

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

Issue	Comment
1. Department of Environment, Climate Change and Water (DECCW)	
1. Concern that initially proposed 4.05 Ha conservation area would be unsustainable.	<p>Agreed by proponent that the most appropriate conservation response is to transfer the biodiversity values of the existing vegetation on-site, to more appropriate and sustainable locations in the region. This approach relies on the objective Biobanking methodology to quantify biodiversity credits. This approach is a feature of the proposal as exhibited in the EA and associated documents.</p> <p>No further response is warranted to this issue.</p>
2. Support for determination of the application subject to condition that the proponent retire the agreed number and type of credits to DECCW's satisfaction.	<p>Agreed by proponent and a requirement to retire credits prior to development is already included within draft Statement of Commitment 6.1 in the exhibited documents.</p> <p>No further response is warranted to this issue</p>
3. Remove reference in draft Commitment 14 to requirement for approval by NPWS.	<p>No objection. Has been addressed in the revised Draft Statement of Commitments.</p> <p>Addressed by amendment to Draft Statement of Commitments.</p>
2. Sydney Water	
2.1 Water service to be drawn from Minchinbury Reservoir, link main to be provided from existing 375mm main in Great Western Highway.	<p>Noted. To be subject to future detailed design and authority approvals for pipe construction and connection.</p> <p>No further response is warranted to this issue</p>
2.2 Sewer connection to be subject to future sewer study to determine parameters for connection	<p>Noted. Services study provided with exhibition document identified 2 options for sewer connection, of which the option to drain to the Eastern Creek sewer submain 320 metres to the east</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>of the site, was the preferred option. To be subject to future detailed design and authority approvals for pipe construction and connection.</p> <p>No further response is warranted to this issue.</p>
2.3 Sydney Water encourages water reuse and strategies to minimise potable water consumption.	<p>Agreed. Section 10 of the Draft Statement of Commitments addresses the reduction in demand for potable water to be implemented through two strategies, being “Use of Water Saving Devices”, and “Collected Rainwater shall be Reused to reduce Demand.</p> <p>No further response is warranted to this issue.</p>
2.4 All adjustment to Sydney Water assets are to be at Developers Cost and a Section 73 Certificate will be required.	<p>Noted. The requirement for a Section 73 certificate is appropriate addressed at Project/Development approval stage.</p> <p>No further response is warranted to this issue.</p>
3. Integral Energy	
3.1 Electrical supply will be supplied from North Eastern Creek Zone Substation to be commissioned in 2012.	<p>Noted. To be subject to future detailed design and authority approvals for supply method and connection.</p> <p>No further response is warranted to this issue</p>
4. Ms Deidre Sawyer	
4.1 Objects to proposed 24/7 hours of operation.	<p>24 hour operation is a key operating requirement of contemporary logistics and industrial operators, given it provides optimal efficiency for plant and site investment, as well as operational efficiencies of goods movement and transport on the regional road network. This site adjoins key regional road infrastructure including Wallgrove Road, Great Western Highway, M4 and M7 Motorways, underlining its strategic value for</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>employment planning within the Sydney region.</p> <p>Acoustic impacts of the development were considered in the EA and a report prepared by acoustic consultants Wilkinson Murray Pty Ltd. Their report includes the establishment of site specific noise criteria for nearby residents, and WM found that the site layout and position of residential properties to the north and east of the site, is such that it is unlikely that noise criteria will be breached by normal warehousing style operations. However they do recommend that future project/development applications include assessments of acoustic impacts to ensure compliance with the established noise criteria established for the MEP.</p> <p>It is noted that section 8.2 of the Draft Statement of Commitments for the MEP permits 24/7 operation conditionally upon compliance with certain daytime and nighttime noise criteria as assessed at local residential properties.</p> <p>The requirement to prepare and submit acoustic impact reports for subsequent development is included at section 8.3 of the revised Draft Statement of Commitments.</p>
