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Attention: Jane Hetherington – Environmental Planner

DEVELOPMENT APPLICATION DA18/1114, PROPOSED WAREHOUSE AND DISTRIBUTION FACILITY & RELATED SITE WORKS INCLUDING ACCESS ROAD CONSTRUCTION AND BULK EARTHWORKS

PROPERTY AT: 128 & 130-172 ANDREWS ROAD, PENRITH (LOT 20 DP 1216618) & (LOT 13 DP 217705)

Dear Jane,

Reference is made to Development Application DA18/1114 that was lodged with Penrith City Council on 2 November 2018 for a proposed Warehouse and Distribution Facility, proposed Access Road and Bulk Earthworks at the identified Subject Site – 128 & 130-172 Andrews Road, Penrith (Lot 20 DP 1216618) & (Lot 13 DP 217705).

Following review of Council's additional information request dated 9 January 2019, the matters raised have been taken into consideration and addressed accordingly in the response matrix attached to this letter. It is considered that this information now provides Council with all necessary facts and particulars related to the proposed development so that the assessment can be finalised and determined by Penrith City Council.

It should be noted, that the amended Statement of Environmental Effects (annexed as **Appendix 1**) does not contain the relevant appendices identified within the Table of Contents, that were originally issued at the time of lodgement for DA18/1114. The relevant appendices originally issued are current, subject to those that have been amended and revised, and accordingly provided as part of this submission to Council.

We look forward to Council's feedback on this information and progressing the assessment of this Development Application further.

Should you wish to discuss further, please contact the undersigned on 0413 555 638.

Yours Faithfully,

A handwritten signature in blue ink, appearing to read "Andrew Cowan", is written over a light blue horizontal line.

Andrew Cowan
Director
Willowtree Planning Pty Ltd

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Enclosed:

- **Appendix 1 – Statement of Environmental Effects**
- **Appendix 2 – Survey Plan**
- **Appendix 3 – Architectural Plans**
- **Appendix 4 – Landscape Plans**
- **Appendix 5 – Civil Engineering Cover Letter and Report, Including Drawings**
- **Appendix 6 – Environmental Site Assessment Addendum**
- **Appendix 7 – Email Correspondence for Addendum**
- **Appendix 8 – Remediation Action Plan**
- **Appendix 9 – Visual Impact Assessment**
- **Appendix 10 – Vegetation Management Plan**
- **Appendix 11 – Operational Plan of Management**
- **Appendix 12 – Information Regarding Solar**

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Table 1: Response Matrix

Council Additional Information Request	Response
<p>1. Planning</p> <p>a) <i>There is no owners consent or agreement from Council to undertake the works within 112-124 Andrews Road, Penrith (Council owned land). Please contact Council's Property Development team to obtain consent for these works. Contact can be made with Julie Connell on 47 32 7965 or julie.connell@penrith.city.</i></p>	<p>In the Pre-DA Meeting held (30/08/2018), Council advised that the Owner's Consent regarding the portion of land identified as 112-124 Andrews Road, Penrith, being Council owned land, could be obtained concurrently throughout the assessment and approval process undertaken by Council.</p> <p>Should this not be the case, may Council please provide the appropriate pathway for obtaining consent on Council's identified land portion. The proposed works indicative of the identified land portion are related to an easement, for which services and a carriageway would be implemented accordingly, upon Development Consent from Council.</p>
<p>b) <i>The information provided regarding the operation of the site and its relationship to the adjacent manufacturing facility is inadequate. An operation management plan is to be provided detailing all activities to be undertaken on site. It is to include details on the number of staff, deliveries, customers, volumes of materials etc. and is to be supported by a floor plan nominating the location of site activities.</i></p>	<p>An Operational Summary has been undertaken and prepared by the end user (O-I), which satisfactorily addresses the operation of both the Subject Site and the existing facility to the north of the Subject Site (refer to Appendix 11).</p>
<p>c) <i>The nature and extent of the interrelationship between the proposed development and the adjacent facility should be provided.</i></p>	<p>The adjacent Warehouse and Distribution Facility to the north (130-172 Andrews Road, Penrith) is currently owned and operated by O-I. This facility manufactures glass containers and loads them onto respective trucks, which transport the finished products to an existing Warehouse and Distribution Centre, which is located in St Marys.</p> <p>Accordingly, the proposed development will be for a new Warehouse and Distribution Facility, which would be operated by O-I. The proposed development will act as a storage facility for the glass containers, which are manufactured at the adjacent site to the north, thereby avoiding the need for trucks to carry finished products on the external regional road network. Furthermore, the finished products would be transported directly to the proposed development site on bespoke trucks along the private access road between the two (2) sites, which comprise the Subject Site and the existing site adjacent to the Subject Site.</p>
<p>d) <i>The Clause 4.6 submission outlines that the built form responds to the operational requirements of the end-user.</i></p>	<p>The proposed development will store completed manufactured glass containers within the proposed Warehouse and Distribution Facility. Accordingly, to ensure the financial viability</p>

