

Reference No.	Council RFI Concern	Applicant Response
<b>1</b>	<b>PLANNING MATTERS</b>	
1.1	Interface with adjoining lands and road connections	
1.1.1	<p>The earthworks proposed are up to 3 metres maximum adjoining Western Sydney University (WSU) and Lot 1 Water Street to facilitate the east-west collector road &amp; road 12 and the industrial lots. There is concern regarding the level differences between the proposed works and existing adjoining lots and how the road connection will be pursued in the future. You are therefore requested to provide detailed sections at these interfaces showing proposed levels and existing levels of the adjoining lots (where future road connection is required) for review.</p>	<p>The wall heights are a function of the drainage constraints associated with Road 11 (the East West Road). At Chainage 875, the RL of this Road is set by the outlet invert level, pipe sizes and pipe cover associated with Basin C. Between this Chainage (875) and Chainage 532.354 (where Road 12 intersects Road 11, the grade of the Road is 0.7% - except for a Vertical curve near Chainage 875). Road 12 is 1% across its entire length, except for the sag curve where the Road meets the cross fall of Road 11. We advise that Road 12 could be made to be 0.7% and that this would lower Road 12 where it meets the boundary of Lot 1 Water Street by about 300mm. This would bring the level difference down from 1.4m to about 1.1m where the Centreline of the Road meets the boundary.</p> <p>However, we believe that adjusting the Road levels of Road 12 in this way would be to the detriment of Lot 1 Water Street. We note that the southern portion of Lot 1 Water Street flows to the south to Claremont Creek. We have assumed that an outlet to this Creek would be at RL25.00 based on the 1:100 year flood levels for the area (modelled under the South Creek Flood Study prepared by Worley Parsons in 2015 and available on the Penrith City Council website). Projecting a grade northward along the Road 12 extension of 0.5% from this outlet level to a point 30m south of the crest produces a Road level at this point of RL27.95. This is compatible with the Road 12 longitudinal grade shown in the current Cardno Plans.</p> <p>Attached is a sketch (Attachment G) illustrating our assessment of Lot 1 Water Street. Please note also that this sketch also shows our proposal to relocate the temporary cul-de-sac at the end of Road 12 northward so that instead of a retaining wall at the boundary of Lot 1 Water Street, there will instead be a batter at a 1:4 slope.</p>

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		<p>The Level difference between Road 12/ Lots 4001-4003 and WSU and Lot 1 Water Street boundary are a result of the Road 12 design. Lots 4001 to 4003 need to drain to Road 12 and naturally need to sit above this Road.</p> <p>We note that Road 11, where it meets the boundary of ESU, is at existing grade.</p>
1.1.2	It is noted that the wall designs for the industrial lots adjoining Cobham have in part been driven by discussions with Cobham and their security considerations. However, there is concern regarding how the visual bulk of these lots (considerable retaining walls, built to boundary) will present to other adjoining lots (WSU/Lot 1 Water Street). Final solutions/mitigation measures to lessen the bulk and scale (exacerbated by level differences) are sought for consideration as part of this proposal.	The industrial lots will be benched. The levels will be set so that only one side of the frontage is on grade with Road 11 (the East West Road). Please find attached marked up sheets of the site works plans for these lots indicating what these benched levels will be in Attachment D. Also see the long section of the retaining wall to the south of the industrial lots showing a reduction in wall area (see <b>Attachment Q</b> ). The area of the face of this wall can be reduced from 5,975m <sup>2</sup> to 4,667m <sup>2</sup> .
<b>1.2</b>	<b>Landscape buffer &amp; residential residue lots adjoining the East West Collector (Road 11)</b>	
1.2.1	As per our meeting on the 16 March 2020 to discuss traffic matters you were advised that at a minimum Council would accept a 3.5m landscape buffer width adjoining the proposed residential residue lots. The proposed 3m therefore does not suffice and you are requested to amend the plans as per Council's initial request. Noting that the extra 0.5m is to be found from the residential side of the development not the industrial nor road reserve.	<p>Following the meeting on 16 March 2020, Council agreed via email dated 22 March 2020 to a road reserve of 25m, which comprises of;</p> <ul style="list-style-type: none"> <li>- Southern verge – 4m including 1.5m footpath</li> <li>- Pavement – 14m</li> <li>- Northern verge – 7m (1.5m tree planting back of kerb, 2.5m share path, 3m landscaping between footpath and property boundary).</li> </ul> <p>Although this was reflected in the revised Engineering Plans, revised Landscape Plans were not provided at the time. Included in <b>Attachment E</b> are revised Landscaping Plans that reflect the above dimensions and other amendments as detailed in subsequent sections of this response.</p>
1.2.2	The elevated landform of these residential residue lots exacerbates a poor visual outcome from the public domain which a 3.5m landscape buffer can only ameliorate so much of. Essentially, the raising of these lots to provide a better	The revised plans include the lowering the landform so that the individual benches are at grade with Road 01. At Road 11 (the East-West Road), the lots will sit up to 0.6m higher than the road level. This level difference is managed through the landscape batter. At 3m wide, this will have a maximum grade of 1:5. Importantly, the need for a

