA accounts for idling trucks contributions to emissions. Clarify if the AQIA has considered trucks moving within the site as well as an overall cumulative impact?	<ul style="list-style-type: none"> <li>▪ Nitrogen Oxide emission from vehicle movements will be relatively small compared to the idling emissions. The vehicles moving would only occur for a short period of time where the idling happens for 10 minutes within each hour.</li> </ul>
<b>4.3.4. Noise and vibration</b>	
<p>As per Section 4.2 of the Noise Impact Assessment (NIA), provide justification for the use of the 'Urban' classification is to be provided for receivers within NCA01 and NCA02 which are zoned R2 Low Density Residential.</p> <p>As per DPE, the Noise Policy for Industry (NPfl) suggests that 'suburban' is a more suitable classification. Should the justification not be considered adequate the NIA will require amendment.</p>	<p>A letter response has been prepared by RWDI and is attached at <b>Appendix G</b>.</p> <ul style="list-style-type: none"> <li>▪ Residential receivers at NCA01:</li> </ul> <p>Residential receivers in NCA01 could be classified as suburban, however this does not change the day time trigger level and only decreases the evening and night trigger levels by 1 dB. The proposal will still comply for residential receivers in NCA01, even if these are classified as 'Suburban'.</p> <ul style="list-style-type: none"> <li>▪ Residential receivers at NCA02:</li> </ul> <p>Although residences in NCA02 are zoned R2 Low Density Residential, the background noise levels (Location L02 in Table 3-3 of the NVIA) are significantly higher than the typical levels presented in Table 2.3 of the NPfl. Further, the noise environment is more consistent with the description provided for Urban residential receivers in Table 2.3 of the NPfl. These receivers would be impacted by road traffic noise on Olympic Drive, which is an arterial road.</p> <p>Accordingly, residential receivers in NCA01 can be classified 'suburban' and the proposal will be compliant with NPfl under this classification. As per the assessment by RWDI, the receivers in NCA02 must be classified as 'urban'.</p>
DPE requires what 30 second reversing time based on, as per Section 8.5 of the NIA.	<ul style="list-style-type: none"> <li>▪ 30 second reversing time is based on observations by RWDI at similar facilities.</li> </ul>
Appendix B of the NIA does not show the full extent of heavy vehicle movements on the ground level which extend around the entire building, nor does it show return movements of the upper level. How are modelled line sources reflected in Appendix B? Appendix B (and any subsequent modelling) shall	<ul style="list-style-type: none"> <li>▪ The noise model has been updated to include ground floor medium and heavy vehicle movements around the building, as shown in the letter response attached at <b>Appendix G</b>.</li> <li>▪ The revised results show minor increases (1-2 dB) in noise levels to the residential receivers in</li> </ul>

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<p>be amended to reflect all ground level movements and all upper-level movements separately</p>	<p>NCA01. However, the noise levels remain compliant with NPfl.</p> <ul style="list-style-type: none"> <li>▪ It is confirmed that the noise model has incorporated medium and heavy vehicle movements to and from the first-floor level in the line sources for the first floor.</li> </ul>
<p>DPE requires confirmation on the full construction and operational noise inventories which have been used to establish conservatism in the noise modelling.</p>	<p>As per Section 8.3 and 8.6 of the NVIA, the operational noise inventory is as below:</p> <ul style="list-style-type: none"> <li>▪ Forklift operational on hardstand</li> <li>▪ Mechanical plant serving</li> <li>▪ Light Vehicles on site, up to speed of 40 km/h</li> <li>▪ Medium Vehicle at 25 km/h</li> <li>▪ Medium Vehicle reversing at 5 km/h</li> <li>▪ Heavy Vehicle at 25 km/h</li> <li>▪ Heavy Vehicle , loaded at 5 km/h</li> <li>▪ Heavy Vehicle1, reversing at 5 km/h</li> <li>▪ Truck Idling.</li> </ul> <p>A detailed construction fleet is not available at this stage. RWDI has provided sound power levels in the NVIA which represent worst case scenarios and are based on experience from similar projects.</p>
<p>DPE requires confirmation if the noise modelling incorporates side loading of B-Doubles occurring on the external hardstand and not within the enclosed loading areas.</p>	<ul style="list-style-type: none"> <li>▪ The side loading of B-Doubles on the hardstands is modelled via the forklifts operating on the ground floor and first floor hardstands.</li> </ul>
<p>Council recommends that extensive community consultation is undertaken throughout the ongoing stages of the project to ensure all impacted residents are kept informed. It is also recommended a register of complaints management system be in place including a 24/7 phonenumber available for local residents. It is also recommended that the phonenumber details are displayed onsite as well as provided during the consultation period to the affected residents and to Council in the event complaints, concerns or enquiries are received by Council, relating to the project. Should ongoing complaints be received, further review should be undertaken by the</p>	<ul style="list-style-type: none"> <li>▪ It is expected that conditions of consent will be imposed requiring a Construction Noise and Vibration Management Plan (<b>CNVMP</b>) and Operational Noise Management Plan (<b>ONMP</b>) in accordance with the relevant guidelines.</li> </ul>

