

10 November 2022

Jacqueline Klincke Development Assessment Planner Penrith City Council PO Box 60 Penrith NSW 2751

Jacqueline.klincke@penrith.city

Dear Ms Klincke,

# Response to Request for Information Oakdale West Estate – Proposed Industrial Facility Precinct 5 (DA22/0546)

This letter has been prepared by *Keylan Consulting Pty Ltd* (Keylan) on behalf of *Goodman Property Services (Aust) Pty Ltd* (the Applicant) in response to Penrith City Council's (Council) letter dated 7 September 2022 in relation to the above development application (DA 22/0546).

## **Response to Submissions**

A response to the issues raised in Council's letter is detailed in the table at Attachment A. This response has been informed by the Applicant's consultation with Council to understand and respond to the issues raised during the assessment.

A response to issues raised by Transport for NSW (TfNSW) in its letter dated 11 August 2022 is detailed in the table at Attachment B.

# Amended Application Request

The Applicant has responded to the issues raised in Council's letter and consequently made changes to the configuration of the warehouse buildings to reflect Council's operational requirements, resulting in refinements to the proposed layout and access.

Consequently, the changes require an amendment to DA 22/0550 and this letter forms a request in accordance with Clause 37 of the *Environmental Planning and Assessment Regulation 2021*.

### SSD 7348 Modification 11

Modification 11 to the Oakdale West Estate Concept Approval (SSD 7348 MOD 11) is under assessment by the Department of Planning and Environment (DPE). SSD 7348 MOD 11 seeks approval for changes to the building layouts and levels of buildings in Precinct 5 to reflect the proposed development subject to DA 22/0546.



## **Revised Site Plan**

In response to Council's letter, SSD 7348 MOD 11 and Transgrid comments, the Applicant has made changes to the Precinct 5 Site Layout Plan (Site Plan) that was submitted with DA 22/0546 (refer to Figure 1 and Figure 2).

The key change is a 90-degree reorientation of Warehouse 5A to a north south orientation (previously east west) to address Council's concerns raised about the pedestrian access to the building across the truck exit and hardstand.

Associated changes include:

- reconfiguration of the driveways and crossovers at the cul-de-sac site access point
- relocation of the Warehouse 5A loading docks, dock offices and gatehouse
- parking provisions for Warehouse 5A have reduced to 106 car parking spaces (previously 120).
- reduction in the total building area (5A & 5B) from 32,246 m<sup>2</sup> to 31,830 m<sup>2</sup>
- slight reduction in the Floor Space Ratio from 0.54:1 to 0.53:1 in the Revised Site Plan
- hardstand areas for Warehouse 5A and 5B have been decreased from 20,915m<sup>2</sup> to 20,510m<sup>2</sup>

The changes are documented in the revised Site Layout Plan (Revised Site Plan), which is at Figure 2 below and within the updated Architectural Plans at Attachment C.

In addition to the layout reconfiguration, a separate drainage system for the external path around Warehouse 5B is provided in order to resolve an issue raised by Council.

In response to Council's letter and as a result of the Revised Site Plan, the Applicant has provided a suite of attachments including updated consultant reports, plans and modelling. These are summarised in Table 1.

We trust that this submission provides all information required to enable Council to finalise its assessment to enable the application to be determined.

Please do not hesitate to contact Kane Winwood on 8459 7507 or kane@keylan.com.au if you wish to discuss any aspect of this submission.

Yours sincerely

Dan Keary BSC MURP RPIA Director E: dan@keylan.com.au



### Attachments:

- Attachment A Response to issues raised by Penrith City Council
- Attachment B Response to issues raised by TfNSW and Transgrid
- Attachment C Revised Architectural Plans Civil package including Civil Plans, Civil Report & Music Modelling
- Attachment D
- Attachment E
- Updated Landscape Plans Attachment F Traffic package including Design Review and Traffic Assessment
- Waste Management Plan Attachment G
- Attachment H
- DA Estimate Report Fire Safety Strategy Attachment I
- Attachment J
- Bushfire Risk Assessment Noise and Vibration Assessment Attachment K
- Attachment L
  - **BCA Assessment Report**

