

20 September 2022

Our Ref: 11584 - Response to RFI - 22.09.08

Donna Clarke
Development Assessment
Penrith City Council
601 High Street
Penrith NSW 2750
Attn: Donna Clarke – Consultant Planner

Dear Ms. Clarke,

RE: DA22/0417 – Response to RFI - Supporting information
Property: 158-164 Old Bathurst Road, Emu Plains

Reference is made to the above development application (**DA**) seeking consent for the proposed industrial subdivision of the land at 158-164 Old Bathurst Road, Emu Plains (the **Site**).

GLN Planning Pty Ltd (**GLN**) has prepared this correspondence on behalf of the Applicant; ACOR Consultants in response to some of the matters raised by Penrith City Council (**Council**) in its correspondence dated 14 June 2022. As discussed at the meeting on 11 August 2022, we are currently updating the DA and supporting information to respond to all the items raised by Council. A consolidated set of all the updated documentation will be submitted under a separate cover.

In an effort to enable an efficient assessment and approval, Council has agreed to accept some reports and plans for assessment prior to submission of the full response package. The updated reports and additional information are shown in **Table 1** below, which outlines;

- The updated reports/assessments to be provided,
- The date these reports/assessments were provided, and
- The reports/assessments provided in this correspondence.

Appended to this correspondence is a revised Transport Impact Assessment (**TIA**) (**Attachment A**). This correspondence and the attached TIA provides the response to the concerns raised by Council and Transport for NSW. This information can be **referred back to Transport for NSW** to finalise their concurrence assessment.

The following table will be included in all subsequent correspondence and provides a running checklist of materials provided.

Table 1 Summary of supporting documents

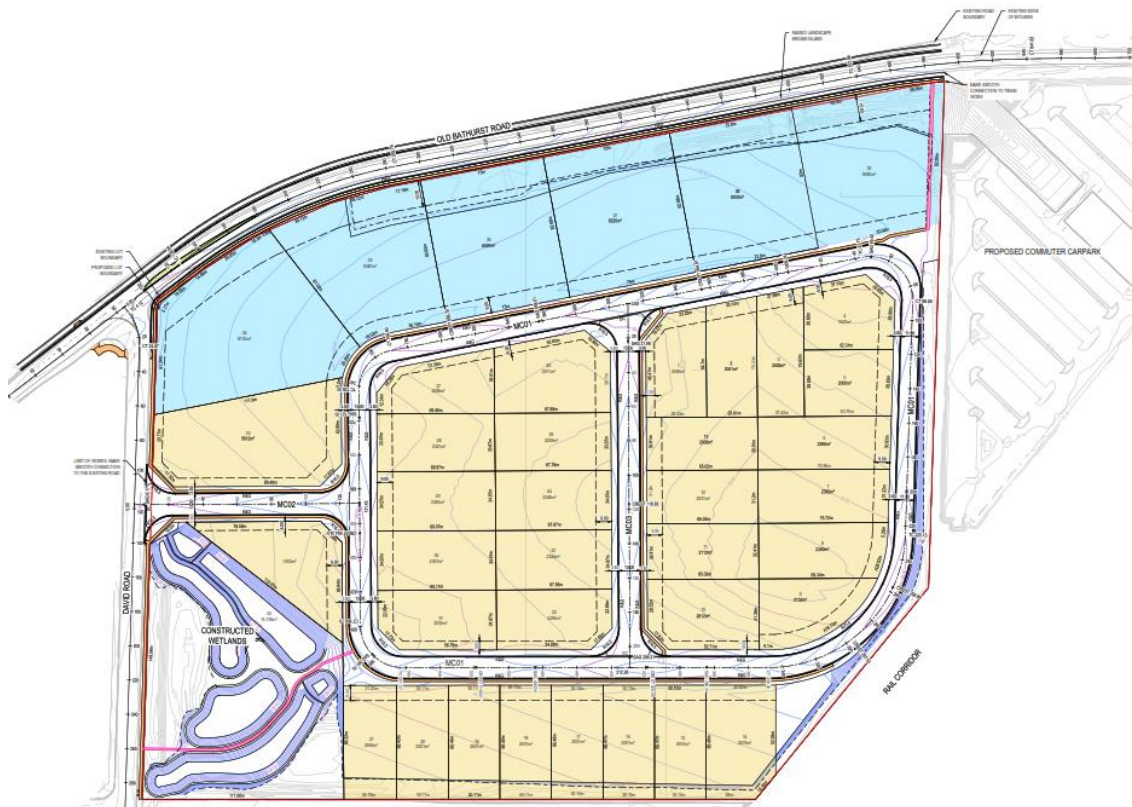
Updated Reports/Assessments	Date provided	Included in this Letter
Arborist Report - Tree removal plan - Tree removal and retention table		
Biodiversity Development Assessment Report		
Remediation Action Plan – additional assessments/details		
Flood Impact Assessment		
Landscape Plan - Visual impact assessment - Pedestrian and cycle circulation plan		
Subdivision Concept Plan		
Addendum to the SEE		
Stormwater Management Plan - Wetland Design - MUSIC modelling		
Transport Impact Assessment & Road Safety Audit	20 September 2022	✓
Response to Council's RFI letters and meeting notes		
Confirmation from Council Asset Management Department - Acceptance of infrastructure		
Signage and Fencing plan		
Swept Paths		