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<p><i>However, as outlined above, limited information has been provided regarding the operational needs. Further details are to be provided to justify the variation to the maximum building height development standard.</i></p>	<p>of the project for the end user (O-I), the building height has been set to allow pallets (containing stored containers) up to approximately 6 pallet-loads high.</p> <p>Notwithstanding, this corresponds to the building height nominated after allowing for operational tolerances and fire suppression clearances required, complying with the relevant BCA and Australian Standards.</p>
<p>e) <i>The Clause 4.6 submission also outlines that the development will not distribute views or have any visual or amenity impacts. To support this a visual impact analysis is to be provided to determine the visual impact of the development from the surrounding road network and adjoining public reserves/recreational areas.</i></p>	<p>Geoscapes have undertaken a visual impact assessment (refer to Appendix 9) of the Subject Site and surrounding area to confirm that the scale of the proposed development would not be intrusive on any surrounding developments, as well as public reserves; and, would not detract from any amenity impacts, such as privacy and views. From a high level, the proposed development is consistent with surrounding land uses, and significantly lower in height and less obtrusive than the existing glass manufacturing facility to the immediate north of the Subject Site.</p> <p>VP 8 includes a rendered image based on a drone image taken along the eastern boundary of the Subject Site at 40.0 m Above Ground Level (AGL). It clearly identifies the proposed development to the south of the existing O-I site (130-172 Andrews Road, Penrith), which is considered to be more of a visual impact with regard to height, than that of the proposed development.</p> <p>Additionally, there would be no visual impact to the land to the south and south east, as this remains as undeveloped land. Further south includes the Penrith Wastewater Treatment Plant, while views, and existing amenity would not be compromised. VP 2 further captures this existing view, which has been taken from the southeast, where the existing development to the north is considered to be more of a visual impact than that of the proposed development. Additionally, with regard to VP 2, although it contains some scenic qualities, it also contains a major visual landscape detractor in for the form of the existing Warehouse and Distribution Facility to the north of the Subject Site (O-I facility). It is noted, that there are also secondary detractors in the form of the telegraph poles, which traverse the Site.</p> <p>VP 10 includes a rendered image from a southern facing to the north, which further reinforces the consistency and transition provided, concerning the development to the southwest of the Subject Site along Castlereagh Road, through to the existing development currently owned and operated by O-I, north of the Subject Site.</p> <p>To the west includes existing IN1 General Industrial zoned land. As mentioned above, the</p>