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Figure 1: Site Plan submitted with DA 22/0546 (Source: SBA, 7 April 2022)





Figure 2: Revised Site Plan (Source SBA, 10 November 2022)



Discipline	Organisation	Location	Comment
Architectural	SBA	Attachment C	Architectural package updated to reflect the Revised Site Plan
Civil	AT&L	Attachment D	<ul> <li>Civil package including:</li> <li>Civil Plans</li> <li>Civil Report</li> <li>Music Modelling</li> <li>Civil plans have been updated to reflect the Revised Site Plan and include the separate drainage system.</li> <li>Civil Report has been revised to include the size and type of GPT. It also confirms the size of the rainwater tank and nonpotable water reuse demand.</li> <li>A MUSIC model is provided that identifies catchment breakup, splitting of surface types and rainwater tanks.</li> </ul>
Landscaping	Scape	Attachment E	Landscaping Plans updated. These reflect the Revised Site Plan and demonstrate compliance with fencing height requirements.
Traffic	Ason	Attachment F	<ul> <li>Ason provided a traffic package including:</li> <li>Design Review Report</li> <li>Updated Transport Assessment</li> <li>The Design Review includes an updated swept path analysis and car parking review against AS2890.1:2004.</li> <li>The Transport Assessment was updated to reflect the Revised Site Plan. It includes updated traffic generation rates and corrections that were noted in Council's letter.</li> </ul>
Waste	SLR	Attachment G	Waste Management Plan updated to reflect Revised Site Plan.
QS Report	Rider Levett Bucknall	Attachment H	DA Estimate Report updated to reflect Revised Site Plan.



Discipline	Organisation	Location	Comment
Fire	Core Engineering	Attachment I	Fire Safety Strategy updated to reflect Revised Site Plan.
Bushfire	Blackash Bushfire Consulting	Attachment J	Bushfire Risk Assessment updated. The revised report confirms the proposed pavement material for fire safety access road is compliant with PBP2019
Noise	SLR	Attachment K	Noise and Vibration Assessment updated to reflect Revised Site Plan.
BCA	BM+G	Attachment L	BCA Assessment Report updated to reflect Revised Site Plan.
Biodiversity	Ecologique	N/A	Ecologique confirmed that an update to the Biodiversity Assessment was not required
Sustainability	SLR	N/A	SLR confirmed that an update to the Sustainability Assessment was not required
Air Quality	SLR	N/A	SLR confirmed that an update to the Air Quality Assessment was not required

Table 1: Review of technical reports, plans and modelling



#### Attachment A

Response to issues raised by Council

Ref.	Penrith City Council Comment	Applicant Response
1	Alignment to SSD 7348 MOD 10	
1.1	The proposed layout of Warehouse 5A and 5B does not correlate and align with the most recently approved description, associated staging and masterplan of the precinct under SSD 7348. Following on from discussion with DP&E, this application cannot be determined until a modification to the SSD is lodged and approved by DP&E to reflect these changes and the amended layout of Precinct 5. It is noted that as per correspondence received, dated 6 September, the lodgement of MOD 11 is imminent (i.e by Friday 9 September).	<ul> <li>The Applicant has lodged a modification application of the SSD 7348 concept approval (SSD 7348 MOD 11) with DPE.</li> <li>The SSD 7348 MOD 11 masterplan reflects the Revised Site Plan of Precinct 5, and accounts for Council's comments.</li> <li>The Applicant has also spoken with DPE about replacing the staging plan included within SSD 7348, so it reflects the latest staging plan.</li> <li>This will be completed as part of the determination of SSD 7348</li> </ul>
1.2	Once MOD 11 has been lodged with DP&E, Council will be consulted during the assessment of this modification and will liaise with DP&E where appropriate to ensure a streamlined determination of this subject development application. However, should MOD 11 not be lodged by 9 September with DP&E, it is strongly requested this application be withdrawn until the modification to the SSD is lodged and under assessment.	MOD 11. Refer above and noted.
1.3	Furthermore, it is noted that proposed retaining walls RW01 and RW05 have maximum height of 3.3m and 2.7m respectively under the SSD approval. A review of the plans indicate the subject proposal also seeks to slightly increase the height of retaining wall RW04 (SSD 7348 approved this wall as a maximum height of 3.9m, it is now proposed to be 4.4m). This shall also be amended in the modification to the SSD.	The Civils Plans have been updated (Attachment D) which resolves this issue. Note that retaining wall RW04 is no longer proposed.
2	Car Parking	
2.1	There are 10 car parking spaces proposed associated with Warehouse 5A that are located within and along the heavy vehicle circulation roadway	Refer to the Revised Site Plan included at Attachment C, which resolves this issue.