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contractor with appropriate changes implemented as necessary.	
<b>4.3.5. Tree Removal and Pruning</b>	
The DPE requires confirmation on the number of new trees to be planted as page 11 of the EIS states 134, page 12 states 136, page 29 states 134 retained and proposed (noting 26 are to be retained) and page 84 states 195. The planting schedule of the Landscape Plans indicates 149 trees will be planted.	<ul style="list-style-type: none"> <li>▪ The updated Landscape Plan provides revised numbers regarding new trees planted (158 trees) and trees to be removed (296 trees).</li> </ul>
Council recommends that an Arboricultural Impact Assessment & Tree Protection Plan is commissioned to justify the removal of tree of existing trees and protection measures are implemented for vegetation proposed to be retained. The report should be prepared in line with AS4970-2009 Protection of Trees on Development.	<ul style="list-style-type: none"> <li>▪ An Arboricultural Impact Assessment is provided at <b>Appendix J</b> which assesses the existing trees on site and makes recommendations for trees to be removed to facilitate the proposal, and on tree protection measures to ensure the viable, long-term retention of trees to be retained where appropriate.</li> </ul>
As per the landscape plan and Tree Protection Plan provided, it appears that Tree 17 ( <i>Melaleuca quinquinervia</i> ) is proposed to be removed however as this tree appears to be located on the neighbouring property. As per Council, prior consent will need to be negotiated with the neighbour for the removal of this tree.	<ul style="list-style-type: none"> <li>▪ Tree 17 is located on the neighbouring property at 44 Boorea Street (Lot B DP415100). The registered owner of the subject site and 44 Boorea Street is The Trust Company Limited as trustee for the LAV Australia Sub Trust 6 (<b>Appendix P</b>). Owner's consent has been provided for the adjoining site, enabling the tree to be removed.</li> </ul>
Council recommends that any pruning works should be carried out to AS4373 – 2007 Pruning of amenity trees and by a minimum AQF3 qualified arborist.	<ul style="list-style-type: none"> <li>▪ As stated in the letter response prepared by Canopy Consulting (<b>Appendix K</b>), no tree pruning is anticipated. In the event it is required pruning works will be carried out to AS4373 – 2007 Pruning of amenity trees and by a minimum AQF3 qualified arborist.</li> <li>▪ In relation to impact on the one street tree that may be affected by proposed swept paths on the Boorea Street verge, the tree protection and structural roots zones are calculated at 2.04m and 1.75m, respectively, in accordance with <i>AS4970-2009 Protection of trees on development sites</i>. Provided works are kept outside these offsets, and only minor pruning is required, this tree will not be significantly affected.</li> </ul>

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NSW Environment and Heritage Group has requested details of trees being removed and replacement trees.	<ul style="list-style-type: none"> <li>The updated Arborist Report (<b>Appendix J</b>) and Landscape Plans (<b>Appendix D</b>) provide a list of species to be removed and replacement trees.</li> </ul>
<b>4.3.6. Landscaping</b>	
Council has raised that the proposal is non-compliant with the minimum landscaping requirement of 15% of the site area.	<ul style="list-style-type: none"> <li>The updated Landscape Plans are provided at <b>Appendix D</b> and show the landscaped area has been increased from 11.1% to 11.5%.</li> <li>The proposal is not required to comply with the DCP in accordance with clause 2.10 of the Planning System SEPP. The proposed landscaping is considered entirely appropriate based on the site and locational context, including mature tree planting in accordance with the DCP. The landscape areas within the site have been designed to create an attractive and high-quality landscape setting for the amenity of the tenants and visitors.</li> </ul>
The DPE is of the view that the replacement ratio of trees with high to medium retention value is not particularly high and opportunities for increased planting opportunities should be explored further. It is noted that the heavy vehicle exit driveway on the eastern side of the proposed building is not required to be as wide as provided.	<ul style="list-style-type: none"> <li>As shown on the updated Landscape Plans, the canopy cover (existing and proposed) has been increased to 10.8% of the site area. The total number of trees proposed is increased to 158 trees.</li> </ul>
The DPE notes that there are a significant number of trees indicated to be planted above and adjacent to the proposed onsite detention (OSD) tank. The landscape plans are to be amended to clearly illustrate the species of each tree located within a zone of influence to the OSD tank and confirm that the planting of such species will not impact on the operation or integrity of the OSD tank and associated plumbing.	<ul style="list-style-type: none"> <li>The trees above and adjacent to the OSD tank include groups of trees part of Cumberland Plain Woodland community such as <i>Syncarpia glomulifera</i> and <i>Eucalyptus maculata</i>. Expected area of root growth of proposed trees to encompass top 300mm depth of soil as illustrated on the landscape plans. Trees underplanted with shrubs and groundcovers such as <i>Dodonaea triquetra</i>, <i>Indigofera australis</i> and <i>Dianella caerulea</i> are also provided.</li> </ul>
NSW Environment and Heritage has requested details on what the current existing riparian setback width is along the creek, that has previously been planted on the site, and what is the proposed width of the vegetated setback along the creek.	<ul style="list-style-type: none"> <li>The proposed design provides a 10m landscape setback from the site's western boundary. No changes are proposed to the existing width of vegetation along the riparian corridor.</li> </ul>



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NSW Environment and Heritage has requested clarification if tree hollows are located on site.	<ul style="list-style-type: none"> <li>Canopy Consulting confirmed no trees were observed to possess hollow-bearing parts capable of supporting large fauna, refer to the Arboricultural Report (<b>Appendix J</b>).</li> </ul>
NSW Environment and Heritage requires clarification if enough space is available to accommodate the growth of trees to maturity.	<ul style="list-style-type: none"> <li>The plant schedule which forms part of the Landscape Plans (<b>Appendix D</b>) identifies the type of tree, the mature height of that tree, the required pot size and the spacing as shown on the landscape plan. This plant schedule will ensure selected species will be located so they will have sufficient space to reach maturity.</li> </ul>
<b>4.3.7. Flood impacts and stormwater</b>	
The DPE requires clarification regarding any height access limitations created by the canopy location over the sewer easement for maintenance access.	<ul style="list-style-type: none"> <li>The Landscape Plans (<b>Appendix D</b>) have been updated to replace Eucalypt species located closest to the stormwater easement and proposed building with a smaller <i>Angopora bakeri</i> expected to reach a width and height of 10m.</li> </ul>
Council's records confirmed an existing sewer line that runs through the subject site. Concern is raised that the proposed development may encroach onto the sewer line exclusion zone. In this regard, early engagement with Sydney Water commenting on the proposed development will be highly recommended at the early stage for this warehouse and distribution centre.	<ul style="list-style-type: none"> <li>The proponent has commenced consultation with Sydney Water which will continue through the detailed design and implementation phase.</li> </ul>
<p>Council acknowledges that the site is noted as flood prone land with part of the site being affected during 1% AEP or higher flood event. No flood related issue and remedial measures have been stated/ clarified. Council recommends that a flood information advice including the 1% AEP and PMF events to be obtained from Council's Flood Engineer.</p> <p>The information provided in the flood information advice shall be incorporated into the flood risk assessment and management study. The controls as outlined in the flood information letter and any potential flood evacuation and warning system must be adhered to.</p>	<ul style="list-style-type: none"> <li>The updated Civil Engineering Report (<b>Appendix K</b>) contains a desktop review of flooding and overland flow undertaken for the site, which considered advice provided by Cumberland Council on the 1% AEP Flood and the PMF Flood (Ref EC2021/0528). These letters are annexed in the Civil Report.</li> <li>The desktop review found that the site is not impacted by the 1% AEP flood in Haslam's Creek, and floor levels within the proposed development are sited at least 500mm above the 1% AEP flood.</li> </ul>
Council requires layout and the cross-sectional details of On-Site Detention (OSD) system.	<ul style="list-style-type: none"> <li>The updated Civil Engineering Plans (<b>Appendix L</b>) include a typical OSD detail and section (CO14411.01-DA47). Note that this will</li> </ul>