The revised reports have been prepared to address an amended Subdivision Concept Plan. Minor revisions to the final plan are still being undertaken. The final plan will be submitted under separate cover when completely resolved, however **Figure 1** shows the general updates, which:

- Maximise the retention of vegetation of value. This will include maintaining the vegetation where possible along Old Bathurst Road, the train line interface, the interface with the Transport for NSW commuter car park as well as in the Site's south western corner.
- Removal of direct vehicular access from Old Bathurst Road and replacement with a pedestrian access as well as minor realignment/rationalisation of the David Road/Old Bathurst Road intersection.

- Exemplary landscaping that will result in a significant net increase in canopy cover as well as a logical pedestrian footpath strategy that includes pedestrian connectivity through the Site as well as along the Old Bathurst Road frontage and down David Road.
- Rationalisation of lot boundaries so that they result in compliant and logical boundaries that will support future industrial uses. This subsequently results in a reduction of lots from 41 to 39.
- Reconsideration of the drainage infrastructure including the constructed wetlands at the south western corner of the site. Including amalgamating the stormwater infrastructure lot with the adjoining lot, which will:
 - Remain a Torrens Title allotment,
 - Will be kept in Council's ownership, and
 - Be managed (including the infrastructure) by Council as owners of the lot.

A detailed review (and assessment) of the revised concept subdivision plan will be provided under separate cover when the dimensions have been finalised. It is however worth noting that the final concept subdivision plan will comply with all minimum lot size and frontage requirements and will not require a Clause 4.6 Request to vary any development standards.



Source: ACOR Consulting

Figure 1 Indicative Revised Lot Layout



Traffic and Transport

The attached Report prepared by SCT Consulting consists of a Transport Impact Assessment (**TIA**) of the revised layout shown in **Figure 1**. The TIA is an update of the previously submitted report and concludes that the revised layout:

- Will result in approximately 71,000m² of future Industrial GFA,
- Will generate 405 and 437 vehicle movements during AM and PM peak hours respectively.

To manage the increase in traffic movements to and from the Site, a number of intersections were modelled including Old Bathurst Road/Russell Street, Old Bathurst Road/David Road, Old Bathurst Road/Smith Street/Commuter car park access road and Old Bathurst Road/Great Western highway. Modelling undertaken was done so using SIDRA.

Modelling indicates that the Old Bathurst Road/Russell Street and Old Bathurst Road/David Road are forecast to operate over capacity during the peak hours in future years. Council has been levying contributions for the signalisation of Old Bathurst Road/Russell Street under the Contributions Plan, hence a traffic signal will be constructed at this location to cater for background traffic growth and further development (including the Site).

The proposal will include signalisation of the intersection of Old Bathurst Road/David Road. As outlined in the TIA, there are five hours that almost meet the warrant for a signal. Despite not meeting the quantitative trigger for the signalisation of this intersection, the TIA details that the warrant trigger is a guideline only and that traffic signals may still be the best outcome irrespective of quantitative warrants due to external factors. Council in their RFI has specifically requested the inclusion of a signalised intersection at this location. Furthermore, it is understood that the signalisation of this intersection will improve pedestrian/cyclist safety and will ultimately provide better operational performance. As part of the design of the signalised intersection, the Applicant has proposed to realign the intersection slightly to provide a more regular/perpendicular alignment (this detail will be shown in better detail as part of the Civil Engineering package provided under separate cover).

1.1 Response to Council's Traffic Engineers Comments

The RFI included specific requests from Council's technical officers. Traffic and transport related requests provided in the RFI have been addressed in **Attachment B**.