Ref.	Penrith City Council Comment	Applicant Response
	(i.e in the north- western corner of the site). This poses significant pedestrian safety concerns and can therefore not be supported, nothing the location of these spaces require pedestrians to traverse areas of hardstand which are utilised by heavy vehicles. It is therefore recommended these spaces are deleted and replaced with landscaping.	Refer to the Revised Site Plan included at Attachment C, which resolves this issue.
2.2	Furthermore, the proposed 6 car parking spaces adjacent to the office for Warehouse 5A require vehicles to enter/exit the site utilising the truck exit point which also raises safety concerns with potential heavy and light vehicle conflict and is consequently not supported. Staff and visitor vehicle access and parking should be separated and located furthest from heavy vehicle access / egress points. In this regard, these 6 car parking spaces are also to be removed and replaced with landscaping.	Refer to the Revised Site Plan included at Attachment C, which resolves this issue.
2.3	Please note, calculations of the GFA and office space of the proposed development as per the most recently provided Site Plan (dated 25 August 2022) indicated Warehouse 5A is provided with car parking in excess of 21 of the required rate. In this regard, the proposal will remain compliant with the removal of these 16 car parking spaces.	Refer to the Revised Site Plan included at Attachment C, which resolves this issue.
3	Internal Vehicle Manoeuvrability and Pedestrian Safety	
3.1	Heavy vehicle manoeuvring including reversing movements are proposed across the pedestrian crossing and within car parking aisles (i.e the 10 car parking spaces requested to be removed as outlined in Item 2). This is particularly evident for the on-grade loading dock east of the main office on the southern side of Warehouse 5A, and the on-grade loading dock east of the gatehouse on the northern side of Warehouse 5A. This presents significant safety concerns and cannot be supported. Additional swept paths shall therefore be provided ensuring pedestrian	Refer to the Revised Site Plan included at Attachment C, which resolves this issue
	safety, car parking and the proposed boom gate/traffic light signals are not compromised, noting additional safety measures (e.g bollards etc) may be required. Please note, pedestrian movements and visitor/staff parking must be segregated from heavy vehicles as per AS2890.2.	
3.2	Furthermore, the blind aisle at the end of the Warehouse 5A carpark adjacent to the fire services area is required to be amended in order to	Refer to the Revised Site Plan included at Attachment C.