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Council suggests that the site runoff must be directed into the High Early Discharge (HED) control pit/chamber	be a typical detail only, with detailed design and sections to follow as part of the detailed design phase.
In order to make the OSD system to function efficiently, the HED control chamber/pit must be sized such that the chamber area is as hydraulically minimal as possible so as to achieve high early discharge as quickly as possible. Larger area takes longer time to fill the HED chamber and does not generate the high early discharge outflow rate quicker.	<ul style="list-style-type: none"> <li>▪ A typical HED chamber arrangement has been provided at drawing CO14411.01-DA47 as part of the updated Civil Engineering Plans (<b>Appendix L</b>).</li> </ul>
<p>Council provides the following suggestions:</p> <ul style="list-style-type: none"> <li>▪ each pit must have the respective grate level and invert level shown against the pit on the plan.</li> <li>▪ the surface runoff must be appropriately collected and conveyed through drainage pipeline.</li> <li>▪ stormwater system design must accompany with design certificate and the OSD checklist.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details regarding pit grate and invert levels will be provided at the detailed design stage.</li> <li>▪ Surface runoff is proposed to be collected in pits or directed into bio-retention basins along the kerb and channel.</li> <li>▪ Design certificate and OSD Checklist will be provided at detailed design stage, prior to the issue of a CC.</li> </ul>
Council is of the view that the proposed stormwater system has not been assessed as it lacks sufficient information.	<ul style="list-style-type: none"> <li>▪ The Civil Engineering Report and Plans have been updated to the comments made by both Council and the DPE. Further design development will be undertaken in the preparation of the CC drawings.</li> </ul>
Sydney Water notes that due to the presence of a significant Sydney Water asset in the form of a DN750 RC Trunk wastewater main that traverses the site. Proponent is required to lodge all designs and drawings and an Out-Of-Scope Building Plan Approval (BPA) via a Water Servicing Coordinator (WSC) and via the E-developer process. We request that this is done as soon as possible, ideally now at the Feasibility stage or at Section 73 to prevent any unnecessary servicing delays.	<ul style="list-style-type: none"> <li>▪ A WSC has been engaged to manage the BPA process and a Specialist Engineering Assessment (<b>SEA</b>) has been completed in consultation with the WSC in preparation for submission to Sydney Water. The design has been developed with consideration of the 750mm sewer main, Haslam's Creek Channel and Sydney Water's ZOI requirements.</li> </ul>
Under Sydney Water's Building Over and Adjacent (BOA) to Pipe Assets guidelines, no new buildings and structures, or modification to existing buildings or structures can be approved nor any work that changes the current form, access to or shape of the ground. Building over or adjacent to larger assets with diameters of up to 750mm is not preferred, however, Sydney Water notes that if the Proponent	<ul style="list-style-type: none"> <li>▪ Refer comment above.</li> </ul>

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<p>requires to build over these pipes substantial restrictions are likely to be applied.</p>	
<p>Sydney Water requires no building to be constructed over the stormwater channel or within 1m from the outside wall of the channel or within Sydney Water easement/Land whichever is larger.</p>	<ul style="list-style-type: none"> <li>▪ The proposed development or any permanent structure is not built over the stormwater channel or within 1m from the outside wall of the channel or within Sydney Water easement/Land.</li> </ul>
<p>Sydney Water requires fencing along the Sydney Water's stormwater channel. Any fence other than 1.2m high pool fencing, 1.8m high colour bond fencing or equivalent should be located at least 1m away from the outside face of the stormwater channel/ asset and supported on piers and piers are to be extended at least 1m below the invert level of the stormwater channel or 1m below the zone of influence of the stormwater channel.</p> <p>Fencing along the stormwater channel is to be such a way that the flood water and stormwater overland flow are to be able to flow across the fence on both directions. No permission would be given for brick fence, masonry fence or similar along the Sydney Water's stormwater channel, which will prevent the flood water and stormwater overland flow being able to flow across the fence.</p>	<ul style="list-style-type: none"> <li>▪ Fencing will be provided along the Haslams Creek, as shown on the updated Landscape Plans (<b>Appendix D</b>).</li> </ul>
<p>NSW Environment and Heritage notes that in the Civil Engineering report prepared by Costin Roe Consulting Cumberland Council has advised that the site is within the flood planning area (FPA). This contradicts other information in the report that the site is in the low flood risk precinct where the land is located above the FPA and below the probable maximum flood (PMF).</p>	<ul style="list-style-type: none"> <li>▪ An excerpt from Cumberland Council's Map 1, shown in Table 7.2 of the Civil Engineering Report, shows the site is within the Flood Planning Level area, requiring Council or a professional engineer to certify that the site is not a flood storage area, a floodway area, a flow path, a high hazard area or a high-risk area. Each of the above is addressed in Table 7.2 of the report.</li> <li>▪ Review of the Council's Flood Letters received attached within the Civil Report and Council's online Stormwater and Flood Maps indicate there is no flooding in the 1% AEP local events, but some flooding in the PMF event.</li> <li>▪ Council's Provisional PMF Flood Hazard Categories Map shows the site is affected by high-hazard and low-hazard flooding categorisation during a PMF Flood event. The high hazard (PMF) zones are limited to the western boundary of the site along the Haslams Creek, with the north-western and south-</li> </ul>

