**Tranche 41 (Part Pondicherry) Planning Proposal - Public Agency Submissions Response Table**

|  | Issue/ Recommendation | Officer Response | Proposed Action |
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| **1.0 Endeavour Energy** | | | |
| **1.1** | *Easement*  The 132KV overhead feeder 9L6 easement (parallel The Northern Road) is to remain under private ownership.  The current Endeavour Energy easement provides suitable property tenure and the security it requires to install, use and maintain its electrical equipment / assets.  At the crossing of Endeavour Energy’s 132 kV north-south transmission lines which run beneath Transgrid’s 330 kV east-west transmission lines, the existing horizontal and vertical alignments meets Endeavour Energy’s relevant policies and safety standards. | Noted. The proponent (GDC) has confirmed the Endeavour easement is to be placed under private (residential) ownership as part of Section 88Bs. | No further action required. |
| **2.0 Environment, Energy and Science Group (EES)** | | | |
| **2.1** | *Retention of endangered ecological communities*  Retain and rehabilitate CPW, RFEF, tree hollows etc to create greener places which contribute to mitigating the urban heat island effect. | Section 2.3.5 (Native vegetation and ecology) of the Growth Centres DCP includes objectives and controls to conserve and rehabilitate native vegetation. | No further action required. |
| **2.2** | *Vegetation Management Plan*  Amend DCP to include a control for a Vegetation Management Plan (VMP) to be prepared by a qualified bush regenerator. A diversity of local plant species from the relevant native vegetation communities are to be used in the rehabilitation. | Section 2.3.5 (Native vegetation and ecology) of the Growth Centres DCP includes objectives and controls to conserve and rehabilitate native vegetation.  A VPA has been executed by Council and the proponent (GDC). The VPA includes a provision to require the preparation of a Vegetation Management Plan for riparian corridor land proposed to be dedicated to Council.  A review of the Camden Growth Centres DCP is to be undertaken. As part of this review, the inclusion of a control regarding Vegetation Management Plans will be investigated. | No further action required. |
| **2.3** | *DCP – 2.1 Precinct Vision*  Amend DCP vision to explain the importance of street tree planting and the use of local natives to improve urban tree canopy, mitigate the urban heat island effect and improve local habitat. | Noted. In consultation with Council, the proponent (GDC) has developed a comprehensive Tree Masterplan for Pondicherry that includes these principles.  Amend Section 2.1 (Pondicherry Part Precinct Vision) of the Tranche 41 DCP to reflect these principles. | Amend the DCP. |
| **2.4** | *DCP – 2.4 Open Space and Recreation Network*  Ensure walking tracks etc (except for creek crossings) avoid existing vegetation and be located away from the creek line as much as possible. | Noted. Section 2.4 (Open Space and Recreation Network) of the Growth Centres DCP includes a control to maintain the environmental significance of riparian corridors with the development of any pedestrian paths and fitness trails. | No further action required. |
| **2.5** | *DCP – 3.3 Road Network Green Links*  Amend DCP to include the following objectives:  ***d. to enhance biodiversity and local native vegetation within residential neighbourhoods***  ***e. to provide sufficient area/space to allow the trees to grow to maturity (e.g. this includes using underground electricity power lines instead of overhead power lines to avoid street trees needing to be cut and lopped)***  and additional controls:  ***(4) The road networks green links are to plant a diversity of local native provenance tree shrub and groundcover species from the relevant native vegetation communities that occur on the site rather than plant exotic or non-local native species***  ***(5) The road networks green links shall use advanced and established local native trees*** | Noted. The revised Pondicherry street cross sections and the Pondicherry Masterplan facilitate these objectives and controls.  Amend Section 3.3 of the Tranche 41 DCP to incorporate revised comprehensive street cross sections and reference the Pondicherry Tree Masterplan. DCP “Section 3.3 Road Network Green Links” to be renamed “Section 3.3 Road Cross Sections” to note inclusion of additional cross sections. | Amend the DCP. |