Ref.	Penrith City Council Comment	Applicant Response
	provide a 1m overhang past the last parking space to allow for adequate vehicle manoeuvrability. It is noted a parking space may be required to be removed in order to comply.	
4	Site Access and Driveways	
4.1	Some access driveways and crossovers within the cul-de-sac of Tundra Close are not perpendicular to the roadway (i.e access for Warehouse 5A) which is not supported. Further consideration is required in this regard.	Refer to Revised Site Plan included at Attachment C, which resolves this issue.
4.2	The proposal seeks a total of five (5) driveways accessing the site from the cul-de-sac. Due to the number of access points provided to each warehouse from Tundra Close, competing and unsupportable heavy and light vehicle manoeuvres will likely occur. Heavy vehicle movements will conflict with staff and visitor car parking movements within the cul-de-sac, which is not supported. Further consideration to site access, and the number and location of driveways is therefore required.	Refer to Revised Site Plan included at Attachment C, which resolves this issue.
5	Stormwater Management	
5.1	The drainage lines proposed under the building slab of 5B are undesirable for the future maintenance of the on-site drainage system. It is recommended the roof drainage system be redesigned (e.g with a one- way roof pitch falling to the north) to eliminate these lines under the building. However, if these drainage lines under building 5B must form part of the design, then the grated drains proposed to connect to this system are not supported. The lines under the building must be for roof water only, as a sealed drainage system, from the roof to this under building line is required to ensure the stormwater is pushed through the line under the building.	Given the direction of the roof, the stormwater line located beneath the building cannot be relocated. A separate drainage system for the external path around the building has been provided to separate roof drainage from the grated drains. Refer to Attachment D.
5.2	Furthermore, confirmation is required as to whether estate basin 5 and the road drainage network connection to this basin have been constructed. If the drainage infrastructure is in place, please then confirm the levels at each stud where the drainage for the site proposes to connect, as drainage for the entirety of Precinct 5 relies on these stub levels.	Confirming that Estate basin 5 and road drainage infrastructure has been constructed. Council as the certifying authority has signed off on this solution, as constructed. Work as executed (WAE) information has been included on AT&L's civil drawings for clarity. WAE information from stormwater long sections is provided as backing. Refer to Attachment D.



Ref.	Penrith City Council Comment	Applicant Response
6	Water Sensitive Urban Design	
6.1	The provided Civil Plans do not provide the sizing for the three (3) proposed rainwater tanks nor confirm the non-potable reuse demand. In addition, the Civil Report fails to confirm details on the rainwater tanks sizing or the non-potable reuse demand. Therefore, further information and confirmation regarding size of the rainwater tanks and the non-potable water reuse demand that the development achieves is required.	<ul><li>AT&amp;L have carried out a preliminary assessment subject to detailed design.</li><li>AT&amp;L have updated the civil drawings and civil report to include nominated rainwater tank sizing (Attachment D). MUSIC models are provided within the Civil package (Attachment D).</li></ul>
6.2	Furthermore, the submitted civil plan drawing 15-272-C7723 confirms a GPT is to be installed however the type of GPT has not been confirmed. Confirmation as to the size and type of GPT to be installed is therefore required.	AT&L have carried out a preliminary assessment subject to detailed design. AT&L have updated the civil drawings and civil report to include nominated GPT sizing (Attachment D).
6.3	A MUSIC model that includes a report which clearly identifies catchment breakup, splitting of surface types, rainwater tanks and all other assumptions that have been made in the model is required to be submitted. This must include detail down to the sub-catchment level. Electronic copies of the modelling in sqz format are to be submitted to Council for review.	A MUSIC model has been provided to Council which includes the requested information (Attachment D).
7	Plan of Subdivision	
7.1	It appears the truck entry for Warehouse 5A and the car entry/exit for Warehouse 5B are located outside the proposed lot for Precinct 5. Further information and clarification is requested in this regard, noting the lot boundaries may be required to be amended and reflected within MOD 11.	The Revised Site Layout included at Attachment C has been amended to locate vehicle entry points within the boundary of Precinct 5. Therefore, no boundary adjustments are required and subdivision is no longer sought as part of this application
7.2	The Civil Engineering Plans show a proposed site boundary that does not align with the lot boundary shown on the proposed Plan of Subdivision. Amended plans are requested to rectify this issue.	The civil plans have been updated to reflect the Revised Site Layout plan as noted above (Attachment D).
7.3	Clarification is required to determine if retaining walls RW02, RW03 & RW04 will require easements for support and maintenance.	Subdivision is no longer sought as part of this application. No easements are required for the retaining walls detailed within the Civil Plans (Attachment D).