5. Western Sydney Conservation Alliance Inc.	
5.1 Objection to loss of endangered ecological communities	<p>The nature and quality of the flora communities present on site were detailed in a report prepared by Cumberland Ecology. Their assessment of the condition and strategic position of the existing 5.1 hectares of EEC present on the site is relevant to consider:</p> <p><i>“...small, disconnected fragments of highly altered remnant bushland, extensive work would need to be carried out to establish woodland vegetation in the cleared areas between fragments, so as to increase the overall patch size and reduce the edge:area ratio of the existing vegetation. Large patch sizes are desirable as they increase the resilience of the community to disturbance, and</i></p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p><i>increase the habitat value of remnant fragments. Small edge:area ratios reduce the susceptibility of vegetation to weed and feral fauna invasion.</i></p> <p><i>Furthermore, connectivity to native vegetation in surrounding properties is largely absent and dual carriage-way roads to the south and east prevent offsite connections to other significant areas of remnant vegetation. This limits the scope for improvement to local biodiversity values and means that on site conservation will have little bearing on regional biodiversity values.</i></p> <p><i>Thus, the subject site is considered to have low conservation potential; that is, protecting vegetation in situ will not readily deliver a good conservation outcome.” (page 5.1, 60 Wallgrove Road, Minchinbury (Lot 1 DP 1040948) Ecological Assessment, November 2009, Cumberland Ecology Pty Ltd)</i></p> <p>The existing modest biodiversity values present on the site and likely future resources required to maintain this vegetation in the future, and consideration of the circumstance of the massive public investment in transport and utility infrastructure adjoining this site, provide clear grounds that the best conservation outcome in this case is to offset the values present on the site to supplement larger and more sustainable communities elsewhere.</p> <p>DECCW have considered this approach and agree that offsetting is an appropriate conservation outcome for the circumstances of this site.</p> <p>The low ecological value of this vegetation has been reflected in the recent rezoning of the <u>entire</u> MEP site to IN1 – General Industrial under the <i>SEPP (Western Sydney Employment Area) 2009</i>.</p> <p>It is noted that the retirement of biodiversity credits will be subject to DECCW supervision and endorsement prior to any loss of vegetation on-site. This requirement is already mandated by section 6.1 of the exhibited Draft Statement of Commitments.</p>
--	---

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	No further response is warranted to this issue
6. Roads and Traffic Authority	
6.1 Further modeling of the “southern” signalized intersection of Wallgrove Road/M4 Interchange ramps is required prior to determination.	<p>This modeling has been completed and a SCATES analysis of the intersections provided which concludes that there is no loss of Level of Service for all 4 relevant intersections along Wallgrove Road potentially impacted by development of the MEP (ie intersections at the Great Western Highway; site access; northern M4 ramps; and southern M4 ramps). Data and results files confirming this outcome were forwarded to the RTA on 3 March for their final comment and approval.</p> <p>It is assumed the RTA will advise DoP of acceptance of this information in due course.</p>
6.2 The proponent / developer will be required to enter into a Voluntary Planning Agreement (VPA) with the Minister for Planning to enable contributions to be made towards State provided transport infrastructure.	<p>No objection. This has already been included at section 16.1 of the exhibited Draft Statement of Commitments.</p> <p>In August 2009 the Minister for Planning announced the creation of a State Infrastructure Levy (SIL) levy equivalent to \$180,000 per developable hectare, thus resulting in a prospective contribution for the MEP in excess of \$3 million towards State provided transport infrastructure in Western Sydney.</p> <p>No further response is warranted to this issue</p>
6.3 Implement stated measures to promote alternative modes of transport to/from the site.	<p>No objection. This has already been included in section 17.1 & 17.2 of the Draft Statement of Commitments. These proposals include a proposed shared pedestrian/cycleway along the western side of Wallgrove Road to provide a pedestrian pathway between the MEP and existing pedestrian and cycle pathways towards Great Western Highway; AND includes negotiations with relevant state authorities, Council and the local bus operator (Busways) to implement 2 new bus stops in close proximity to the</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>MEP site entrance on either side of Wallgrove Road .</p> <p>No further response is warranted to this issue</p>