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	<p>proposed development provides for a proposed Warehouse and Distribution Facility that would provide a gradual transition in the IN1 zone, considered consistent with surrounding developments and the IN1 zone objectives.</p> <p>VP 3 captures the visual impact to the north of the Subject Site along Andrews Road, for which the northern boundary is screened by existing landscaping that consists of densely populated trees and shrubbery. Therefore, there would be no such visual impacts experienced along the northern aspect.</p> <p>VP1 further illustrates the visual impact of the proposed development from the eastern aspect towards the Nepean Rugby Park. It is noted, that the ridge line of the proposed Warehouse and Distribution Facility would be slightly visible from this viewpoint; however, given the existing tree line encompassed along the boundary of the Subject Site and the Nepean Rugby Park, the proposed development is significantly screened, providing a visual buffer, so as not to detract from the visual amenity experienced around the sporting complex / public reserve. It is important to note, that VP1 is predominantly a place of sports and recreation and most of its users will be participating in or watching sports. Therefore, from a perspective of potential visual impact an appreciation of the adjoining landscape can be considered to be a minor importance for these user groups. Further, existing industrial rooflines can be seen above the proposed Warehouse and Distribution Facility.</p> <p>Furthermore, it is noted, that the proposed development is subject to the provisions of Clause 7.5 of the <i>Penrith Local Environmental Plan 2010</i> (PLEP2010), for which the scenic character and landscape values of the area must be ensured. From a strategic standpoint, the Subject Site and surrounding area are categorically zoned IN1 General Industrial, for which the proposed development is considered permissible in the IN1 zone and further complements surrounding developments. Additionally, the proposed development responds to the protection of landscape values by integrating a comprehensive landscape design (refer to Appendix 4), which incorporates a diversified array of endemic flora species creating an aesthetic, that is considered visually pleasing.</p> <p>Notwithstanding, it is considered, that the proposed development satisfactorily addresses the potential visual impacts with regard to surrounding developments, the regional road network, as well as the public reserve to the east of the Subject Site. No further consideration with regard to height is considered to be warranted in this respect.</p>
<i>f) To justify the scale of the development, further details are</i>	As per the above (points c-e), the proposed development height was chosen to cater for

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<p><i>required regarding the manufacturing of products at the adjoining glass factory site.</i></p>	<p>the operational efficiencies of O-I, as well as providing compliance with the relevant BCA and Australian Standards. The overall scale and height of the proposed development would not detract any such amenity impacts from the surrounding area, as noted in the above justification, along with the supporting images prepared by Geoscapes.</p> <p>It is considered that the requirement for the scale and height of the proposed development has been satisfactorily addressed, for which no further consideration is considered warranted.</p>
<p>e) <i>(Council numbering restarted)</i> <i>The plans indicate that works are to be undertaken on 130-172 Andrews Road, Penrith however, no details of these proposed works have been included in the SOEE. In addition, this property has not been identified on the application form. The SOEE is to be updated to detail all the works proposed under the current application.</i></p>	<p>The Statement of Environmental Effects prepared by Willowtree Planning has been updated accordingly to add further information regarding the scope of works to include both 128 & 130-172 Andrews Road, Penrith (Lot 20 DP 1216618) & (Lot 13 DP 217705). Please refer to Sections 1.1 & 4.2 for further information. Additionally, the Development Application form has been updated to reflect both sites; however, it is noted that the description details remain the same, as they originally incorporated the scope for both sites.</p>
<p>f) <i>In accordance with Penrith DCP 2014, the application is to demonstrate a commitment to achieving no less than 4 stars under Green Star. Also given the extensive roof area, consideration should be given to the provision of solar panels.</i></p>	<p>The precise details of the sustainable design components of the proposed development will be resolved during the detailed design prior to construction. However, the applicant confirms their commitment to sustainable design practices consistent with 4-star green star, including:</p> <ul style="list-style-type: none">▪ Rainwater tanks connected to non-potable uses including toilets and irrigation;▪ Natural lighting for warehouse and office layout consideration;▪ Bicycle racks and end of trip facilities / amenities;▪ Sustainable product selection such as low VOC paints and recyclable / recycled products, such as steel and recycled concrete for crushed rock;▪ Operational practices including O&M manuals, tuning plan and commissioning to relevant standards;▪ High-efficiency water devices, including toilets, urinals, taps and showers; and,▪ High-efficiency lighting, including LED fitting throughout warehouse and office. <p>With regard to solar, O-I confirm, that they are considering the use of solar panels on the roof area. They are currently undertaking modelling of possible solutions if the solar systems are economically feasible and approved by management, for which they will seek to implement if deemed favourable (refer to Appendix 12).</p> <p>Notwithstanding, the above satisfactorily addresses how best the proposed development will aim to achieve compliance with the recommendations provided within the PDPC2014</p>