| **2.6** | *DCP – Native Vegetation Site Specific Controls*  Amend DCP to include a separate site-specific section for Native Vegetation which includes the objective:  • ***to retain and incorporate remnant native vegetation into the urban design of the site such as the road network /street trees, residential lots etc***  and controls:  • ***Native vegetation to be retained shall be identified in plans for subdivision, earthworks and construction***  • ***The urban tree canopy shall be extended and use local native tree species***  • ***Existing native vegetation including trees to be retained must be protected and clearly marked on site prior to commencement of earthworks, clearing and construction.*** | The executed VPA includes the provision of shared paths within riparian land.  Section 2.3.5 (Native vegetation and ecology) of the Growth Centres DCP contains objectives and controls to conserve and rehabilitate native vegetation.  A review of the Camden Growth Centres DCP is to be undertaken. As part of this review, the inclusion of these controls and objectives will be investigated. | No further action required. |
| **2.7** | *DCP - Pre-clearing of Vegetation Controls*  Amend DCP to include the following control:  • ***The developer of the site must commence, as soon as possible, collecting seed from native plants to be removed and growing local provenance plants and/or sourcing local native provenance plant species, so that local provenance plants are available to be planted and the trees to be planted are advanced in size to improve the urban tree canopy and local biodiversity.***  DCP could include a control that prior to any clearing of native vegetation; existing native seeds, juvenile vegetation and coarse woody debris is translocated to appropriate locations including along the riparian corridors and open space.  DCP could include a control for pre-clearance fauna surveys to be undertaken by a qualified ecologist prior to any clearing of vegetation to determine the presence of resident native fauna using nests, dreys or hollows, logs etc.  DCP could include a control for a Nest Box Strategy to be prepared by a suitably qualified ecologist to minimise habitat loss to hollow-dependent fauna.  DCP could include a control to reuse native trees that are removed including hollows and tree trunks (greater than approximately 25-30cm in diameter and 3m in length) and root balls and these are used in the E2 zone/rehabilitation of riparian corridors, open space areas etc to enhance habitat. | The executed VPA requires a Vegetation Management Plan (VMP) to be prepared for riparian corridor land. The VMP will address issues of such detail. | No further action required. |
| **2.8** | *DCP – Revegetation and Landscaping Controls*  Amend DCP to include controls that the landscaping/planting on the site and the rehabilitation of riparian corridors:  • ***Landscaping of open space areas and the rehabilitation of riparian corridors shall use a diversity of local provenance native trees, shrubs and groundcover species (rather than exotic species or non-local native species) from the relevant native vegetation communities that occur or once occurred on the site.***  • ***Tree planting shall use advanced and established local native trees with a minimum plant container pot size of 100 litres, or greater for local native tree species which are commercially available. Other local native tree species which are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seed.*** | Section 2.3.5 (Native vegetation and ecology) of the Growth Centres DCP contains objectives and controls to conserve and rehabilitate native vegetation.  The Pondicherry Tree Masterplan and Vegetation Management Plan will also address such issues. | No further action required. |
| **2.9** | *Farm Dams*  If development requires the dewatering/removal of the dams amend the DCP to include objectives to minimise the impact on the environment/native fauna. Details should be provided on the dams, the volume and quality of the proposed dam discharges, the proposed discharge locations.  A Dewatering Plan which includes a Fauna Relocation Plan should be prepared prior to dewatering/removing the dams to develop a strategy for the transfer of native fauna (including water dependent species) which occur or potentially inhabit or use the dams and the acclimatisation of aquatic fauna to different water conditions. | This matter can be addressed at a future development application (DA) stage. | No further action required. |
| **2.10** | *Flooding*  Temporary basins should be located downstream (outside) of the site to mitigate the increase in flow discharge. The increase in runoff discharge from the site due to proposed urban development may impact flooding behaviour downstream. | Flood mitigation measures (including storm water basins) for Tranche 41 will be provided for in the broader Pondicherry Precinct.  Council officers have provided in-principle support for the Stormwater Management Report (Report). These matters can be addressed at a future DA stage. | No further action required. |