1.2 Response to Transport for NSW Comments

The DA has been referred to Transport for NSW in accordance with Clause 2.118 and 2.121 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (**TI SEPP**). Comments on the proposal were received from Transport for NSW in correspondence dated 12 June 2022. A response to these items is provided in **Table 2** below.

These comments can be re-referred to Transport for NSW to receive their concurrence response.

Item no.	TfNSW Comment	Response
1	<p><i>1. Section 4.4 of the Traffic Impact Assessment (TIA) recommends that traffic signals be installed at the Old Bathurst Road/David Road intersection due to the pedestrian safety benefits without the traffic signal warrant being met. Further information should be provided to support this claim.</i></p> <p><i>Please note TfNSW does not support the traffic signals being installed at the Old Bathurst Road/David Road intersection if the traffic signal warrant is not met – alternative mitigation measures should be considered for pedestrian safety at this location.</i></p> <p><i>If the traffic signal warrant can be met in the near future i.e. 5 years, supportive information (including raw survey data) should be provided to TfNSW and include the following information. In particular, if you are seeking in-principle agreement to the proposed traffic signals:</i></p> <ul style="list-style-type: none"> • Concept design plan; • Traffic Control Signal (TCS) plan; and • Swept path diagrams. 	<p>As outlined above, the removal of the intersection with Old Bathurst Road has increased the pressure on the intersection on Old Bathurst Road/David Road. The increased traffic will result in the intersection failing, and despite not technically meeting the warrant for a signalised intersection – the impact is only marginally below the trigger.</p> <p>Council has requested the signalisation of this intersection despite not meeting the quantitative warrant as it will provide a superior traffic outcome and a safer pedestrian and cycle environment.</p> <p>The Concept design plan, Traffic control signal plan and swept path diagrams will be provided under separate cover.</p>
2	<p><i>The proposed acceleration lane length of 150 metres is insufficient for semitrailers. This risk is also identified in the Road Safety Audit and is not addressed. Mitigation measures should be provided to address this risk.</i></p>	<p>The removal of the intersection with the Site and Old Bathurst Road resolved this issue.</p>
3	<p><i>The TIA indicates the Old Bathurst Road and Russell Street intersection will be upgraded to a signalised intersection by Penrith Council. For TfNSW to understand the operation of the infrastructure, relevant information including the proposed timeframe and layout should be provided.</i></p>	<p>This intersection is being delivered by Council in accordance funds being collected in the Section 7.12 Contributions Plan. Council has been collecting contributions to fund the upgrade of this intersection. The development of the Site will similarly be required to contribute. Council will manage the design and implementation of these signals to deal with development pressures. This should not restrict the ability for the subdivision to be approved.</p>
4	<p><i>Several medium to high risks were identified in the Road Safety Audit but were not addressed. Mitigation measures should be provided to address these identified risks.</i></p> <ul style="list-style-type: none"> • CAR 4 – the proposed acceleration lane will introduce a new conflict point as the result of weaving movements. • CAR 10 – Old Bathurst Road is identified as on-road cycling facility with marked bicycle pavement 	<p>The removal of the intersection with the Site and Old Bathurst Road resolved this issue as the existing condition of Old Bathurst Road is largely retained and a footpath will also be provided.</p>

Item no.	TfNSW Comment	Response
	<p><i>logo – design of the new road infrastructure should also consider this.</i></p> <ul style="list-style-type: none"> <i>• CAR 12 – Old Bathurst Road is an approved B-double route with posted 70km/s speed limit, which is not a low-speed environment. 3.5m lane width should be adopted.</i> 	
5	<i>SIDRA modelling files should also be submitted to TfNSW for review.</i>	SIDRA modelling will be provided.

The information provided in the correspondence responds to several of the traffic items raised by Council and Transport for NSW. This correspondence and the attached Traffic Impact Assessment can be referred to Transport for NSW for their final concurrence response.

Should you have any questions regarding information provided in this letter or attached, do not hesitate to contact me directly on 0403 239 230.