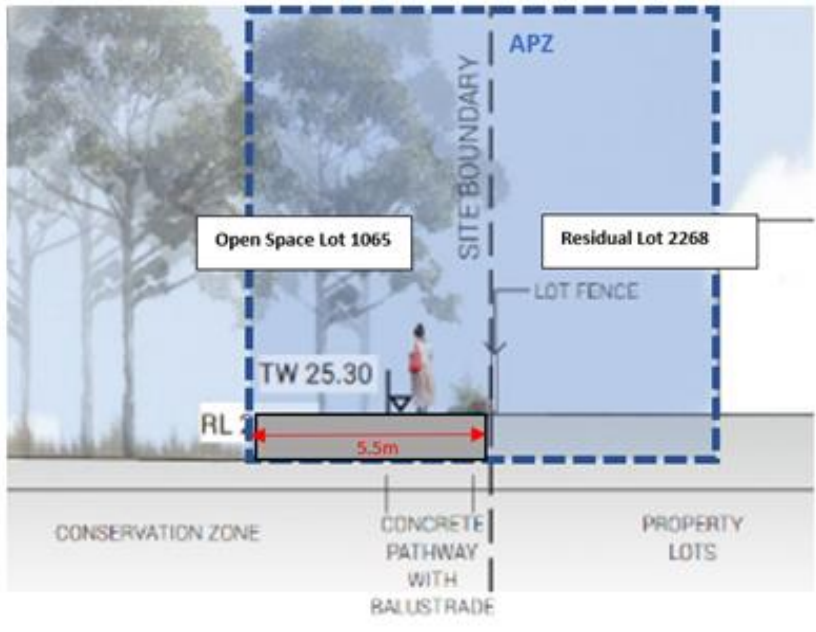
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	residential amenity is a private problem that is relying on the public domain to heavily offset. You are therefore requested to lower the final landform of these lots to a more conventional level/street level for further review.	<p>retaining wall at the rear of the residue lots has been removed from all lots apart from Residue Lot 1252, where a small section of wall is required to ensure the batters remain at a reasonable grade. This retaining wall is greatly reduced and only applies to this portion of the E/W Road (see diagram in <b>Attachment T</b>).</p> <p>Note that it is not feasible to lower the lots any further as they need to sit at least at grade with Road 01 for runoff to be captured by the Eastern OSD/bioretention basin.</p> <p>To provide Council with assurance of the outcome – there is an existing Development Application currently under assessment by Council for integrated subdivision and housing over proposed residue lots 1252, 1263, 2046, 2048 and 2212 (DA20/0200). This DA includes proposed earthworks to bench the future lots to facilitate the delivery of the associated dwellings. Please find attached <b>Attachment I</b> sketches in section illustrating how the proposed levels and the resultant subdivision and housing DA under DA20/0200 intend to be delivered.</p>
1.2.3	The proposed landscape buffer has a steep grade and selected planting scheme that presents future maintenance difficulties for Council. It is therefore requested that amendments be made to have a low sloping batter (with integrated and aesthetically pleasing fence detailing behind-to be considered as part of DA20/0200), with fail-safe screen planting of Photinia (or similar) against the wall/fence treatment. Then in front of this would be a continuous mix of canopy trees in mulch between the Photinia hedge and low-level planting adjoining the path. You are requested to amend the plan to address the above considerations for review.	<p>As outlined above, the revised plans provide a lowered landform for the residue allotments, which in turn will reduce the grade of the 3m planted buffer between the cycleway (in the Road 11 reserve) to the boundary with the lots and housing proposed under DA20/200. As a result of the revised level, the planted buffer will have a maximum grade of 1:5.</p> <p>Furthermore, the amended Landscaping Plans in Attachment E, have been formulated in consultation with Council's landscape team to ensure suitable species are provided.</p>
1.2.4	<p>Where the road section changes (specifically the landscape buffer decreasing to 2m on the residential side) from lot 2254 and onwards to the east the following is requested:</p> <ul style="list-style-type: none"> <li>➤ How are the driveways proposed to work with batter as shown on landscape plan? Further detail should be provided (sections, spot levels etc) if the batter is</li> </ul>	<p>Proposed Lot 2250-2254 ad 3008-3016 are accessed from Road 11. The levels for these lots are set off Road 11 (rather than Road 01 as required for the residue lots). As a result there is no batter required for these lots.</p> <p>The revised Civil Plans in <b>Attachment D</b>, revised Landscape Plans in <b>Attachment E</b> and a Public Domain Plan in <b>Attachment U</b> have been provided to more clearly show the relationship of these lots to Road 11 and include details related to street trees and driveways.</p>

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	<p>to be retained for lots with driveways accessed from the EW collector road.</p> <p>➤ Further landscaping details/amendments are required for this portion as it is noted that the street tree plan does not indicate any additional trees/plants in this 2m area but there is an illustrated section that does show a battered landscaped treatment</p>	
1.2.5	Pot sizes for trees within this landscape buffer are to be a 50/50 mix of 200L and 400L	<p>In the meeting with Council on Tuesday 23 June 2020, it was outlined that 200L and 400L pot sizes may be too specific and difficult to procure at the quantities required.</p> <p>It was therefore determined that a suitable condition could be provided that requires evidence that the relevant number of 50L (or other suitable size) sized trees have been procured by the developer at subdivision certificate stage (relevant to each stage), with the trees to be delivered at the issue of the final occupation certificate for the final dwelling within that stage. A note has been provided on the Landscape Plans within <b>Attachment E</b> accordingly.</p> <p>This would allow time for the tree to be acquired and cultivated to a suitable size and avoids the situation where the trees would be damaged during construction.</p>
1.2.6	<p>No neat clipped hedging style is to be proposed due to ongoing maintenance burdens. Rather Council's preference is for a more loose and informal appearance</p> <p>Irrigation details are to be provided for this area.</p> <p>This landscape buffer is south facing but the area is also very hot in summer considering western aspect. It is not thought that all species provided to this area will be able to survive summer. It is therefore requested that the species is carefully reviewed and reconsidered for this area. N.B There are further species recommended within the landscape matters section that will assist with address of this matter.</p>	<p>Revised Landscaping Plans have been prepared in consultation with Council and provided in <b>Attachment E</b> these plans provide irrigation details and revised planting schedule that addresses Council concerns on types and locations of species.</p>
1.2.7		
1.2.8		