| **3.0 Environmental Protection Authority (EPA)** | | | |
| **3.1** | *Air Quality*  The Air Quality Assessment lacks information to robustly characterise the potential:   * frequency of odour activities; * intensity of any odour emitting sources; * duration of potential odour episodes; and * offensiveness of potential odour emissions. | An outdated odour assessment report has been prepared.  The updated odour report by ERM (dated 2020) for Tranche 41 and more recent report by ERM (dated 2021) for the larger Pondicherry release area include additional assessment information about odour sources that should address NSW EPA concerns.  The latest Pondicherry ERM 2021 report now includes the new release area “transition criteria” of “4.5 OU and 250 hours per year” of impact for residential landuse and with reference to the odour contour plan shows the area of land within the Pondicherry release area likely to be impacted by odour. Note that the transitional criteria has been retrospectively applied to Leppington, Oran Park and Catherine Field release area where impact by significant and development constraining odour sources.  It can be seen from this plan that Tranche 41 is well outside the area of impact using the updated Council odour transition criteria and would also have been located outside the older more conservative criteria of “2OU - 88 hours per year”.  A review of the Camden Growth Centres DCP is to be undertaken. As part of this review, the inclusion of the updated investigation criteria will be investigated.  Council Officers have provided the EPA with the updated odour assessment report. | No further action required. |
| **3.2** | *Noise impacts to R2 Low Density Residential Zone*  The R2 Low Density Residential zone to consider noise impacts from The Northern Road, industrial noise from the future Oran Park Employment Area, rail noise and vibration, and potential aircraft noise. | Noted. | No further action required. |
| **3.3** | *Stormwater Modelling*  Undertake further assessment of stormwater design and modelling to ensure consistency with the work undertaken as part of Council’s Upper South Creek Flood Study review as discussed in the Proposal. | Noted. Tranche 41 will be incorporated into the broader Pondicherry flood modelling. | No further action required. |
| **3.4** | *Water Sensitive Urban Design*  Support approaches that support the delivery of water in the landscape, in particular integrated Water Sensitive Urban Design (WSUD). For example, the successful establishment of a street tree will be dependent on water and if appropriately designed a street tree pit can also improve stormwater quality. | Noted. Section 6.5 (Ecologically Sustainable Development) of the Growth Centres DCP contains objectives and controls for WSUD.  Revised street cross sections that incorporate WSUD principles are proposed to be inserted into the DCP. | Amend the DCP. |
| **3.5** | *Contamination*  Further investigate contamination before subdivision of the residential lots. The Contamination Assessment for the Proposal indicates potential for contamination constraints from former market garden use, a former dam and stockpile waste.  In this regard, the Proposal may benefit from a Section B5 Site Audit Statement or interim audit advice certifying that the land can be made suitable for the proposed use prior to approval. | Section 2.3.7 Site Contamination of the Growth Centres DCP requires subdivision development application be accompanied by a Preliminary Site Investigation prepared in accordance with the NSW EPA Contaminated Sites  Guidelines. | No further action required. |
| **4.0 Heritage NSW** | | | |
| **4.1** | *Aboriginal Heritage*  Undertake a comprehensive Aboriginal cultural heritage assessment to inform the planning proposal. Ministerial Direction 2.3, Heritage Conservation, requires planning proposals to address the conservation of Aboriginal objects.  The planning proposal is to consider impacts to the Aboriginal cultural landscape. These potential impacts can only be understood through consultation with the Aboriginal community. Measures to limit any impacts to identified Aboriginal cultural landscape values should be developed and integrated into the planning proposal. | Noted. The proponent (GDC) has provided Council officers with a comprehensive Aboriginal Cultural Heritage Assessment Report for Tranche 41 (dated December 2020) prepared by Kelleher Nightingale Consulting. A related Aboriginal Heritage Assessment (dated August 2020) has also been prepared for the broader Pondicherry Precinct (which includes Tranche 41).  