Yours faithfully

GLN PLANNING PTY LTD



**MICHAEL HANISCH
SENIOR PLANNER**



Attachment A – Transport Impact Assessment

Attachment B – Response to Council’s Traffic Engineering Comments

Council Request	Comment
<i>The proposed second access road to Old Bathurst Road MC04 is not supported and is to be deleted from the subdivision layout.</i>	This intersection directly off Old Bathurst Road has been removed from this DA.
<i>It is noted that TfNSW has indicated in their response that they do not support the traffic signals being installed at the Old Bathurst Road/David Road intersection if the traffic signal warrant is not met</i>	The TIA outlines that the revised layout will result in the intersection almost meeting the relevant traffic signal warrant for 5 hours. Despite not meeting the quantitative trigger for a signalised intersection the proposal will include this intersection configuration as it will result in a better outcome for the greater locality.
<i>The removal of the second access road may resolve some of the issues identified in the response from TfNSW and technical officer review. Refer to technical details in Attachment 1 for additional details and the TfNSW letter attached to this letter in Attachment 2.</i>	
<i>Clarification is also sought if a signalised intersection forms part of the subject development application. While references to its inclusion are outlined within the Traffic Assessment Report coupled with notations on the civil design drawing package, references within the Statement of Environmental Effects potentially suggest that it will be provided separately and funded via Section 7.12 contributions. Its inclusion in the DA and full construction costs inclusion as part of the DA requires confirmation.</i>	As outlined above, signalised intersection will be provided at Old Bathurst Road/David Road. The upgrade of Old Bathurst Road/Russel Road will be upgraded by Council utilising contributions received under Section 7.12 Contribution Plan.
<i>The proposed internal road layout is not supported. The road layout does not comply with the Geometric Standards specified in Council’s Design Guidelines for Engineering Works for Subdivisions Section 2.2.13. It shall be clearly demonstrated that the road network complies with the curve radius relative to deflection angle.</i>	The internal road layout is now compliant. Swept paths will be included in the civil engineering package submitted under separate cover.
<i>In particular, the acute bend of Road MC01 at chainage 60m to 90m is not supported. In addition, the swept path diagrams for this corner are considered to be hazardous to road users. As such, the internal road network shall be redesigned with a maximum curve angle of 90°. Where a 90 degree curve is proposed, then the size of the horizontal curve is to be related to the turning requirements of vehicles in accordance with Section 2.2.13 of Council’s Design Guidelines.</i>	The inside radius is the same as kerb return radius as 16.5. Additional detail will be provided in the civil engineering package submitted under separate cover.
<i>There is opportunity to address these issues as part of the revised subdivision layout identified under Point 1 with respect to the fundamental issues with the subdivision layout.</i>	These issues have been revised in the proposed subdivision concept plan, which will be submitted under separate cover.

Council Request	Comment
<p><i>The following issues need addressing:</i></p> <p><i>a. The intersection of David Road and Old Bathurst Road requires modification to the eastern kerb line to provide a smooth kerb return and clear vehicular turning movements which will likely require additional land dedication at the south-eastern splay corner of the intersection to accommodate a sufficient verge width. This will also address the "weaving" issue identified in the Road Safety Audit (CAR No. 14) with the northbound right turn lane from David Road. Note, the final intersection design/layout is ultimately dependent on TfNSW requirements for the proposed traffic signals upgrade.</i></p>	<p>The original proposal followed the existing kerbline, but has been revised as requested by Council. Additional details will be provided in the Civil Engineering package submitted under separate cover.</p>
<p><i>b. The application proposes a new intersection to Old Bathurst Road via Road MC04. The application shall provide sufficient justification for the need to provide an additional intersection off Old Bathurst Road as this intersection presents potential issues with vehicular access, pedestrian connectivity, internal road design, and future upgrades to Old Bathurst Road (refer to comments below). It is preferred to have all vehicular access off David Road with traffic signals at Old Bathurst Road, subject to updated traffic modelling.</i></p>	<p>This intersection has been removed from the proposal.</p>
<p><i>c. Notwithstanding item 3 above, the intersection of Road MC04 and Old Bathurst Road is proposed to be left-in/left-out. If the intersection is to be retained, then a central median island shall be provided on Old Bathurst Road to reinforce the left in/left-out arrangement. In addition, the seagull island shall be extended as much as possible to deter right turn movements out of Road MC04 for shorter length vehicles.</i></p>	
<p><i>d. The Transport Impact Assessment report shall provide an access design plan for the intersection of Road MC04 and Old Bathurst Road demonstrating compliance with Austroads requirements, including the lengths and widths of appropriate deceleration and acceleration slip lanes.</i></p>	
<p><i>d. The Transport Impact Assessment report shall provide an access design plan for the intersection of Road MC04 and Old Bathurst Road demonstrating compliance with Austroads requirements, including the lengths and widths of appropriate deceleration and acceleration slip lanes.</i></p>	
<p><i>e. The intersection of Road MC04 and Old Bathurst Road shall be plotted with the final kerb alignments of Emu Plains commuter car park showing how the new intersection matches with TfNSW works.</i></p>	