6.4 Works required by developer to accommodate future traffic at the intersection with Wallgrove Road	<p>No objection. The signaling of the existing site intersection with Wallgrove Road, and lengthening of the right turn bay within the median of Wallgrove Road, are already reflected in Section 13 of the Draft Statement of Commitments. Inclusion of the specific length of the right turn bay has been included in a revision to Section 13 of the draft Statement of Commitments.</p> <p>The RTA recommendation for a dual lane right turn facility out of the site, with a second right turn lane having a storage capacity of some 70 metres, has been included in Section 13.1 of the exhibited draft Statement of Commitments.</p>
6.5 Extending right turn storage lanes from Great Western Highway will be required.	<p>No objection. The RTA recommendation for extensions to the existing right turn storage lane from Great Western Highway into Wallgrove Road has been included in a new Section 13A to the Draft Statement of Commitments.</p>
6.6 Proposed access road to be constructed to Council's standards.	<p>Agreed. The proposed internal road has been designed to satisfy Council standard "Industrial Collector" standards and would be able to accommodate B-double standard vehicles. This road will be constructed to Council's standards and this has been addressed at section 18.1 of the exhibited draft Statement of Commitments.</p> <p>No further response is warranted to this issue.</p>
6.7 Car parking standards should be based on RTA rates	<p>Agreed. The proposed car parking standards for the MEP are 1 space per 300 m² GFA (warehouse); 1.3 spaces per 100 m² GFA (industry); and 1 space per 40 m² GFA (ancillary office only where office component exceeds 20% of the associated industry/warehouse floorspace). These rates are consistent with</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>the rates promoted by the RTA's Guide to Traffic Generating Developments.</p> <p>No further response is warranted to this issue.</p>
6.8 Construction Traffic Management Plan	<p>No objection. This has already been addressed at section 9.1 of the Draft Statement of Commitments.</p> <p>No further response is warranted to this issue.</p>
6.9 Works to construct intersection and works within Great Western Highway to be subject to separate approval and likely requirement for execution of a Works Authorisation Deed (WAD) between developer and RTA	<p>No objection. This requirement can be addressed via a condition of approval of the MEP concept plan.</p>
6.10 Developer shall be responsible for all public utility infrastructure adjustment and relocations required by roadworks	<p>No objection. This requirement can be addressed via a condition of approval of the MEP concept plan.</p>
6.11 All works and signposting required is to be at no cost to RTA	<p>No objection. This requirement can be addressed via a condition of approval of the MEP concept plan.</p>
7. Blacktown City Council	
1. Historical Matters	
(a) Names of streets should have historical reference.	<p>No objection in principle. Street name(s) can be agreed at an appropriate (later) stage of development.</p>
(b) Retention of existing buildings should be considered.	<p>Existing animal and plant quarantine buildings possess little or no historical significance. They are modest and purpose built administration style buildings which are unsuited and inappropriate to retain within contemporary industrial style development on this valuable site. Their retention will unreasonably constrain the effective development of the land.</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	This suggestion is not agreed.
(c) Copy of photographic record of Quarantine Station to be provided to Mt Druitt Historical Society	No objection in principle. This requirement can be addressed via a condition of approval of the MEP concept plan.
(d) Copies of photos relating to historical uses of site, any equipment, or other European relics to be provided to Mt Druitt Historical Society	The record of photos to be created by (c) above will address this in part. There are no known “relics” (eg. in excess of 50 years old) discernible on the site. Where such relics are discovered at a later date, the <i>Heritage Act 1977 (NSW)</i> protects those relics, prohibiting their exposure, damage etc except in accordance with a permit granted under that Act. If and where appropriate, and in accordance with any excavation permit (if one is granted) such uncovered relics can be can be provided to the Society.