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<b>1.3</b>	<b>Land-owners consent</b>	
1.3.1	The proposed roundabout on Werrington Road will encroach into Lot 12 DP 734612 (refer to engineering plan sheet 1311) as owned by Transport for NSW. Owners consent is to be provided for these works.	An Application has been submitted to Transport for NSW for land owners consent for the portion of the proposal that encroaches over Lot 12 DP734612.  We understand that this along with the final land owners consent for Lot 1 DP527752 (see item below) are the final outstanding issues to be resolved.
1.3.2	The civil plans show batter encroaching within lot 1, DP527752, 51 Rance Road (refer to engineering plan sheet 1305). Owners consent is to be provided for these works. N.B. Any batter steeper than 1 in 5 will require an easement for support	Lendlease is expecting to receive the land owners consent from the owners of land at Lot 1 DP527752 shortly and will be provided under sperate cover. In accordance with the Civil Plans in <b>Attachment D</b> – the batter will be less than 1 in 5 and not require any easement.  We understand that this along with the final land owners consent for Lot 12 DP734612 (see item above) are the final outstanding issues to be resolved.
1.3.3	The civil plans propose to construct a drainage inlet structure within land owned by Cobham Youth Justice Centre (Lot 1 DP 749982), to accommodate overland flows that will be obstructed by the retaining wall (refer to engineering plans sheet 1304 - Pit A01/11). Owners consent is to be provided for these works.	Landowners consent for the proposed works over land associated with the Cobham Youth Justice Centre (Lot 1 DP749982) has been granted by NSW Department of Communities & Justice, Infrastructure & Assets and is included in <b>Attachment C</b> .
1.3.4	The Statement of Environmental Effects is required to be amended to detail the address, and formal particulars of title, of the land/s on which the development is to be carried out.	An updated Statement of Environmental Effects, which references all lands subject of the application is provided in <b>Attachment J</b> .
1.3.5	It is acknowledged that letters have been provided from individuals associated with Western Sydney University and Wollemi College/Pared Limited. However, given that both land owners are companies an ASIC extract or company seal must also be provided to authorise the signatory.	Western Sydney University is not a company and therefore not subject of the 'execution of documents' conventions under Cl. 127 of the Corporations Act 2001. The University is a body corporate under section 6 of the Western Sydney University Act 1997. In accordance with under section 24(1)(b) of the Western Sydney University Act 1997 the Board of Trustees of the University has control and management of the University's property. The Board is able to delegate any of its functions to an authority or offer of the University (Section 23). It has delegated to a number of officeholders, including the Vice-President, Finance and Resources and the Executive Director, Estate

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		and Commercial, authority to approve, sign and lodge development application in report of University owned or controlled lands, including obtaining owners' consent. See Delegation BB7 in the Delegation Schedule BB (Real Estate and Infrastructure) in <b>Attachment C</b> .
<b>1.4</b>	<b>Residential lots adjacent to Western Sydney University (Lots 1056 to 1213)</b>	
1.4.1	Lots 1212 & 1213 share driveway access with the pedestrian link which is undesirable due to pedestrian and vehicle conflict. Additionally, the proposed retaining wall (and then a 1.8m high fence on top) along the southern boundary of lot 1213 is a visually poor outcome fronting the public domain. It is therefore requested that lot 1213 is removed. Additionally, amended plans should be supplied to detail the interface between the driveway servicing lot 1212 and the pedestrian link and should also detail physical safety measures between the driveway and pedestrian link.	<p>The road reserve and associated landscaping strip associated with Road 11 will continue along the side boundary of proposed Lot 1213. Provided in <b>Attachment K</b> is a sketch detailing the interface between the driveway servicing proposed Lots 1212 and 1213.</p> <p>The final Engineering Plans in <b>Attachment D</b> and Landscaping Plans in <b>Attachment E</b> both show the electrical substation on the western side of the link in order to improve the delineation between the footpath and driveway to achieve a better landscape treatment.</p>
1.4.2	How are the planter beds between the terraced retaining walls to be accessed? Steps should be detailed on the plans to ensure there is easy residential access up to the varying levels to allow for garden maintenance.	The revised Engineering Plans in Attachment D now include steps where required. The steps are to be located within the space between the walls. As such, these will be positioned so that the steps are perpendicular to the walls. Notations have been made on the Engineering Plans to reflect this.
<b>1.5</b>	<b>Residue Lot 2268</b>	
1.5.1	The residue lot 2268 adjoining existing town houses, for which the road and lot details have now been removed, proposes a cross fall of approximately 2.5% from Road No 9 through to the retaining wall adjoining the existing townhouse development. The retaining wall is approximately 0.9m high based upon a 2.5% crossfall (Section 4 on sheet 1152 of the engineering plans). If a 1% crossfall is adopted to allow slab on ground construction, the retaining wall will be approximately 1.7m high.	<p>It will be the subject of future Development Applications to address the interface with the existing adjoining allotments. However, in previous plans it was demonstrated how a potential future Torrens Title subdivision with attached/abutting dwellings could be delivered on the site. In this scenario a new road was constructed to assist in managing the level differences to the existing Town House Development. An example of how this form of development could be delivered to achieve a suitable interface with the adjoining Town House Development is provided in <b>Attachment L</b>.</p> <p>There is no intention to construct the retaining wall higher than 0.9m as documented on the plans in <b>Attachment D</b>. It should also be noted that any proposal over this site</p>