Furthermore, an Aboriginal Archaeological and Cultural Heritage Interpretation Plan (AACHIP) and an Aboriginal Archaeological Assessment is currently being prepared by Kelleher Nightingale Consulting as required by the draft DCP controls. Council officers have reviewed the documentation and believe it meets the Ministerial Direction and is consistent with the Western City District Plan.  Furthermore, it’s noted there is sufficient justification for the removal of the heritage conservation area OPR-9 (in Figure 2-5) from the DCP. However, Figure 9 in the August 2021 Pondicherry Aboriginal Heritage Assessment needs to be amended to show the revised location of OPR-9. | The proponent (GDC) to provide a memo, noting the amended figures, as an annex to the Pondicherry Aboriginal Heritage Assessment. |
| **5.0 Jemena Gas** | | | |
| **5.1** | No comments. | Noted. | No further action required. |
| **6.0 Natural Resources Access Regulator (NRAR)** | | | |
| **6.1** | *Riparian Land*  The 1st order watercourse on the southern part of the site (labelled 1A in the riparian assessment) has not been noted as riparian area. The watercourse was noted to be a Riparian Protection Area in the Waterfront Land Strategy 2009.  Review the proposal against the requirements in the strategy to consider this riparian land. | Noted. Amend the relevant SEPP maps and DCP figures to show the southern 1st order watercourse as a Riparian area. | Amend the relevant SEPP maps and DCP figures. |
| **6.2** | *Riparian Land*  Ensure that the E2 zone along the 3rd order watercourse is 30 metres wide (measured from top of bank). This will ensure the Vegetated Riparian Zone is entirely within the E2 area. | Noted. The SEPP and DCP maps show the E2 riparian zone along the 3rd order watercourse as 30 metres wide. | No further action required. |
| **7.0 Opticom** | | | |
| **7.1** | To provide wholesale access Superfast Fibre Optic Backhaul as well as Fibre to the Premises (FTTP) connectivity to all dwellings within Tranche 41. | Noted. | No further action required. |
| **8.0 Rural Fire Service (RFS)** | | | |
| **8.1** | Bushfire planning matters to be addressed at subdivision stage. | Noted. | No further action required. |
| **9.0 Sydney Water (UrbanGrowth NSW)** | | | |
| **9.1** | *Servicing Requirements*  The proponent (GDC) has lodged a Notice of Requirements for the Feasibility application under CN 181757. These requirements still apply.  The proponent (GDC) to submit updated water and wastewater demand figures if change from initial estimates has occurred when applying for a Section 73 application.  Detailed requirements including confirmation of a preferred wastewater servicing strategy will be provided at the Section 73 application stage. | Noted. | No further action required. |
| **10.0 Transgrid** | | | |
| **10.1** | *Easements*  The residential allotments proposed to be situated on the TransGrid easement are to be super lots.  The design of the super lot subdivision is to absorb the transmission line easement within only a few residential allotments, so as to minimise the obstruction to TransGrid.  The site boundaries are to be 50 metres clear of the transmission towers and farm gates installed on the easement where boundary fencing is constructed. | A DCP control requires where private ownership of the electricity easement is proposed, the number of private lots should be limited.  The proponent (GDC) has confirmed TransGrid’s easement affecting residential land will be situated within a restricted number of residential extra-large lots | No further action required. |
| **11.0 Transport for NSW** | | | |
| **11.1** | *DCP - 3.2 Development near or on the Rail Corridor*  Amend DCP to include additional controls to ensure all residential construction within 25m of the rail corridor is undertaken to a minimum standard of attenuation consistent with noise treatment category 3, as described at Figure 3.3a and Appendix C of the Development Near Rail Corridors and Busy Roads – Interim Guideline. | Noted. Amend Section 3.2 of the Tranche 41 DCP.  The controls provide important guidance on what acoustic attenuation measures are required. | Amend the DCP. |
| **11.2** | *DCP – Street Cross Sections*  Update the exhibited street cross sections so they align with Council’s proposed Tranche 41 cross sections.  TfNSW strongly supports the provision of footpaths on both sides of the road and physically separated cycling infrastructure. | Council officers have worked with the proponent (GDC) to ensure revised cross sections require flex zones and dual footpaths for Tranche 41.  Separated cycle lanes will be provided along key routes in broader Pondicherry precinct.  Amend the DCP to insert updated street cross sections and controls that require dual footpaths on all local streets. | Amend the DCP. |