Ref.	Penrith City Council Comment	Applicant Response
8	Additional Matters	
8.1	The proposed GFA in Table 5 of the Statement of Environmental Effects and Table 2 of the Traffic Assessment report differ. Clarification is requested in this regard, noting amended reports may be required to address the discrepancy.	This was an error in the Transport Assessment report (P1959r01v01), and it has been amended to reflect the GFA in the Revised Site Plan which is consistent with that described in the SEE (Attachment F).
8.2	Please confirm the proposed pavement material for fire safety access road to confirm compliance with PBP2019.	The Applicant is proposing an asphalt surface rated to take a Fire & Rescue NSW vehicle. The updated Bushfire Assessment (Attachment J) confirms that the proposal will comply with PBP2019.
8.3	A dimensioned plan of the proposed parking areas shall be provided to demonstrate compliance with the requirements of AS2890	A design review based on the updated scheme has been completed and is included at Attachment F. This includes a review of the light vehicle parking spaces, as required by AS2890.
9.	Issues raised in further consultation with Council	
9.1	Council raised concern in a meeting that occurred after the receipt of the RFI letter in relation to canopy cover. Council suggested the proposal should provide tree canopy cover which satisfies the minimum requirements of Part C14.1.4 of the Penrith Development Control Plan 2014 and, shall aim to achieve 40% tree canopy coverage over the total combined area of all car parking spaces.	As per Council's request, the Applicant investigated the 40% canopy cover to the car parking areas. Reaching a 40% canopy cover would require 40 more trees in 20 car park islands, which would lead to a loss of 12 car spaces at least. The Landscape Plans were prepared in accordance with Condition C5 of SSD 7348, which ensures cohesion and consistency with landscape presentation across the entire OWE in terms of a landscaping scheme. Across OWE, to date the Applicant has used a guiding principle of 1 tree per 10 spaces based on the number of parking spaces required and the landscape area available. If the car parking spaces were removed the proposal would not comply with the required car parking numbers. Therefore, the canopy cover has remained at 22%.

Table 2: Response to Council comments



#### Attachment B

# Response to issues raised by TfNSW and Transgrid

TfNSW Comment	Comment/Response
TfNSW advises that the subject property is within an area under investigation for the proposed Southern Link Road Project and that the project could indirectly affect the proposed development.	Noted
TfNSW notes that the adopted trip generation rate for the development of 1.892 vehicles per day per 100sqm of GFA is considered very low. The various land-use changes within the Western Sydney Employment Area (WSEA) have meant that the current adopted trip generation rate is 2.91, which is much higher than what has been used to assess this development.	<ul> <li>The trip generation rate used in the traffic modelling is consistent with that adopted for the approved Concept Plan under SSD 7348.</li> <li>Detailed modelling was undertaken as part of SSD 7348 and the proposed development for Precinct 5 does not result in an overall increase in estate GFA and trip generation.</li> </ul>

Table 3: Response to TfNSW comments

Transgrid Comment	Comment/Response
General Conditions	
All works must be carried out as per 220615 KEYLAN OWE Precinct 5 SEE_PAN-234463.pdf, Appendix 1 - Architectural Plans_PAN- 234463.pdf, Appendix 2 - Civil Engineering Plans_PAN-234463.pdf, Appendix 3 - Civil Report_PAN-234463.pdf at 200	Noted
TransGrid shall be notified of any amendments / modifications to the proposal which may change distances to Transgrid structures or conductors	Noted
All works must be carried out in accordance with NSW WorkCover 'Working near overhead powerlines' Code of Practice 2006	Noted
All fencing (including temporary fencing) must comply with Transgrid's Fencing Guidelines, including earthing and/or isolation requirements.	Noted
If fence heights are not stipulated on the plans, then approval is based on the assumption that all fences will be no higher than 2.5m. If fences are planned taller than 2.5m then full details must be provided	Noted
No metallic structures or infrastructure shall be installed unless they form part of the approved plans.	Noted