Submission	Response
	<p>western portions extending slightly further into the site.</p> <ul style="list-style-type: none"> <li>▪ The low-hazard (PMF) zones are limited to the overland flow from 25-27 Nyrang Street across the site along the southern boundary towards the Haslams Creek.</li> <li>▪ The site is not affected by high hazard flooding categorisation in the 1% AEP flood event, with the high-hazard categorisation being maintained within the Haslams Creek Channel.</li> <li>▪ Council's Flood Risk Precinct Map shows the site is shown as generally being low risk based on the PMF flood event.</li> <li>▪ The flood letters received from Council reviews available information from the "Draft Haslams Creek Overland Flood Study" prepared by Royal Haskoning DHV in March 2016. <b>Table 7.1</b> shows 42 Boorea Street (Overland Flow) and Haslam Creek's flood levels for both the 1% AEP event and the PMF event.</li> <li>▪ The flood letter confirms that development that is proposed within the flood control zones within the 1% AEP flood extent (dark blue areas shown in <b>Figure 7.1</b>) would require a pre- and post-flood study with the Development Application. This site is free of any development within these zones and would therefore not require a pre- and post-flood study to be completed.</li> <li>▪ The proposed works in and around the light brown shaded areas are such that overland flows shall not be impeded or diverted.</li> </ul>
<p>NSW Environment and Heritage suggests that consideration should be given to the Haslams Creek Floodplain Risk Management Study and Plan of 2003.</p>	<ul style="list-style-type: none"> <li>▪ The Haslams Creek Floodplain Risk Management Study and Plan of 2003 will be reviewed and considered. Reference will be made to this study in an updated report.</li> <li>▪ The flood letters received from Council references available information from the "Draft Haslams Creek Overland Flood Study" prepared by Royal Haskoning DHV in March 2016, which informed the flood study.</li> </ul>
<p>NSW Environment and Heritage is of the view that no flood impact assessment has been undertaken</p>	<ul style="list-style-type: none"> <li>▪ The flood letters received from Council states that should the proposed development be</li> </ul>

Submission	Response
<p>to identify the impact of the proposed development including any proposed earthworks on the existing flood behaviour and on adjacent properties under both mainstream and overland flooding conditions for the full range of floods up to the PMF. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories.</p>	<p>outside the 1% AEP flood extent, a Complying Development Certificate may be considered for the site and no flood impact assessment would be required.</p> <ul style="list-style-type: none"> <li>▪ A desktop flood assessment have been conducted and because the site is not affected by the 1% AEP flood extent, it is noted that a detailed pre- and post flood study is not required for this proposed development.</li> </ul>
<p>NSW Environment and Heritage suggests that the assessment should include the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change and associated impacts.</p>	<ul style="list-style-type: none"> <li>▪ The flood letters received from Council states that should the proposed development be outside the 1% AEP flood extent, a Complying Development Certificate may be considered for the site and no flood impact assessment would be required.</li> <li>▪ A desktop flood assessment have been conducted and because the site is not affected by the 1% AEP flood extent, it is noted that a detailed pre- and post flood study is not required for this proposed development.</li> <li>▪ The proposed development considered flooding and large rainfall events in relation to the adjacent Haslams Creek Canal, and local runoff and overland flow paths including the overland flow from the neighbouring site to the east to the Haslams Creek channel. The site is shown to be clear of any significant local overland flow paths for events up to the 1% AEP event and considered low risk in a PMF event.</li> </ul>
<p>NSW Environment and Heritage suggests that the assessment should address any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW State Emergency Service (SES) and/or council. Emergency management can be complex and encompasses multiple responses including evacuation, potential human behaviours, and severity of hazards. The development must not increase the existing risk to life and evacuation. The local flood plan, if available, should be considered since the site will be surrounded by flood waters and become a high flood island during rare flooding. The NSW SES or council can be consulted in this regard.</p>	<ul style="list-style-type: none"> <li>▪ Mr Bala Sudarsibn, Senior Development Assessment Engineer at Cumberland City Council was contacted on 2 November 2022 and was not aware of any existing community emergency management arrangements for flooding in this location.</li> <li>▪ Safe refuge is available on the site in the upper levels of the hardstand and the hardstand. The upper levels of the warehouse are free of the PMF.</li> <li>▪ The Council Flood maps provided also states the site to be a low risk area for the PMF event. The ground floor is therefor considered to be a low risk during the PMF event.</li> <li>▪ The Civil Report notes that emergency evacuation via Boorea Street is available to</li> </ul>

Submission	Response
	<p>High ground further south-east on Boorea Street. Evacuation is recommended to occur prior to flooding on Boorea Street.</p> <ul style="list-style-type: none"> <li>▪ For all areas subject to pedestrian traffic, the product (dV) of the depth of flow d (in metres) and the velocity of flow V (in metres per second) will be limited to 0.4, for all storms up to the 100-year ARI. For other areas, the dV product will be limited to 0.6 for stability of vehicular traffic (whether parked or in motion) for all storms up to the 100-year ARI.</li> </ul>
<p>NSW Environment and Heritage suggests that it is critical that occupiers and owners of the site are educated on the potential flood risks within and outside the vicinity of the development, before, during and after a flood event. A flood emergency management plan including community education and awareness should also be discussed with council and/or the NSW SES.</p>	<ul style="list-style-type: none"> <li>▪ Preparation of a flood emergency management plan can form a condition of consent.</li> </ul>
<h4>4.3.8. Wastewater</h4>	
<p>Sydney Water suggested that potable water servicing should be available via a DN100 uPVC watermain (laid in 2002) on Boorea Street.</p>	<ul style="list-style-type: none"> <li>▪ As stated in the Services Infrastructure Assessment (submitted at the time of lodgement), a potable water reticulation system exists adjacent to the site. A 375mm trunk water main provides frontage to the site for connection of potable water supply.</li> <li>▪ Accordingly, this requirement regarding servicing of potable water is mostly to be met. This will be confirmed by the Water Services Coordinator (WSC). Consultation with a WSC is currently on-going.</li> </ul>
<p>Sydney Water has suggested that wastewater servicing should be available via a DN225 GSW wastewater main (laid in 1945) within the property boundary.</p>	<ul style="list-style-type: none"> <li>▪ Noted. The proposal is capable of achieving this requirement regarding servicing of wastewater.</li> </ul>
<h4>4.3.9. WSUD</h4>	
<p>The Council has requested details of the bio-retention system on the stormwater plans.</p> <p>The surface runoff from the impervious area such as the roof, car parking area, driveway and roads must be directed to the water quality treatment systems.</p>	<ul style="list-style-type: none"> <li>▪ The updated Civil Engineering Plans (<b>Appendix L</b>) include typical details of the bio-retention basin on drawings CO14411.01-DA48 &amp; CO14411.01-DA49. The proposed bioretention configuration is appropriate for the proposed warehouse development and is</li> </ul>