Council Request	Comment
<i>Council's Development Engineering Coordinator has previously provided the applicant with the contact details for TfNSW to obtain this information.</i>	
<i>f. The plans need to consider and show how the proposed intersection of Road MC04 and Old Bathurst Road will impact on future upgrades to Old Bathurst Road in both directions. Council is of the understanding that Old Bathurst Road is intended to be upgraded to 4 lanes (2 lanes in both directions) and the plans need to demonstrate that the new intersection works independently of the upgrades but is also compatible with any future upgrades, particularly with regards to any land take to accommodate 4 lanes in addition to the proposed deceleration and acceleration lanes and footpath provisions.</i>	The intersection has been removed from the proposal – however the revised Civil Engineering Package (provided under separate cover) includes an indicative design that shows how the future configuration of Old Bathurst Road can be delivered.
<i>g. The acute bend of Road MC01 at chainage 60m to 90m is not supported due to poor intervisibility at the bend. The bend shall be no less than 90 degrees and cater for two-way passing of a 19m articulated vehicle, including vehicle clearances.</i>	The bend has been amended to 78 degrees, with a radius of 25m on the centreline and thereby complies with 2.2.13 Geometric Standards. Additional detail will be provided in the Civil Engineering Package.
<i>h. Swept paths shall be provided for a 19m articulated vehicle demonstrating two-way passing within the subdivision and access to selected lots (e.g. corner lots and oddly shaped lots) as the design vehicle for the development. All swept paths (including B-Doubles) shall be included in the Transport Assessment Report as an appendix for completeness.</i>	Swept paths will be provided in the Civil Engineering Package.
<i>i. The plans shall demonstrate that compliant access can be provided to individual lots, particularly corner lots and oddly shaped lots with constrained frontages. Driveway access is not supported along Roads MC02 and MC04 as these are the main access points for the subdivision.</i>	No access will be provided off MC02. MC04 has been removed.
<i>j. A footpath shall be provided along the full frontage of the development on Old Bathurst Road and David Road and provide connection to Emu Plains Station and commuter car park to the east.</i>	A footpath has been accommodated in the revised Subdivision Concept Plan. The final will be provided under separate cover.
<i>k. The Pre-lodgement notes requested owner's consent be provided from TfNSW for the dedication of any land as road reserve. This was not provided with the application.</i>	No land owner's consent is required.
<i>The following issues need addressing:</i> <i>a. Traffic surveys were conducted on 16 November 2021 for Old Bathurst Road/Russell Street and Old Bathurst Road/David Road, and 22 July 2020 for Old Bathurst Road/Smith Street and Great Western</i>	The traffic surveys have been included in the revised TIA.

Council Request	Comment
<i>Highway/Old Bathurst Road. Survey results need to be included in the Traffic Impact Assessment report.</i>	
<i>b. A traffic distribution diagram for both peak hours, including both access points to the subdivision and Old Bathurst Road/David Road intersection, shall be provided in the traffic report.</i>	Traffic Diagrams ae been provided for AM and PM hours including the vehicle entry/exit at the access points.
<i>c. The SIDRA assessment shall include the traffic growth 10 years after the development completion date for consideration.</i>	SIDRA modelling was undertaken for a future year 20233 which assumed 10 years from the opening of the development.
<i>d. The report has recommended that traffic signals be installed at the intersection of Old Bathurst Road/David Road due to the pedestrian safety benefits and an overall better intersection performance than the roundabout option. Also, the report undertook signal warrant assessment in accordance with the Traffic Signal Design – Section 2 Warrants (RTA) to determine whether traffic signals are warranted at the intersection of Old Bathurst Road/David Road. The warrant assessment indicates that the signal warrant is met. Council’s Traffic Engineering is of the opinion that the proposed signals are required as part of the application, subject to referral and support from TfNSW as the approval authority for all new traffic signals.</i>	Traffic signals have been proposed.
<p><i>The SIDRA results indicate that the intersection of Old Bathurst Road/Russell Street is currently operating at capacity during the PM peak hour with a LoS F. The report has identified two options as a mitigation measure:</i></p> <p><i>Option 1 is to upgrade the roundabout with additional lanes and</i></p> <p><i>Option 2 is to replace the roundabout with traffic signals.</i></p> <p><i>The report provides SIDRA results for both options. The report acknowledges that Council has been levying contributions for the signals at the intersection of Old Bathurst Road/Russell Street under the Section 7.12 Development Contributions Plan to cater for background traffic growth and further development. However, the timing of these contributions levied works is out of control of the applicant and the proposed development will put more pressure on this intersection.</i></p>	The upgrade of the intersection is out of the control of the Applicant – however the proposal will provide contributions that will be contribute to these upgrade works.
<i>The proposed intersection design at David Road and Old Bathurst Road shown on the Civil Plans is not supported by Council. Refer also to the Transport for NSW comments attached. The eastern kerb line of the intersection should be modified to ensure clear vehicular turning movements.</i>	This eastern kerb line has been amended as requested by Council. Details will be provided in the Civil Engineering Package provided under separate cover.