Transgrid Comment	Comment/Response
Any works proposed MUST NOT reduce clearance to conductors below that required in AS7000	Noted
Where transmission lines are 132kV and below activities/development/structures must be located at least 20 metres away from any part of a transmission structure or supporting guy wire, or for metallic structures, be located at least 22 metres away from any part of a transmission structure or supporting guy wire and be located at least 10 metres from the centre of the transmission line	Noted
Where transmission lines are 220kV and above activities/development/structures must be located at least 30 metres away from any part of a Transmission structure or supporting guy wire, and be located at least 17 metres from the centre of the transmission line	Noted
Precautions must be in place to prevent damage to transmission line structures and guys. Any damage due to construction activities to be reported immediately to Transgrid	Noted
Recommended Conditions	
Parking shall be prohibited on the turning head where it is within the easement	<ul> <li>Noted – The turning head is for fire services vehicles only and no parking is proposed</li> </ul>
Transgrid shall be able to access the structures at the Southern and Northern ends of the site via Road no. 8	Noted
Any fencing running along the boundary of a Transgrid easement shall be as per Transgrid fencing guidelines	Noted
Additional notes	
During construction phase Transgrid should not be restricted from undertaking normal maintenance & inspection activities, and at the completion of works, access to Transmission Line & Structures shall be available at all times for Transgrid plant & personnel.	Noted
Any machinery operating within Transgrid's easement shall not exceed 4.3m height, and at least 22m away from TL structures or supporting guys	Noted
During construction, adequate precaution shall be taken to protect Transgrid structures from accidental damage and the easement area	Noted



Transgrid Comment	Comment/Response
shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction material.	
If fence heights are not stipulated on the plans, then approval is based on the assumption that all fences will be no higher than 2.5m. If fences are planned taller than 2.5m then full details must be provided. Metallic fencing must be earthed. For more details, please refer to "TransGrid Fencing Guidelines'.	Noted
Works must not create excessive quantities of dust, and proponent must employ dust suppression. A dust management plan is not expected to be provided to Transgrid, but provision must be made for such a plan to avoid causing damage to the transmission line such as dust pollution on insulators.	Noted
Earthworks Conditions	
No mounds of earth or other materials may be left on the easement during and after earthworks, as this creates a hazard by reducing the vertical clearances to transmission lines	Noted
Excavations deeper than 2m such as trenches and pits need individual assessment to ensure there are no adverse impacts, particularly to Transgrid structures and earth straps	Noted
Any cut operations as part of bulk earthworks are generally not a concern, provided they do not adversely impact access or encroach within 30m of a structure	Noted
Any earthworks involving fill need to be assessed to determine impacts on conductor height clearances. This will require provision of a 3D DXF or otherwise detailed survey plans with before and after RLs to enable a height clearance check to be undertaken. Minor resurfacing works which do not increase ground levels by more than 100mm can be excluded provided this is clearly stated on the plans	• Noted
Construction Conditions	
Any construction work within the easement shall maintain safety clearances to the exposed conductors in accordance with NSW WorkCover 'Working near overhead powerlines' Code of Practice 2006 (Transgrid may provide preferred crane locations, for the purpose reducing static induction)	Noted



Transgrid Comment	Comment/Response
During construction phase Transgrid access is to be maintained 24/7. Transgrid to provide suitable padlock/s for any gates	Noted
The works shall not impede or restrict Transgrid from undertaking normal maintenance and inspection activities and, at completion of works, access to Transmission Lines and structures shall always be available for Transgrid plant and personnel for future Transgrid maintenance activities	Noted
Dust: Works must not create excessive quantities of dust and proponent must employ dust suppression. A dust management plan is not expected to be provided to Transgrid, but provision must be made for such a plan to avoid causing damage to the transmission line such as dust pollution on insulators	Noted
The easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction materials	Noted
Vehicles or equipment having a height exceeding of 4.3m when fully extended may traverse the easement if stowed and locked for travel. Operation within the easement must be done in accordance with NSW WorkCover Working near overhead powerlines' Code of Practice 2006	Noted
Consideration is to be given in the design works for any proposed access ways/roads over Transgrid's easement to cater for the weight and size of Transgrid's maintenance vehicles - to withstand the 40 tonne load capacity of maintenance trucks.	Noted
For where travel is required by Transgrid's maintenance vehicles, Batter slope is to be no steeper than 1 in 6.	Noted
Traffic control: During construction, traffic control measures need to be implemented to prevent vehicles colliding with Transgrid's transmission towers.	Noted
Where temporary vehicular access for parking during the construction period is within 17m of transmission line structure, adequate precautions shall be taken to protect the structure from accidental damage	Noted
Table 4: Response to Transgrid comments	

Table 4: Response to Transgrid comments