Submission	Response
<p>The runoff from the driveway and parking area must undergo pre-treatment such as removal of hydrocarbon and the sediments prior to being directed into the bio-retention system.</p>	<p>consistent with street-side raingardens commonly used in NSW.</p>
<p>The Council provided the following recommendations:</p> <ul style="list-style-type: none"> <li>▪ Arrangement must be made to collect and separate the first flush, i.e. the initial flow equivalent to 1 in 3 month's flow from each catchment that contains high concentration of pollutants, to be collected and treated fully without being escaped untreated. In this regard, a device known as high-flow bypass chamber shall be employed to separate the initial flow, equivalent to 1 in 3 month's equivalent flow to be separated, through a low level flow outlet into the water quality treatment / filtration system, and the flow exceeding the rate to be discharged through the high level overflow or outlet pipe into the OSD system.</li> <li>▪ The flow must be controlled by appropriate mechanism such as orifice (the flow exceeding 1 in 3 months equivalent flow must be directed into to the OSD system).</li> <li>▪ Appropriate number of devices/system must be provided for sufficient treatment rate equivalent to the flow rate of the segregated/separated flow containing concentrated pollutants and ensure that no flow escapes or bypass the treatment system. Alternatively, the volume of the polluted water must be held or stored in a holding area for treatment.</li> <li>▪ The required provision must be shown on the drawing. In this regard, cross-sectional details of the treatment system with the respective levels, must be prepared to ensure that the HGL from the treatment system is consistent and at a higher level and that there is no backflow into the treatment system.</li> <li>▪ If the outflow from the treatment system, is not connected back into the OSD system then, the site permissible discharge rate must be reduced by the flow equivalent to the outflow from the treatment system, and the orifice size be adjusted accordingly.</li> </ul>	<ul style="list-style-type: none"> <li>▪ It is confirmed that the water quality treatment measures will be designed to treat the 3-month flowrate from the contributing catchment. Where appropriate, a high-flow/low-flow bypass will be incorporated into the system to direct the first-flush flow into the treatment system. It is noted that the bio-retention basins will inherently treat the 3-month flow, with bypass flows entering the Basin Inlet Pit. Details of the high-flow/low-flow system will be provided during detailed design.</li> <li>▪ Flows greater than 3-month will be directed into the OSD storage chamber where water will be attenuated via an orifice/weir per the UPRCT.</li> <li>▪ As noted above, the treatment systems will be designed such that the 3-month flow of the contributing catchment will be treated by the relevant SQIDs.</li> <li>▪ This will be completed and provided at the detailed design stage. The detailed design stage will include a full hydraulic grade line analysis of the drainage system.</li> <li>▪ This will be confirmed during the detailed design stage.</li> </ul>

Submission	Response
<p>The pollution removal targets must be demonstrated with the supporting documents including the MUSIC model with the input parameters and output results. Further, the removal efficiency parameters input in the model must be consistent with the manufacturer's pollutant removal efficiency.</p> <p>The Council has requested electronic copy of the MUSIC models accompanying the input and output parameters/ results.</p>	<ul style="list-style-type: none"> <li>▪ The results of the MUSIC modelling assessment are provided at Section 6 of the updated Civil Engineering Report prepared by Costin Roe (<b>Appendix K</b>).</li> <li>▪ It is confirmed that the modelling treatment efficiencies are consistent with the manufacturer's specifications. The MUSIC model will be submitted to the Council, along with supporting technical specifications from Ocean Protect.</li> </ul>
<h3>4.3.10. Contamination</h3>	
<p>Council suggests that recommendations in Section 11 of the Detailed Site Investigation (Report No: 62184/143725, Rev 4) dated 10 May 2022 should be implemented during future works.</p>	<p>Noted.</p>
<p>Council notes that the Detailed Site Investigation identifies that an underground storage tank was identified in the western portion of the site. Decommissioning and any removal of UPSS are to be supervised by a 'Duly Qualified Person' as defined by the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 ('Regulations') in accordance with the legislation and any relevant EPA Guidelines, standards, plans and policies.</p>	<p>Noted.</p>
<p>A Hazardous Materials Survey Report has been prepared by WSP (Project No: PS125187) dated 9 June 2021. It is noted that hazardous materials were identified including friable and non-friable asbestos containing materials (ACMs), lead-based paints, synthetic mineral fibre (SMF), and capacitors with polychlorinated biphenyls (PCBs). There were areas which were inaccessible at the time of investigation. The report details a number of general management guidelines, and it is expected that these are adhered to for the duration of works. This includes the preparation of a separate Hazardous Materials Management Plan to assist with the ongoing management of hazardous materials.</p>	<p>Noted.</p>
<p>Council suggests that all recommendations contained in the approved Acid Sulphate Soils Management Plan prepared by JBS&amp;G Australia Pty Ltd (Report no: 62184/145057 Rev 0) dated 30</p>	<p>Noted.</p>