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	You are therefore requested to provide further clarification as to how a built form outcome is to be achieved on the site, given that earthworks/substantial retaining walls to facilitate a 1% crossfall are unlikely to be supported adjoining the existing townhouse development to the north of this lot.	will be subject of a future Development Application. Council can not reasonably restrict the issuing of an approval of this application on account of the indicative proposal over a residual lot.
<b>1.6</b>	<b>Asset Protection Zones (APZs)</b>	
1.6.1	<p>The subject site is a large greenfield site with nominated areas for vegetation retention/protection within areas of the central park – in line with the DCP controls. The DCP also stipulates that parks are generally to be bound by roads which consequently also benefits bushfire considerations in that the road acts as a buffer between the threat and residential buildings, without requiring additional vegetation removal and ongoing maintenance impost on public land.</p> <p>Therefore, APZs imposed within the central park to facilitate any future residential lots will not be supported by Council.</p> <p>Roads are to border the central park and any APZs required to facilitate future residential development are to be contained outside of the park (roads/private land). You are therefore requested to amend your plans and documentation to reflect this requirement.</p>	<p>We understand that Council's concern is that the entirety of the APZ will be located solely within the open space. To address this concern and comply with the RFS GTAs, it is proposed that 5.5m (50%) of the APZ be provided within Residual Lot 2268, with the remaining 5.5m (50%) of the APZ being located within the proposed open space (ie Lot 1065). In this regard, it is noted that DA 20/0081 for the delivery of the Central Park (currently under assessment by Council) proposes a 1.99m wide pathway proposed on top of a retaining wall within Lot 1065 immediately adjacent to Residual Lot 2268.</p> <p>A suitable condition could be imposed on DA 20/0081 requiring the widening of the path to comprise of 0.75m grass strip next to the boundary of Lot 2268, a 3m pathway, and a 0.75m residue native grass edge into the reserve (5.5m total). This would mean that the remaining trees within the proposed open space could be retained to meet the RFS requirements, while minimising the maintenance burden to Council and providing a clear physical delineation to the APZ (see following figure).</p>

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		 <p>This proposed solution represents a mutually beneficial outcome, that significantly reduces the impact on any existing environment (less impact that what was previously deemed acceptable), ensures that there is minimal to no maintenance burden on Council and reduces the impact on future development Residual Lot 2268.</p> <p>The relevant Vegetation Management Plans have been updated to reflect this proposal and are provided in <b>Attachment M</b>.</p>
<b>1.7</b>	<b>Road 10 and Lots 3002-3007</b>	
1.7.1	It is acknowledged that the initial Council request sought connection of road 13 to road 15 (now shown as roads 10 &	The proposed layout within <b>Attachment F</b> reflects the final road alignment of Road 10 and 13.



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	<p>13) and the plans have been amended to show this. However, on further review it is requested that road 10 is carried through adjacent to residue lot 3001 to provide a more logical connection and adequate separation (by way of the road layout) between what is to be higher density (residue lot 3001) to lower density (lot 3002).</p> <p>Additionally, proposed lots 3002-3007 are irregularly shaped and have dual frontages which are not desirable due to presentation concerns and the unlikelihood of a standard dwelling design being compatible on this land.</p> <p>You are therefore requested to consider an alternative lot and road arrangement in this area for further review</p>	<p>The revised layout <b>Attachment F</b> has reduced the number of allotments that will have dual street frontages. It is recognised that as a result of the reconfiguration, only Lots 3002-3005 (4 lots total) will still have dual street frontages and require additional consideration to how future dwellings and fencing will address each road frontage to maintain a desirable streetscape.</p> <p>The applicant has no control over when the balance of Road 13 will be delivered through to Walker Street. Therefore, proposed dwellings will need to have their primary access off Road 10.</p> <p>In accordance with controls provided under 12.8.4.6, Subsection C of the Penrith Development Control Plan, fences to the street frontage are to be a maximum of 900mm in height or 1.2m where they define the primary open space of a dwelling, however Control 4 under the same subsection details that;</p> <p>"Solid front fences at 1.8m in height are to provide for a 1.2m landscape strip in front of the fence for its entire length".</p> <p>In accordance with this control, the fence to Road 13 must either be 1.2m in height (as it is likely it will be the backyard of the future dwellings) or if it is proposed to be 1.8m high fence, that 1.2m of landscaping is required in front of the fence.</p> <p>It is our understanding that Council's concern is that despite these controls, a dwelling could be established on these sites as Complying Development and therefore only requires compliance with the requirements of Part 3 of the State Environmental Planning Policy (Exempt and Complying Development Code) 2008 (<b>Code SEPP</b>).</p> <p>To avoid the situation where dwellings and fencing are delivered that provide an undesirable interaction with future Road 13 under Part 3 of the Code SEPP, it is suggested that Council provide a condition that requires an encumbrance be registered over the future Lots 3002-3005 at the time of the issue of a subdivision certificate. The encumbrance would be in favour of Council and require fencing on these lots include a 1.2m setback from Road 13 if the fence is 1.8m high, or (if preferred) that any fence established addressing Road 13 is 1.2m in height.</p> <p>The requirement for this encumbrance would be detailed in a condition of consent.</p> <p>It is recognised that in accordance with Clause 1.2 of the Code SEPP that any agreement, covenant or other similar instrument that restricts development does not</p>