Council Request	Comment
<i>As requested in pre-lodgement, a footpath shall be provided for the full length of the development site along Old Bathurst Road and David Road, including adjacent the proposed wetlands. This shall be indicated on the plans, including kerb ramp connections where appropriate to existing footpath infrastructure and connection to the railway and any works being undertaken as part of the adjoining commuter carpark.</i>	Footpaths will be provided as requested. Details will be provided in Civil Engineering Package submitted under separate cover.
<i>• Intermittent areas of road widening and wide access points such as the one proposed interrupt the avenue of Old Bathurst Road and should be limited.</i>	The configuration has been amended. Reducing the impact on Old Bathurst Road.
<i>• The proposed driveway treatment impedes future pedestrian access and general best practice accessibility principles along the southern side of the road to the new pedestrian bridge to the station.</i>	Transport for NSW will not consent to direct access to their car park from the Site. The proposal includes footpaths at logical locations to maximise the accessibility between the bridge and the subject site.
<i>• Access from David Road as the primary vehicle access point is supported as per the recommendations from the pre-lodgement meeting and the reports provided.</i>	Access from Old Bathurst Road has been removed.
<i>• A standard roundabout at David Road is not supported from an active transport and accessibility point of view.</i>	No roundabout is proposed.
<i>There are several references in the reports provided to ensuring a safe and well connected, high-quality footpath and cycle path system around the site. This should be extended to external links.</i>	The footpath and cycle system will be shown in the Landscape Design and Civil Engineering Package submitted under separate cover.
<i>Further information is required regarding the following: a. A pedestrian and cycle circulation plan is required to be submitted and this should be integrated with adjoining developments (existing and proposed) and other local context areas including the proposed shared path along Old Bathurst Rd.</i>	There are no adjoining cycle paths. The proposal will include footpaths that surrounding developments can link in with.
<i>As a result, a continuous footpath along the frontage of Old Bathurst Road and David Road and access to the Emu Plains carpark from the site and/or access from Old Bathurst Road is required.</i>	The revised proposal will include this footpath with additional details provided in the Civil Engineering Package and Landscaping Plans.
<i>A connection should be established to the pathway of the new commuter carpark to the boundary of this site to ensure a continuous accessible connection from the train station to the subdivision.</i>	Transport for NSW will not allow direct access. The proposal has however accommodated a pathway network that can link into the adjoining site, should Transport for NSW allow access in the future. Additional details will be provided in the Landscape Plans.

Council Request	Comment
<i>Pedestrian routes should be safe (CPTED) and street lighting required</i>	The safety of the pathways will be addressed in the Landscaping Plans provided under separate cover.
<i>It is noted that the TIA does not state that the upgrade of the Old Bathurst Road/David Road intersection is funded by Section 7.12 contributions however as outlined earlier, there is a reference to funding in the Statement of Environmental Effects that requires clarification.</i>	Noted. Old Bathurst Road/David Road intersection is not in the Section 7.12 Contributions Plan.
<p><i>Council's City Wide Section 7.12 Plan applies to this site and this development.</i></p> <p><i>Appendix A of the Plan lists the infrastructure works to be delivered by money collected under the Plan, in response to envisaged future development in the Penrith LGA. The upgrade of the Old Bathurst Road/David Road intersection is not listed as a works item contemplated to be delivered by the Plan. It is therefore a requirement to deliver the upgrade to the Old Bathurst Road/David Road intersection as part of this application in order to provide sufficient traffic management facilities to support the development sought. The Section 7.12 funds cannot be relied upon to deliver these works.</i></p>	Noted.