Submission	Response
<p>April 2022 must be implemented and complied with during all development works</p>	
<p>EPA is of the view that insufficient has been carried out to establish that the site is not the source of chlorinated compound contamination. For this reason, the EPA will be in contact with the registered owner of the site, to request a targeted groundwater and soil vapour investigation for chlorinated compounds along the western boundary of the site adjoining the concrete lined Haslams Creek and subsequently 11-13 Percy Street Auburn.</p>	<ul style="list-style-type: none"> <li>▪ Additional contamination assessment has been undertaken by JBS&amp;G (<b>Appendix B</b>) to assess the likely migration of trichloroethene (TCE) onto 11-13 Percy Street Auburn from an offsite source to the east. The additional assessment did not identify presence of chlorinated ethenes in soil, soil vapour or groundwater. The logging completed using the MiHPT tool clearly demonstrates that there is no source of TCE at the chemical storage shed or in areas near Haslam’s Creek adjacent to the elevated concentrations reported on 11-13 Percy Street. This information has been provided to EPA.</li> <li>▪ Given that TCE has not been identified using any assessment technique or in any media (soil, soil vapour, groundwater) it is concluded that the source of TCE impact identified on 11-13 Percy Street is not located on the 42 Boorea Street property.</li> </ul>
<h3>4.3.11. Waste collection</h3>	
<p>Page 73 of the EIS states that the design does not include a communal waste storage area but that one must be nominated on-site. The EIS also states that rubbish collection will be the responsibility of each individual tenancy and will be collected from the kerb.</p> <p>The DPE and Council does not support kerbside waste collection. It shall be demonstrated that adequate space is provided at each tenancy for appropriately sized waste storage and collection given the assumptions made in the EIS in relation to waste generation.</p>	<ul style="list-style-type: none"> <li>▪ As stated in the updated Waste Management Plan (<b>Appendix O</b>), each tenant will be responsible for waste collection of the warehouse they are occupying. Appointed waste contractors shall collect waste from the designated waste storage area at each warehouse at nominated times in accordance with the relevant waste contract as arranged by the tenant. As such, there is no centralised waste collection point for the site as a whole due to the planned multiple tenants.</li> <li>▪ As assessed under the TA, vehicular access, and servicing areas will be designed in accordance with the relevant Australian Standards of AS 2890.1:2004, AS 2890.2:2018 and AS 2890.6:2020. As such, heavy and light waste collection vehicles can enter and manoeuvre the site without causing a detrimental impact from a traffic perspective. Further, waste collection will be carried out with due care for site users, cyclists and pedestrians.</li> </ul>

Submission	Response
<b>4.3.12. ESD</b>	
<p>The DPE and Council has requested details of the size of the proposed photovoltaic solar power generation system, including an explanation of how this system will be used to offset the developments power demand given it will be occupied by up to 10 individual tenancies.</p>	<ul style="list-style-type: none"> <li>▪ As stated in the updated ESD Report (<b>Appendix N</b>), each tenancy will be provided with a separate roof mounted solar PV system comprising a minimum 50kW system per ground floor tenancy (Total 200 kWp), and minimum 30kW system per first floor tenancy (Total 180 kWp). This 380 kWp combined system will significantly reduce the projects consumption of grid electricity.</li> </ul>
<p>The DPE notes that Section 6.1.6.1 of the EIS discusses improvements which could be considered by the development.</p> <p>DPE as requested confirmation if these improvements are commitments that will be adopted by the development otherwise, they will not be considered to form part of the development. The developments management and mitigation measures will require amendment accordingly.</p>	<p>In addition to the above regarding solar PV system, the proponent will commit to the initiatives stated in the updated ESD Report (<b>Appendix N</b>).</p>
<b>4.3.13. Dangerous goods</b>	
<p>FRNSW note that the proposed warehouse and distribution centre does not detail the storage or handling of Dangerous Goods (DG) on site. The storage of DGs present unique challenges and risks to attending firefighters and as such, FRNSW would like the opportunity to review and provide comment if the storage of DGs at the development site is proposed.</p>	<ul style="list-style-type: none"> <li>▪ It is not proposed to store dangerous goods on site. Any future tenant would be required to prepare a separate DA for storage of DG in accordance with the relevant controls and guidelines.</li> </ul>
<b>4.3.14. Hazardous materials</b>	
<p>The DPE seeks clarification as to why asbestos containing materials (ACMs) will be left in-situ.</p>	<p>WSP has prepared a letter response to DPE's comments and is attached at <b>Appendix I</b>. the letter confirms that the Hazardous Building Materials Report was prepared as a due diligence and management exercise prior to any site acquisition and assessed compliance of hazardous materials with regard to relevant regulations including:</p> <ul style="list-style-type: none"> <li>▪ Work Health and Safety Act 2011 (Commonwealth)</li> <li>▪ Work Health and Safety Act 2011 (NSW)</li> </ul>
<p>The DPE has raised that the Hazardous Building Materials Reports does not appear to base any assessment or conclusions on a site that is proposed to be demolished and re-development, making conclusions such as ACMs being left on site and lead paint being maintained if it is the remain. An understanding of the relevance of this report to the development would be appreciated.</p>	