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		<p>apply to the extent necessary to allow complying or exempt development – other than if that covenant is imposed by a Council (Cl. 1.2(2) of the Code SEPP).</p> <p>In accordance with Cl. 1.2(2) of the Code SEPP, on account the above encumbrance would be imposed by Council, any future complying development on the land will require to have regard to the restriction.</p> <p>This provides assurance to Council that despite the irregular configuration of Lots 3002-3007 that future development (even if delivered under CDC) will be provided in accordance with the relevant controls within the Penrith Development Control Plan.</p>
<b>1.8</b>	<b>Miscellaneous Matters</b>	
1.8.1	Given that the plans require further amendments you are requested to remove all future proposed lots and road arrangements on residue lots – to avoid any confusion.	The revised Plans in <b>Attachment D-F</b> have removed the future proposed layouts on Residue Lots.
1.8.2	The public domain plan is required to be amended to show all services (i.e. street lighting, drainage pits, substations etc) to ensure there is no conflict with services, driveways, trees, bin presentation etc. This plan is also required to show the pedestrian thru site links and the 3.5m landscape buffer zone (adjoining the EW Collector Road). Please ensure this plan is to scale	A public domain plan has been included in <b>Attachment U</b> .
1.8.3	Can you please clarify the wording of the easements proposed around the substations (i.e. no buildings/structures within the easement? No pools permitted in the easement? etc)? Additionally, can you please clarify how this will impact upon built form outcome as there is instances where substation easements will transect the middle/rear of proposed residential lots.	Please find attached documents which sets out the easement and restriction terms associated with the substations ( <b>Attachment N</b> ). There is one restriction which pertains to swimming pools which obviously will not be an issue. The other restriction relates to the fire rating of buildings within the Easement. We advise that the future dwellings which will sit within this Restriction will be able to accommodate the fire Rating requirements.

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2	ENGINEERING MATTERS	
2.1	Additional Survey	
	Additional survey information is required at the following locations to determine the developments impact upon existing surface sheet flow of stormwater: Existing natural surface levels and confirmation of any drainage systems within the existing townhouses courtyard areas along the northern interface of the residue lot at Stage 2B. This information has been previously requested, but not supplied.	This survey was carried out and was shown on sheet 1051 of the Engineering Plans currently before Council. A standalone plan with this detail at a greater scale has been provided alongside the revised Engineering Plans in <b>Attachment D</b> .
2.2	Road Widths	
	Road No 09 is to be widened to a Local Road as per the DCP. Road No 9 provides a local 'collector' type road function and shall be widened to a Local Road (i.e. 10.5m wide pavement). Road No 13 is to be widened to a DCP Local Road (10.5m pavement & 2 x 3.8m verges) to match with the approved development to the north.	<p>We respectfully ask Council to relax this requirement.</p> <p>AustRoads describes Collector Roads as "local streets that have a greater role than others in connecting contained urban areas (e.g. residential areas, activity areas) to the arterial road system. Generally, consideration of environment and local life predominate and improved amenity is encouraged over the use of vehicles on these roads".</p> <p>We note that Road 09 has direct intersections with the lowest order streets in the subdivision.</p> <p>Amcord describes Collector Road as a street [which] collects traffic from access streets and carries higher volumes of traffic. A reasonable level of residential amenity and safety is maintained by restricting traffic volumes and vehicle speeds. Vehicle speeds are controlled by street alignment, intersection design and, in some cases, by speed control measures". Amcord also establishes an Indicative Traffic Volume of 3000 movements per day for a minor Collector Road and advises that there should be a "maximum of three turning movements from houses to the nearest collector street/arterial Road".</p> <p>We note that only one tuning movement from houses to this Road is required.</p>

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		<p>The Landcom Street Design Guide similarly defines Collector Streets as streets which “link neighbourhoods together. They usually carry bus routes within as well as between neighbourhoods. Neighbourhood and local centres are usually located along these routes at intersections”. The indicative traffic volume range for Collector Streets is 3000-6000 per this guideline. We note that there are no bus routes along this Road.</p> <p>We have estimated the AADT along Road 09 to be 1342. This is less than the 3000 movements established for Collector Roads in the above guidelines. This calculation is based on the following assumptions:</p> <ul style="list-style-type: none"> <li>• Stage 1A and 1C traffic assumed to use Rance Road access based on shortest distance approach and therefore utilise Road 08 (ignored from this AADT calculation)</li> <li>• Industrial area was assumed to fully utilise Road 11 and therefore ignored from the AADT calculation</li> <li>• Access from/to Statewide development (25 Rance Road) assumed to be via Rance Road only and therefore ignored from the AADT calculation</li> <li>• The traffic assessment assumed a trip generation rate of 0.53 and 0.49 vehicle trips per dwelling for low density residential (AM and PM peaks respectively), which was backed up by the ATC tube count analysis incorporated in our TIA report. Our assessment also assumed a 0.29 peak hour generation rate (both peaks) for high density residential (33 apartments)</li> <li>• Guide to traffic generating development – Updated traffic surveys TDT 2013/04a guidelines suggest a 10.7 daily vehicle trips per dwelling for low density residential developments (in Sydney) with a corresponding 0.95 and 0.99 vehicle trip rate per peak hour per dwelling (AM and PM respectively)</li> <li>• The RTA Guide to traffic generating development v2.2 (2002) guidelines suggest a 4-5 (up to 2 bedrooms) and 5-6.5 (2+ bedrooms) daily vehicle trips per dwelling for medium density residential developments (in Sydney) with a corresponding 0.4 and 0.5 vehicle trip rate per peak hour per dwelling (AM and PM respectively for up to 2 bedrooms) and 0.5 and 0.65 vehicle trip rate per peak hour per dwelling (AM and PM respectively for 2+ bedrooms). A</li> </ul>