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	<p>with regard to achieving no less than a 4-star Green Star rating.</p> <p>No further consideration is considered warranted in this respect at this stage.</p>
<p>g) <i>Clarification is to be provided regarding the intended use of the track that runs adjacent to the transmission line across the site (visible from aerial photography).</i></p>	<p>The proposed development footprint does not extend across the identified access track that traverses the transmission lines; therefore, the access track will remain unaffected by the proposed development. It is noted, that the proponent is aware, that the relevant power authority utilises the access track to maintain the power poles. In addition, the transmission lines are protected by an easement, so that the power authority can utilise that easement for access.</p>
<p>h) <i>The traffic report indicates that there will be a maximum of 30 employees working from the premises. Further detail as to how the demand for the proposed 98 parking spaces.</i></p>	<p>Justification behind the parking supply proposed is provided in the Traffic Impact Assessment (Section 7) undertaken and prepared by Ason Group, which was submitted as part of the Development Application package.</p> <p>It notes, that a total of 98 car parking spaces, including two (2) disabled bays, are provided which can readily meet the demand for a total of 30 staff proposed to be on-site at any one time.</p> <p>Furthermore, it suggests, should a potential future tenant acquire the proposed Warehouse and Distribution Facility and require more parking at the Subject Site, a reasonable contingency for parking provisions should be allowed for to best future-proof the parking supply on-site.</p>
<p>2. Engineering</p> <p>a) <i>The flood assessment (Appendix F of the Civil Engineering Report) is to also include the full length of the access road from the site through to Andrews Road. Council's flood mapping indicates that the site of the proposed access road is a conveyance area for the 1% ARI and 0.5% AEP flood. The design of the access road is to consider conveyance of both the 1 % AEP and 0.5% AEP flows. Additional drainage infrastructure may be required along the access road so as to ensure conveyance of flood waters, no adverse impact upon adjoining properties and provision of flood safe access in a 1% AEP flood event from the site to a public road.</i></p>	<p>Costin Roe Consulting note, that the flood mapping in Appendix F has been adjusted to show the full extent of the access handle. Furthermore, it is noted, that the 1% and 0.5% AEP flood events are able to be conveyed across the access handle without adverse impact on adjoining properties or the wetland (refer to Appendix 5).</p>
<p>b) <i>A long section of the access road is to be provided showing existing surface levels and design surface levels along with existing and proposed 1% AEP flood levels for the pre-</i></p>	<p>The amended Civil Engineering Drawings (Co13620.00-DA52) has included the relevant long section for the access road (refer to Appendix 5).</p>

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<i>development and post development scenario.</i>	
<i>c) The typical cross section of the access road is to be amended showing the approximate location of the Sydney Water pressure sewer main, any existing utility services, easement boundaries and lot boundaries. DP 1216618 shows the access handle to be approximately 18m wide with the 6m wide sewer easement located within the access handle along the western side. The access handle is burdened by an 18m wide easement for services.</i>	Refer to drawing Co13620.00-DA51, which shows the amended cross section, that includes the approximate location of the Sydney Water pressure sewer main and associated service easements (refer to Appendix 5).
<i>d) The detail survey by Landpartners (sheet 3 of 9) does not appear to include details and levels for the whole of the proposed access road - additional survey information maybe required in this area.</i>	<p>The civil engineer has confirmed, that despite the minor gap in survey information along the access road, sufficient information has been provided to accurately progress the concept design for this DA submission. Further, additional surveying is to be procured at the detailed design stage, if required (refer to Appendix 2 for a copy of the survey and Appendix 5 for the civil engineer's confirmation).</p> <p>No further considerations is considered warranted in this respect.</p>
<i>e) Stormwater runoff from the northern fire access trail is to be captured - details are to be provided on plans.</i>	<p>The northern fire trail area acts as a major overland flow path during the 0.5% AEP event and matches existing levels. The design of the northern fire trail in relation to drainage has been completed such that the fire trail "pavement" is formed of a fully pervious turf cell. This means that the pre and post development conditions in relation to drainage are maintained.</p> <p>The discharge inverts for this area, given it needs to remain low for flood conveyance, which do not allow inground systems to be installed as they will not drain by gravity; hence, an alternate solution has been presented. The overall runoff from the area would be substantially reduced due to the building drainage conveying flows via symphonic, and non-concentrated permeable runoff (matching pre-development or less) will ensure no adverse effect on adjoining properties.</p> <p>Additionally, the runoff from the fire trail has been considered and drainage details in relation to the permeable pavement have been provided in the document package.</p>
3. Contamination	
<i>a) SEPP 55 defines remediation as 'removing, dispersing, destroying, reducing, mitigating or containing the contamination of any land' therefore the recommendation to retain the contaminated soil onsite and relocate it to beneath</i>	Refer to the attached Remediation Action Plan (RAP) in Appendix 8 , that satisfactorily addresses Council's request, particularly the remediation details and validation plan in Section 5 and 6 of the RAP, respectively.