Submission	Response
<p>The Council notes that as per the Hazardous Materials Survey Report prepared by WSP (Project No: PS125187) dated 9 June 2021, hazardous materials were identified including friable and non-friable asbestos containing materials (ACMs), lead-based paints, synthetic mineral fibre (SMF), and capacitors with polychlorinated biphenyls (PCBs). There were areas which were inaccessible at the time of investigation. The report details a number of general management guidelines, and it is expected that these are adhered to for the duration of works. This includes the preparation of a separate Hazardous Materials Management Plan to assist with the ongoing management of hazardous materials.</p>	<ul style="list-style-type: none"> <li>▪ Work Health and Safety Regulation 2017 (NSW)</li> <li>▪ How to Manage and Control Asbestos in the Workplace: NSW Code of Practice 2019.</li> </ul> <p>WSP recommended relevant control measures to asbestos or other hazardous materials where applicable, and if materials posed low risk, can remain in-situ if undisturbed and in good condition. However, as the sites existing structures are to be demolished for construction of the proposed development, it is recommended that a destructive pre-demolition Hazardous Materials Survey must be undertaken prior to demolition, to confirm the status of presumed materials and investigate areas outside of the previous scope.</p> <p>A pre-demolition destructive Hazardous Materials survey is more intrusive and typically only occurs just prior to demolition or refurbishment works, where locations such as wall cavities, behind ceramic tiles, or ceiling cavities can be accessed through destructive methods not possible if the building is to be reoccupied, and the area or material is not required to be made good.</p> <p>All identified Hazardous Materials, including asbestos identified will be removed in accordance with relevant WHS regulations and guidelines such as <i>How to Safely Remove Asbestos: NSW Code of Practice 2019</i> by appropriately licensed contractors such as a Class A or Class B Licensed Asbestos Removal contractor. Given the asbestos materials will be removed in accordance with the controls mentioned in the code of practice, there will be no unexpected release of asbestos fibres. Further, the destructive survey report will detail requirements and recommendations as required.</p>
<p>SafeWork NSW requires a written notification at least 5 days before a licensed asbestos removalist commences licensed asbestos removal work, and for a person conducting a business or undertaking who proposes to carry out demolition work must ensure that written notices is also given to SafeWork NSW at least 5 days before the work commences.</p>	<p>Noted.</p>

Submission	Response
Concerns raised regarding asbestos dust and fibres	<ul style="list-style-type: none"> <li>All identified Hazardous Materials, including asbestos identified will be removed in accordance with relevant WHS regulations and guidelines such as <i>How to Safely Remove Asbestos: NSW Code of Practice 2019</i> by appropriately licensed contractors such as a Class A or Class B Licensed Asbestos Removal contractor. Given the asbestos materials will be removed in accordance with the controls mentioned in the code of practice, there will be no unexpected release of asbestos fibres. Further, the destructive survey report will detail requirements and recommendations as required.</li> </ul>
<ul style="list-style-type: none"> <li>Infrastructure</li> </ul>	
Jemena Gas has requested details of works (if any) within 3 meters of gas mains.	<ul style="list-style-type: none"> <li>A gas valve and gas main is located along Boorea Street, as shown of the survey plan (submitted at the time of lodgement). It is expected that the potential works within proximity to the gas mains will involve driveway and internal footpath works and minimal excavation will be required to undertake these works. As such, it is anticipated that there will be minimal to no impact on the gas main.</li> <li>Further details will be provided to Jemena Gas at the detailed design stage. This can be addressed as a condition of consent.</li> </ul>
<b>4.3.15. Heritage</b>	
Heritage NSW concurs with the assessment documented in the ACHAR, and has no additional or comments or recommendations in relation to this project proceeding. Heritage NSW does not need to review this project in the future.	Noted.

## 4.4. SOCIAL IMPACTS

Submission	Response
<b>Crime risk</b>	
Having considered the scale of the development, it is suggested that a crime risk assessment against the Crime Prevention and the Assessment of Development Applications” Guidelines is to be	A Crime Prevention Through Environmental Design (CPTED) Report ( <b>Appendix M</b> ) has been prepared and is included as part of the Response to Submissions.

Submission	Response
<p>undertaken and referred to the NSW Police for comment. The recommendations of the assessment shall be used to inform the design and operation of the development.</p>	<p>The CPTED has identified potential risk areas and recommendations to help reduce crime and anti-social behaviour. The assessment found the proposal incorporates the four CPTED principles: surveillance, lighting and technical supervision, access control, and territorial reinforcement. To further increase consistency with the CPTED principles, the following recommendations should be implemented throughout future detailed design stages of the project:</p> <ul style="list-style-type: none"> <li>▪ Surveillance: <ul style="list-style-type: none"> <li>- Installation of appropriate lighting throughout all external areas of the site, including along the access driveway</li> <li>- Proposed landscaping and vegetation to minimise concealment opportunities</li> <li>- Bicycle racks placed in a secure, well-lit and visible area.</li> </ul> </li> <li>▪ Access Control: <ul style="list-style-type: none"> <li>- Restrict after-hours access to the site through the installation of a sliding gate along the driveway</li> <li>- Restrict access to the facility through the implementation of security measures including access passes</li> <li>- Maximise opportunities to monitor movements to and from the site along the single access driveway</li> <li>- Appropriate signage should be installed to direct visitors to different areas of the new facility</li> <li>- Improve existing fencing or install new security fencing along the perimeter of the site.</li> </ul> </li> <li>▪ Territorial Reinforcement: <ul style="list-style-type: none"> <li>- Display appropriate signage including entry/exit signs, warning signs, and wayfinding signs</li> <li>- Ensure signage clearly defines the areas where access is restricted to certain personnel.</li> </ul> </li> </ul>

Submission	Response
	<ul style="list-style-type: none"> <li>▪ Activity and Space Management: <ul style="list-style-type: none"> <li>- Implementation of a schedule for cleaning, managing and maintaining facilities</li> <li>- Installation of appropriate signage in the internal and external areas of the facility identifying both the intended and prohibited uses of a space</li> <li>- Appointment of a property manager to ensure the effective management and maintenance of the site and facility</li> <li>- Implementation of a management plan or strategy to ensure proper building maintenance.</li> </ul> </li> </ul>

## 5. 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 mitigation measures are proposed beyond those submitted with the original SSDA. Given the additional assessments undertaken in response to the issues raised in submissions have not materially altered the impacts of the development, we reiterate the justification for the project as previously outlined in the EIS.

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.

### 5.1. PROJECT DESIGN

The design of the proposal has been carefully considered to ensure any potential impacts of the development are minimised. 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 industrial site. The layout and design of the proposal has been developed to minimise impacts on the public domain and maximise the relationship of the building within the local context. The proposal seeks to make efficient use of the site to deliver employment opportunities in both the short and long-term.

The DPE requested the project justification to expand and address why the project is important and what it will deliver that the existing development or alternatives cannot.