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		<p>conservative daily trip rate of 5.5 daily trips was assumed for the AADT calculation.</p> <ul style="list-style-type: none"><li>Therefore, as the calculated hourly trip generation rates for the Werrington subdivision (0.53 and 0.49) better reflects the nature of medium density residential development, the daily trip rates as mentioned above were used.</li><li>It should be noted that the calculation is considered a worst case scenario in which all traffic from Stage 1B, 2A and 2B will utilise the same section of Road09 (as there are many parallel side roads that feed into different locations of Road 09).</li></ul> <p>The AADT comes to 1,342 trips per day using the 5.5 daily trip rate and 2,611 trips per day using the 10.7 daily trip rate.</p> <table><tr><th>Residential Type</th><th>No of Dwellings</th><th>Daily vehicle trip rate (RMS guide)</th><th>Daily vehicle trips (RMS guide)</th><th>Daily vehicle trip rate (RMS guide) adjusted</th><th>Daily vehicle trips (RMS guide) adjusted</th></tr><tr><td>Low Density Residential</td><td>244</td><td>10.7</td><td>2,611</td><td>5.5</td><td>1,342</td></tr><tr><td>High Density Residential</td><td>-</td><td>1.5</td><td>-</td><td>1.5</td><td>-</td></tr><tr><td colspan="3">AADT</td><td>2,611</td><td>-</td><td>1,342</td></tr></table> <p>Based on the above, Road 09 is a Local Road and the proposed road geometry is consistent with that applied to local roads under the Penrith Development Control Plan.</p>	Residential Type	No of Dwellings	Daily vehicle trip rate (RMS guide)	Daily vehicle trips (RMS guide)	Daily vehicle trip rate (RMS guide) adjusted	Daily vehicle trips (RMS guide) adjusted	Low Density Residential	244	10.7	2,611	5.5	1,342	High Density Residential	-	1.5	-	1.5	-	AADT			2,611	-	1,342
Residential Type	No of Dwellings	Daily vehicle trip rate (RMS guide)	Daily vehicle trips (RMS guide)	Daily vehicle trip rate (RMS guide) adjusted	Daily vehicle trips (RMS guide) adjusted																					
Low Density Residential	244	10.7	2,611	5.5	1,342																					
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AADT			2,611	-	1,342																					
2.3	Lot Grades																									
	Lots have been graded between 2% and 2.5% from the street along with a batter from the verge area. Detailed sections are required of particular lots to demonstrate that the lots can accommodate a slab on ground construction, along with compliant driveway grades and rear courtyards that are level. Proposed retaining walls and batters at the front of lots that are to be delivered with the subdivision works are also to be	<p>The requested sections are provided in <b>Attachment D</b>. These provide assurance to Council that slab on ground construction can be achieved without further earthworks or retaining walls.</p> <p>It is requested that Council allow some tolerance to the pad levels given that the Floor Levels of the buildings are not set as yet. A qualifying statement is included on the Site</p>																								

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	shown. Detailed sections are required for Lots 1062, 1040 & 1012 (Section 13 of sheet 1155 in the engineering plans) and lots 1220 & 1226 (Section 12 of sheet 1154).	Works and Cut/Fill Plan to the effect that the benched levels are indicative and may change by up to 0.3m.
2.4	Retaining Walls	
	Retaining walls are proposed along the interface with Wollomi College (southern interface of Road No 11 and the eastern interface of the southern section of Road No 12) where previously a 1 in 4 batter was proposed. It is noted the retaining wall be located within the road reserve thereby requiring Council to maintain the retaining wall. Retaining walls supporting Council's road are generally not supported unless all other options have been exhausted. If a retaining wall is to be considered, then where the road is in fill, Council will require a 4m wide easement for access and maintenance be provided over the adjoining private lands. Pedestrian and vehicular safety barriers will be required along the top of any retaining wall. If a batter is proposed then an easement for support will be required where the batter is steeper than 1 in 5 (vertical to horizontal). Owners consent for the easement will be required prior to determination.	Cardno's Structural Team have suggested a simple maintenance free reinforced concrete wall and estimate that the design life for such a wall would ordinarily be 100 years.  Attached is a sketch showing an indicative design profile for this wall ( <b>Attachment H</b> ) with the engineering plans in <b>Attachment D</b> showing the construction of the wall to Concrete Bridge design standards (AS 5100.5). It is requested that Council give some consideration to this wall type and to relaxing the requirement for the maintenance Easement given that the wall will be maintenance free.
2.5	Intersection of Road No 7 with Walker Street and Landers Street	
	The intersection as presented is not acceptable as no clear defined right of way exists. This has been discussed previously with Lendlease however appears to have not been addressed. The kerb & gutter on the eastern side of Road No 7 is offset from the kerb & gutter of Landers Street by approximately 2.5m which is not an acceptable geometry for a regular 'T' intersection. Council will not support a 'Reverse T' type arrangement at this intersection. Road No 7 is to be re-aligned generally as a straight from Chainage 00 through to	The applicable intersection has been amended and reflected in the various attached plans. The transition between the Lander Street alignment and the alignment of Road 07 now occurs within the site. The reverse curve is situated so that it is midway between this intersection and the Road 07 / Road 09 intersection. The Plans provided in <b>Attachment D-F</b> reflect this change.

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	approximately Chainage 75. Council appreciates that the eastern boundary of the residue lot in Stage 2B will be required to move back towards the west to accommodate a 3.8m verge. It is suggested that the eastern boundary of the residue lot be re-aligned to match with the south-eastern corner of the adjoining lot to the north.	
3	LANDSCAPING MATTERS	
3.1	Pedestrian thru site links	
3.1.2	<p>The pedestrian thru site links should each be different in character to assist wayfinding. Suggested ways to achieve this could include; pavement differences, signage and different tree species/planting scheme for each link. Additionally, it is also requested that the pedestrian thru site links landscape plans are amended to include;</p> <p>A mix of species diversity;</p> <p>A mix of evergreen and deciduous trees depending on aspect, proximity to buildings etc.;</p> <p>More trees to help with screening, shading western sun etc.</p> <p>No neat clipped hedging style is to be proposed due to ongoing maintenance burdens. Rather Council's preference is for a more loose and informal appearance.</p> <p>Irrigation details.</p>	<p>A workshop was held with Council Landscaping team on 9 June 2020 to discuss specific landscaping matters. The revised plans provided within <b>Attachment E</b> include additional considerations to Pedestrian Thru Site links and mix of species diversity. The revised plans have also had significant consideration of providing suitable low maintenance screening and an attractive streetscape, particularly within the East/West Collector Road reserve.</p>
3.1.2.1		
3.1.2.2		
3.1.2.3		
3.1.2.4		
3.1.2.5		
3.1.3	<p>The substations placed within the pedestrian thru site links will be visible to the EW Collector road, which is undesirable. You are requested to amend the plans to either show the substation located deeper into the pedestrian thru site links OR alternatively screen the substations from view from the EW collector road. One option to screen the substations may be</p>	<p>The screening of the substations has been reconsidered in the plans provided within <b>Attachment F</b>. Noting that there are specific requirements regarding materials and separation distances that apply to these substations, the proposed outcome is considered the best screening outcome that can be delivered without conflicting with</p>