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<p><i>the building footprint is considered a form of remediation and will require site validation. As such, a remediation action plan (RAP) is required for the removal and/or relocation of contaminated soils.</i></p> <p><i>Please note: The application will need to be re-advertised for 30 days in accordance with SEPP 55 upon receipt of the RAP.</i></p>	
<p>b) <i>A detailed investigation (i.e. additional sampling/analysis) of the stockpiled material to determine suitability for reuse onsite or appropriate disposal offsite at a premises authorised to receive such waste. If the investigations reveal that the stockpiles are contaminated, the removal and/or relocation of the materials will need to be addressed in the RAP.</i></p>	<p>A letter titled, "Addendum – Additional Data Gap Investigation" prepared by Environmental Investigation Services was issued to Council to the attention of Jane Hetherington on 21 November 2018 (refer to Appendix 6 & 7).</p> <p>Section 7.1 of the letter explains, that from a contamination risk aspect, the stockpiles are suitable to remain on-site. All of the results were less than the health based and ecological SAC. Accordingly, in the event that the stockpiles have to be disposed of offsite, they are classified as General Solid Waste (non-putrescible) calculated based on UCLs and should be disposed of to a facility licensed by the EPA to receive this waste stream.</p> <p>No further consideration is considered warranted in this respect.</p>
<p>c) <i>An addendum to the report titled "Report to Cadence Property Group Pty Ltd on Stage 1/Stage 2 Development at 128 Andrews Road, Penrith" (dated 30/10/2018, reference E31675KRrpt Rev1) is to be provided which addresses the data gaps outlined within the aforementioned report (outlined under conclusions/recommendations).</i></p>	<p>As per the above, Appendix 6 provided in this response was issued on 21 November 2018 (refer to email sent in Appendix 7).</p> <p>No further consideration is considered warranted in this respect.</p>
<p>4. Water Sensitive Urban Design (WSUD)</p> <p><i>A review of the Civil Engineering Report, MUSIC Modeling and concept plans show that 2 bioretention systems sized at 250 m² and 1,000 m² will be used in conjunction with a total of 7 enviropods to treat stormwater. It is noted that the plan shows that a Treatment Basin 1 is a 200 m² bioretention system which is not consistent with the MUSIC model which states that a 250 m² system is proposed. Further to this, the locations of the enviropods is not shown on the plans.</i></p> <p><i>In relation to water conservation, the civil engineering report states that a 100kL rainwater tank will be installed and some</i></p>	<p>(a) Plans have been updated to address a drafting error which showed the western bio-retention system (Treatment Basin 1) as 250 m², not 200 m².</p> <p>Refer to updated drawing Co13620.00-DA40 (refer to Appendix 5).</p> <p>(b) The drainage plans show all proposed treatment measures including pit inserts, bio-retention systems and rainwater tanks. Refer to the pit schedule for pit insert locations.</p> <p>Refer to drawings Co13620.00-DA40 and DA41 (refer to Appendix 5).</p> <p>(c) Refer to updated Section 6.4 in the report, which confirms water demand allowances, consistent with those used in the MUSIC modelling, which has been updated and</p>

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reuse will be completed for internal uses. The MUSIC model indicates that the reuse demand requirements (i.e. minimum of 80%) will be met however, there is no discussion in the stormwater report on how the reuse assumptions were determined. As such, insufficient details have been included to ensure compliance with Council's WSUD Policy and DCP requirements. The report states that details will be worked out prior to the CC.

It is also likely that the development will result in a changed hydraulic regime to the adjacent Wetland 158. In this regard, there is no discussion in the supporting documentation on the possible impacts to the Wetland (158) as a result of the stormwater being discharged into the wetland from the development.