The proposal is considered important and the optimal design for the site for the following reasons:

- The proposed warehouse and ancillary office space is considered appropriate for the expected market demand, which indicates that the Sydney industrial market demand is continuing to grow, outgrowing existing warehouse stock.
- The development provides for functional and spatial requirements of a modern warehouse and distribution centre. By providing space over two levels, the proposal effectively maximises the built form potential of the site and separates users with differing heavy vehicle requirements. Flexible internal spaces with high floor to ceiling heights allows for future market demand to be accommodated. The building design further responds to site constraints including the Sydney Water sewer easement and single site access point by appropriately locating external pavement areas, allowing for one way heavy vehicle movements around the site and positioning of office amenities in close proximity to the site entry.
- The massing includes multiple warehouse and ancillary office spaces allowing variation and flexibility in the work and operation spaces. This will create a better working precinct within the site and add more value to the surrounding area. In addition to this each tenancy has the potential to be used individually within the site. This will allow for a higher staff employment and job opportunity.
- Alternative configurations for the warehouse design were considered, however the multi-storey warehouse offers a robust solution to space on the site with hardstands for loading and unloading of goods, each level can operate independently. The vertical structure maximises floor space and available warehouse storage area, optimising the employment generated by the site.
- The design responds to the site layout by providing an increased driveway crossover area to ensure compliant swept paths of two b-double vehicles concurrently and modifying the battle-axe driveway to maintain safe access for all vehicles, bicycles and pedestrians utilising the site. The proposal also provides an increased ramp dimension to allow two-way movement of 20m vehicles and consolidation of the car entry and exit point, providing safer vehicular access on the site.
- The landscape design has taken into consideration the site's unique characteristics by embellishing the landscape buffer adjacent to Haslam's Creek and general landscaping across the site, increasing canopy cover from 10.1% to 10.8% and landscape area from 11.1% to 11.5%. The provision of increased landscaping and tree canopy (with a variety of native species) will enrich and soften the site and building facade. This improved landscaping impact would unlikely happen if the existing development remained.
- The proposed development stands to make a very positive contribution to the livelihood of residents across the wider region, creating new employment opportunities closer to residents' homes. The

proposed development is considered “likely” to have a “moderate” positive impact and as such, presents a “high” and positive social impact. This high and positive social impact would not occur if the existing development remained as the existing situation.

Where mitigation measures are proposed these will ensure the proposal can be constructed and operated without any unacceptable economic, social, or environmental impacts.

## 5.2. 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. The proposal will deliver additional industrial floorspace in a designated general industrial zone to meet growth and demand.

The generation of additional employment for the Central 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.

## 5.3. 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 Regulation.
- Consideration is given to the relevant matters for consideration as required under the Biodiversity Conservation Act and the SSD is supported by a Biodiversity Development Assessment Report.
- This SSDA pathway has been undertaken in accordance with the *State Environmental Planning Policy (Planning Systems) 2021* as the proposed development is classified as SSD.
- Concurrence from TfNSW will be required as per the *State Environmental Planning Policy (Transport and Infrastructure) 2021* for ‘traffic generating development’.
- The proposal complies with the relevant provisions under *State Environmental Planning Policy (Transport and Infrastructure) 2021*. The proposed development is consistent with the objectives of the IN1 zone.
- The proposed development has been assessed in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021* and *State Environmental Planning Policy (Industry and Employment) 2021*. The proposed development complies with the relevant clauses of these SEPPs.
- The proposal accords with the relevant provisions of the Cumberland Development Control Plan 2021.

## 5.4. 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.

## 5.5. LIKELY IMPACT 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 (ESD) in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) 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 development as modified 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, making best use of a brownfield site in an accessible location. The development will not have any unacceptable impacts on the environment.
- Conservation of biological diversity and ecological integrity: the proposal will not have any unacceptable impacts on the conservation of biological diversity and ecological integrity. The proposal includes landscaped setbacks and planting including native species planting.
- 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, 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 N**) identifies different ecological sustainability initiatives including energy savings, energy efficiency and waste minimisation.

- **Built Environment**: the proposal has been assessed in relation to the following key built environment impacts:
  - Visual Impacts: As set out in the EIS, **Section 4** and the VIA, the proposed development is expected to generally create minor visual impacts for people who will experience views of the development, including the residential areas within Lidcombe.
  - Traffic Impacts: As set out in the EIS, Section 4 and the TIA, the local road network will continue to perform at an acceptable level of service as a result of the proposed development and the proposal is not expected to result in any adverse impacts on the surrounding road network during operation.
  - Trees and Landscaping: As set out in the EIS, Section 4, the AIA and Landscape Plans, the proposal includes a high level of indigenous species planting and large canopy landscaping across the site. The removal of some of the trees from the site will be mitigated by the proposed 158 new trees and landscaping design.
  - Air Quality: As set out in the EIS, Section 4 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 including in relation to nearby residential receivers.
  - Noise and Vibration: As set out in the EIS, Section 4 and the NIA, the operation of the proposal is anticipated to comply with the required noise levels at all surrounding receivers including nearby residential receivers. The proposal is found to have acceptable impacts in relation to noise and vibration, including during operations at night.
- **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.
- **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 Lidcombe 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 B** of the EIS.

## 5.6. 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 IN1 zone and in accordance with the zone objectives including to provide a wide range of industrial and warehouse land uses; to encourage employment opportunities; and to minimise any adverse effect of industry on other land uses.
- The development substantially complies with CLEP 2021 and CDCP 2021 including acoustic amenity, built form and setbacks, car parking and landscaping.
- The site is located within an existing industrial area and the character and scale of the development is in keeping with the site's context, without having any unacceptable impacts on residential amenity.
- The site is highly accessible to both the transport and regional freight network and makes use of a vacant brownfield site to deliver sustainable development.

## 5.7. 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 275 jobs during the construction phase, and up to 406 jobs once complete and fully operational. The proposal will stimulate local investment and contribute significant economic output and value add to the economy each year.
- This project is 'shovel ready' for commencement of construction in 2024.
- 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 of the project.
- 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.

Having considered all relevant matters, there will be no additional adverse environmental impacts as a result of the proposed refinements and clarifications. The proposed refinements continue to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant. On this basis, the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

## 6. DISCLAIMER

This report is dated 2 December 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Hale Property Services Pty Ltd (**Instructing Party**) for the purpose of Submission Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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