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	to relocate the path to the west and meander thru the link, providing more space around the substation for planting/screening.	the service providers requirements or providing an unsafe environment in accordance with the principles of "Crime Prevention Through Environmental Design".
3.2	Trees Generally	
3.2.1	Council supports both street monocultures as well as mixed species streets, depending on aspect and species selected. However, each street tree planting should be different to its neighbouring street, to assist identity and wayfinding.	The proposed street tree mix has been amended in accordance with the outcome of the 9 June 2020 workshop. The revised plans are provided in <b>Attachment E</b> . Any further required changes to species can reasonably be conditioned.
3.2.2	You are requested to demonstrate (including cross sections and specs) how proposed soil profiles to ensure optimal structural development of new trees is to be addressed eg. strip topsoil, decompact, new soil profile. Additionally, it should also be detailed how this will be managed effectively through construction.	This level of detail should be provided as part of Construction Certificate – it is unreasonable to request this level of detail to support a Development Application. Council should condition this detail be provided as part of any Construction Certificate.
3.3	Planting Species	
3.3.1	The following proposed plants/trees are not suitable in the proposed public domain and are required to be removed; Kangaroo Paw, Dianella, Pennisetum, Sapium, Plane Trees, Magnolias and Camellias. It is recommended that the following is considered instead:  Shrubs & Groundcovers Trees Pigface Melaleuca Trachelospermum Taller Callistemon Dodonea Tristaniopsis 'Luscious' Photinia Lagerstroemia Viburnum E. sideroxylon Rosea (limited extent)	The proposed planting schedule has been amended in accordance with the outcome of the 9 June 2020 workshop. The revised plans are provided in <b>Attachment E</b> . Any further required changes to species can reasonably be conditioned.



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	<p>Acacia Cupaniopsis</p> <p>Further to the above there are some trees proposed which are generally acceptable however with minor variations requested to be amended as follows: Brush Box, Waterhousia, Fraxinus (Urbanite form), E. Tereticornis (see above), Pyrus (but for east-west streets for solar access), Ulmus (but 'Todd') and Elaeocarpus.</p>	
3.3.2	E. tereticornis adjacent to open space is preferred to be an informal arrangement and mix of species (include Melaleucas, E. moluccana etc), not located between path and kerb, but planted a min. 3m from any path or kerb.	<p>The proposed planting schedule has been amended in accordance with the outcome of the 9 June 2020 workshop. The revised plans are provided in <b>Attachment E</b>.</p> <p>Any further required changes to species can reasonably be conditioned.</p>
3.3.3	It is requested that Dietes are not to be planted adjacent to paths, so as to avoid overspill.	<p>The proposed planting schedule has been amended in accordance with the outcome of the 9 June 2020 workshop. The revised plans are provided in <b>Attachment E</b>.</p> <p>Any further required changes to species can reasonably be conditioned.</p>
3.4	Environmental Waterways Matters	
3.4.1	While a review of the Engineering Report, indicates that the proposed measure would comply with Council's WSUD policy in terms of stormwater treatment, a MUSIC model as well as additional details regarding the design and maintenance considerations of the bioretention systems still has not been submitted for review despite earlier request. As such, this shall be provided for review.	An updated Engineering Report and MUSIC model have been provided to in <b>Attachment D</b> and <b>Appendix R</b> respectively.
3.4.2	In relation to the maintenance of the proposed bioretention systems, the designs should be amended to ensure they can be better maintained, and the following points are raised for your review:	In the circumstances of this proposal, it is respectfully requested that this requirement be relaxed. Vehicles can access the bioretention zone of Basin A via the access track to the OSD basin (from Road 07). There is a sandstone block bund wall separating the OSD basin from the bioretention basin which may impede access to an excavator. In

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3.4.2.1	It is noted that there is no access into the bioretention zone in the Eastern Basin (Basin A), and this should be rectified.	this respect, a section of the bund wall could be replaced by an earth bund for easy access into this bioretention basin. It is believed that this is an acceptable solution and a better overall outcome, noting that maintenance to the extent where the filter media layer is replaced is unlikely to occur at a frequency greater than 5 years.
3.4.2.2	It is preferential that the maintenance access tracks should be provided to enable access to the inlet / sediment forebays (and all parts of the basin)	Please note that this request is made from an aesthetic standpoint. A concrete access track with a gate to be built exclusively for such infrequent maintenance would appear to be unwarranted given that it would detract from the aesthetic intention established under the landscape plans for the basins.
3.4.2.3	The maintenance manual also suggests that machinery with a ground pressure more than 30KPa should not enter the bioretention system. In this regard, additional detail should be provided regarding how the basins are expected to be maintained in the long-term (i.e. how the filter media can be stripped from the top without compromising the underdrainage).	The relevant rating has been reviewed and it has been determined that the 30kPa rating will support a small excavator. The maintenance manual has been updated accordingly and is provided in <b>Appendix V</b> .
3.4.2.4	It is suggested that further design consideration be undertaken to improve the capacity for an excavator or similar being able to remove the top filter layer without entering the bioretention system itself. This could be done by splitting the larger basin into smaller cells with access paths and by providing improved access to the smaller basins	As outlined above, the revised maintenance manual in <b>Appendix V</b> details that the basin can be serviced by an 8-tonne excavator.
4	BIODIVERSITY MATTERS	
4.1	Tree Removal and Street Tree Management Plan	
4.1.1	Documentation of tree assessment is to be provided including an assessment of mature habitat trees for further review.	The original ecological assessment (Ambecol 2014) that supported the existing Development Consent over the site, provides information on presence of canopy trees and habitat (hollow-bearing) trees. In section 3.4 of the Report it states value of canopy as providing foraging, nesting and shelter habitat but that "There are no tree hollows on the subject site that are large enough for use as roosting and breeding habitat and