In response to the above the following is to be provided:

- a) Revised drainage plans / MUSIC modelling which are consistent with each other.*
- b) The drainage plans are to show the location of all treatment measures.*
- c) Additional details on how water conservation measures will be met.*
- d) Additional information / discussion on the impacts to wetland 158 as a result on the altered hydraulic regime.*

5. Biodiversity

- a) A Vegetation Management Plan (VMP) or Weed Management Plan, prepared by a suitably qualified ecologist or Bush Regenerator, with experience in wetland management and restoration is to be submitted to Council for review. The VMP should take the approved Landscape Plans into consideration; cover the entire lot; and detail how weeds identified in the Flora and Fauna report and listed under the Biosecurity Act 2015 will be managed. The VMP is to include a site plan showing where management actions will be implemented, plant densities and invasive species present. Invasive Weeds*

submitted with this response (refer to **Appendix 5**).

- (d) Refer to Section 4.6 in the report, which provides additional information and discussion on the proposed discharge and negligible effect on Wetland 158 (refer to **Appendix 5**). Further, the flora and fauna assessment submitted at Appendix 12 of the original Application at the time of lodgement of DA18/1114 concluded, that there would not be any adverse impacts anticipated on the identified wetland.

A VMP was originally submitted to Council on 9 January 2019; however, an updated and revised VMP has been prepared and can be found in Appendix 10 of this response matrix. The revised VMP addresses the issues raised by Council, closing out the request for additional information.

It is requested, that the revised VMP (refer to **Appendix 10**) be issued to the Department of Industry – Water, as the proponent is yet to receive any further comments from them regarding their consent, due to the Development Application constituting Integrated Development.

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<p><i>as listed in the Act will need to be managed in the EEC - River-flat Eucalypt Forest on Coastal Floodplains and Freshwater Wetlands on Coastal Floodplains before, during and after construction. The VMP, additionally needs to demonstrate how ongoing prevention of weed invasion into the EEC's River-flat Eucalypt Forest on Coastal Floodplains and Freshwater Wetlands on Coastal Floodplains from other areas on the site will be managed. Additional planting proposed for the detention basins needs to be addressed in the VMP, only endemic species sourced from local provenance seed stock must be used in the detention basins.</i></p>	
<p>b) <i>The Landscape Plans propose a number of plants for the proposed two (2) detention basins. This needs to be addressed in the VMP. Additionally the plans propose a number of non endemic species, these need to be replaced with endemic species sourced from local provenance seed stock. The following plants need to be replaced with suitable endemic species; Knobby Club Rush <i>Ficinia nodosa</i>, Tall Saw Sedge <i>Gahnia clarkei</i>, Blue Flax Lily <i>Dianella caerulea</i> and Grey tussock Grass <i>Poa siebreiana</i>. These non endemic species need to be replaced with endemic species to the Cumberland Plain Woodland, River-flat Eucalypt Forest of Coastal Floodplains and Freshwater Wetlands on Coastal Floodplains.</i></p>	<p>As per above, the VMP has been updated accordingly to reflect the changes requested. Additionally, the Landscape Plans have been updated to address Council's request and are included at Appendix 4 of this response matrix. No further comment is considered warranted in this respect.</p>
<p>c) <i>A plan submitted on how lighting the car park will minimise impact on microbats and other nocturnal fauna.</i></p>	<p>The Architectural Plans (refer to Appendix 3) have been updated to include Drawing – TP 1.10, which incorporates a proposed lighting plan. The proposed lighting plan explains, that lighting must minimise impacts on microbats and other nocturnal fauna, including:</p> <ul style="list-style-type: none">▪ Lights to be angled downward toward the proposed car parking area;▪ Lighting fixtures to be selected to minimise light spill; and,▪ Canopy trees identified on the eastern edge of the car parking area will act as a buffer and reduce light penetration, as identified in the landscape plans. <p>Additionally, the Cover Page of the Architectural Plans (refer to Appendix 3) has been updated to reflect the most recent set of plans, subject to the addition of the lighting plan.</p>

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Appendix 1
Statement of Environmental Effects

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Appendix 2
Survey Plan

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Appendix 3
Architectural Plans

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Appendix 4
Landscape Plans

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Appendix 5
Civil Engineering Cover Letter and Report, Including Drawings

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Appendix 6
Environmental Site Assessment Addendum

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Appendix 7
Email Correspondence for Addendum

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Appendix 8
Remediation Action Plan

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Appendix 9
Visual Impact Assessment

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Appendix 10
Vegetation Management Plan

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Appendix 11
Operational Plan of Management

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Appendix 12
Information Regarding Solar