| **11.3** | *DCP - Active Transport Maps*  Amend DCP to include:  A standalone map of the whole proposed safe walking network for the Precinct  A standalone map of the whole proposed safe cycling network for the Precinct | Noted. Amend the DCP to include a revised Pedestrian and Cycle Network Map. | Amend the DCP. |
| **11.4** | *DCP – Cycle Lane*  The purple ‘on-road cycle lane’ is a poor outcome for the community. If traffic speed is above 30kmh, it poses a clear risk to people riding bikes, and does not constitute best practice safe cycling provision. | Noted. As part of planning for the broader Pondicherry precinct, future sub arterial roads will include separated cycleways. | No further action required. |
| **11.5** | *DCP – Green Links*  Amend DCP to explicitly define ‘green infrastructure’ ‘green links. The DCP section ‘road network green links’ is vague. | Noted. Amend Section 3.3 of the Tranche 41 DCP to incorporate revised comprehensive street cross sections and reference the Pondicherry Tree Masterplan. DCP “Section 3.3 Road Network Green Links” to be renamed “Section 3.3 Road Cross Sections” to note inclusion of additional cross sections. | Amend the DCP. |
| **11.6** | *Modelling*  Request a copy of the electronic SIDRA modelling files to verify the modelling. Movement summaries should also be included as an appendix to the traffic report for review. | Modelling has been provided to TfNSW. | No further action required. |
| **11.7** | *Bus Planning*  Request that the roundabout needs to be constructed to support U-turning buses. | Noted. Council officers have informed the proponent (GDC) of this request. This matter will need to be addressed at a future Development Application (DA) stage. | No further action required. |
| **11.8** | *Noise Attenuation*  Contain the proposed footprint of the noise attenuation treatment within the private development and to not encroach on the road reserve.  As this is a private development and the noise treatment is part of the development, it falls outside the maintenance limits of TfNSW, so the developer should engage the appropriate resources to model and design the required treatment. The developer should design the noise attenuation treatment to reduce the noise from the road to 60 dB (A) day and 55 dB (A) night. This means that a noise assessment and a noise barrier assessment is to be carried out by the developer to determine the appropriate height and length of the noise attenuation treatment. | Noted. The noise attenuation treatment will not impact the road reserve. | No further action required. |
| **11.9** | *Gateway Intersection Requirements*  Identify the quantum of land for the proposed intersection of The Northern Road/Marylands Link Road. This will ensure that adequate land is set aside for the right and left turning bays on the Marylands Link Road 1 approach to the intersection.  Until the transport study for the cumulative impacts of the whole precinct is complete, the full length of turn bays required cannot be confirmed. This is needed to ensure that the footprint can be accommodated, and that development is adequately set back from Marylands Link road 1 to ensure that the approaches can be accommodated. Furthermore, it needs to be demonstrated that the right turn into the development can accommodate the full development traffic without spilling into adjoining through lanes. | Noted. The intersection has been constructed to TfNSW specifications.  At its intersection with The Northern Road, the Marylands Link Road has been modelled to provide:   * A short-left turn slip lane * A through lane * A through and right lane * A short right turn lane. | No further action required. |
| **11.10** | *Easements*  *Lot 2 DP1217189 & Lot 500 DP1225924* are TfNSW easements and are to be maintained. | Noted. | No further action required. |
| **11.11** | *Regional Infrastructure Contribution*  Council to confirm the applicable development contribution framework that will facilitate contributions towards State and regional infrastructure.  It is noted that the site falls within the South West Growth Area Special Infrastructure Contribution levy area. | The South West Growth Area Special Infrastructure Contribution (SIC) levy will apply to Tranche 41 (subject to the rezoning being finalised). | No further action required. |
| **11.12** | *Traffic Generation*  To potentially amend the Tranche 41 Traffic report to include traffic flow data in GHD’s Pondicherry Precinct Traffic and Transport Study Report. The logic for calculating the traffic generation rates in the Tranche 41 report is unclear. | Noted. TfNSW have been supplied with revised traffic flow data. | No further action required. |