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		<p>shelter by microchiropteran bats, hollow-dependent birds (e.g. owls, cockatoos and parrots) or arboreal mammals (e.g. possums and gliders), lizards and frogs."</p> <p>The information from this report and other previous reports informed the report prepared by Niche. The original Ambecol Report along with all other previous ecological and biodiversity assessments relevant to the site, which informed the Niche report have been provided in <b>Attachment O</b>.</p>
4.1.2	The street master plan be reconsidered such that an appropriate vegetation transition zone is incorporated adjacent to the E2 zone and Central and East Park in order to provide a buffer between street plantings and remnant vegetation.	<p>The species of the street trees has previously been revised to consider the ecological value of the E2 Environmental Conservation zoned land as well as the proposed Park Land. Furthermore, the relevant landscaping has been revised and reconsidered pursuant to landscape comments and the workshop on 9 June 2020.</p>
4.1.3	In addition, proposed street tree plantings be reconsidered in light of biodiversity sensitive landscape design principles including: optimise plantings of native rather than exotic vegetation, optimise vegetation structural diversity (ground cover, shrubs/midstorey, upper storey).	<p>The revised landscape plans have been provided in <b>Attachment E</b>. Any further changes to planting can be provided in a condition of consent.</p>
4.2	7 Part Test of Significance	
4.2.1	The test explicitly states the assumption that the CPW within the E2 zone is adequately protected due to the zoning. However, the subdivision plans indicate encroachment into the zone via a road and APZ. Therefore, the 7 Part Test does not comprehensively test impacts of the proposed development. As such, the conclusion of the assessment is not applicable.	<p>A revised 7 Part Test has been provided in <b>Attachment P</b>. The revised test includes the relevant encroachments and revised APZ. The findings of the test indicate that the project is unlikely to have significant impact on any Critically Endangered Ecological Communities and in this instance a SIS is not required.</p>
4.2.2	Survey effort appears limited. In order to adequately review the test of significance, documentation of the Due Diligence Biodiversity and Bushfire Assessment (EcoLogical Australia 2018), along with any other related surveys (for example	<p>All previous ecological and biodiversity reports provided over the site, which informed the Niche assessment/s have been provided in Attachment O.</p>

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	Ambecol,2014, if utilised in the test) or data utilised for the test, is required.	
4.2.3	The test refers to a VMP (Horticultural Management Services 2016) developed for the E2 zoned area to be retained, but this VMP has not been supplied. And a new VMP has also been lodged in the amended package/with the Development Application for the embellishment works for the parks. You are required to amend the report to adequately detail which VMP is to be implemented so this can be reviewed.	A revised VMP has been provided in <b>Attachment M</b> .
4.2.4	Section (di) of the test assess the extent to which habitat is likely to be removed or modified as a result of the action proposed: Council's view is the proposed impact on approximately 32% of the local occurrence of CPW, as stated in the test, is inconsistent with an overall finding of lack of significant impact.	<p>The assessment of a non-significant outcome is largely dependant on;</p> <ul style="list-style-type: none"> <li>The assumption that the CPW within the E2 Environmental Conservation zone located adjacent to the site is adequately protected due to the intent of the ecological conservation zoning, and thus 68% of the local occurrence would be retained and protected from future development</li> <li>The retention and long-term protection/management of 1.6 hectares of CPW within the E2 conservation zone and RE1 open space area (see VMP for management of this).</li> </ul> <p>The CPW to be retained on site within the E2 Conservation Zone and the RE1 Open Space will be subject to impact mitigation and management as described in the Construction Environment Management Plan (CEMP) (<b>Attachment S</b>) and Vegetation Management Plan (VMP) (<b>Attachment M</b>) which have been developed for the site. The VMP specifies re-vegetation, weed management and restoration work to maintain and improve the quality of the CPW remnants at the site. Note, the previous ecological assessment (<b>Attachment O</b>) concluded a non-significant impact to CPW at the site.</p>
4.2.5	Notwithstanding the above issues relating to the test, and therefore test outcomes, the recommendations for mitigation are limited. More comprehensive mitigation measures are required including pre-clearing processes (e.g. checking for, and responding to, the presence of fauna) and an unexpected threatened species finds procedure.	Mitigation measures (which were not fully developed at time of DA submission) are detailed within the CEMP ( <b>Attachment S</b> ) that was developed to accompany the Preliminary Documentation Assessment Report to the Commonwealth Department of Agriculture, Water and the Environment (DAWE) as part of the Commonwealth Referral process. The CEMP is a comprehensive document which details measures to be implemented at the site to avoid, mitigate and manage impacts to threatened and

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		non-threatened flora and fauna during and after construction. The CEMP includes pre-clearing processes and unexpected species finds procedures as well as timing, responsibilities and triggers for ameliorative actions if required. Some additional measures to mitigate/manage impacts to CPW are also contained within the VMP ( <b>Attachment M</b> ).