(e) An entry statement or public art shall interpret the history of the site, including a commemorative plaque outlining key dates of landuse.	<p>Not agreed. It is considered that mandating this requirement for this purpose is unwarranted and unlikely to be interpreted by the public.</p> <p>The absence of any confirmed use of this peripheral part of the former Wallgrove Army Camp, and absence of physical evidence, indicates this part of the site was not subject of any active or historically notable land use prior to its current Quarantine Station use. This use is not considered of community significance to warrant its interpretation on-site.</p> <p>The inclusion of a commemorative plaque in particular is not supported on the grounds it will be effectively “lost” in the scale of the development anticipated on the MEP site.</p> <p>No further response is warranted to this issue.</p>
(f) Perimeter fencing around OSD reserve and along boundary with cemetery should be decorative palisade/pool type fencing 1.8-2.1 metres in height.	Not agreed. This recommendation has no historical relevance. Furthermore the intent of this form of fencing is stated to be to prevent graffiti and provide passive surveillance. Neither of these outcomes will be compromised with chain wire fencing if this was

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>to be proposed by future developers.</p> <p>No further response is warranted to this issue.</p>
(g) Retention of at least 1 building for displaying relics for public viewing.	<p>Not agreed. The Cityplan report confirms that no relics have been confirmed to exist on this site, and the existing buildings generally date from c1980 and are thus of no heritage value. The retention of 1 building for this purpose is unwarranted and unlikely to be of any historical value, and is also likely to impede the effective development of the site.</p> <p>No further response is warranted to this issue.</p>
2. Planning Matters	
(a) Zoning. Any reference to the E2 Environmental conservation Zone should be deleted.	<p>The E2 reference relates to an earlier scheme that has been superseded by the current Concept Plan.</p> <p>There is no reference to this zone within the Concept Plan masterplan, the Urban Design Report, or the WSUD report.</p> <p>There is however a single typographical reference to the E2 zone on page 24 of the Environmental Assessment report. This reference is of no significance to the remainder of the documentation, which consistently refers to an employment park development over the whole site. This reference is a negligible oversight and of no consequence to the understanding and environmental consideration of the proposal. Reissuing the Environmental Assessment documents would be unwarranted to correct this minor and inconsequential oversight.</p> <p>No further response is warranted to this issue.</p>
(b) Consistency with Blacktown DCP 2006; SEPP 59-Eastern Creek Precinct Plan (Stage 3) Controls; and Council's <i>Draft Integrated Water Cycle Management DCP</i>	<p>The proposed Urban Design controls are in fact largely based on the Blacktown DCP and Eastern Creek Precinct Plan controls.</p> <p>Compliance with the <i>Draft Integrated Water Cycle Management</i></p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p><i>DCP</i> was not listed in the Director General's Requirement's for this Concept Plan. It is acknowledged in the Council submission at 4(c) that the WSUD proposal for the MEP has in fact been "generally based on Council's requirements given in the <i>Draft Integrated Water Cycle Management DCP ...</i>"</p> <p>While point 4(c) notes some detailed differences between the proposed approach and the Council's "adopted" approach (note that a draft DCP is not a relevant matter for consideration pursuant to section 79C of the EP & A Act 1979), the differences largely refer to inputs into the engineering analysis, which do not affect the principal potential of the Employment Park to manage water quality and quantity issues on site during the detailed design phase of development. Such detailed design will be considered as a matter of course during the Project Application/Development Application assessment process.</p> <p>No further response is warranted to this issue.</p>
<p>(c) Concern is raised if regional detention basins were under private ownership as opposed to public ownership.</p>	<p>No objection. Scenario 1, which is the preferred scenario and the proposed masterplan for the site, envisages dedication of the basins to Council. This is clearly stated within section 3.7 of the exhibited EA.</p> <p>Where alternative development outcomes are proposed on the MEP, it is notable that private ownership of detention facilities is commonplace throughout Sydney. By way of observation it is commonplace that Councils prefer to relieve themselves of the maintenance burden of detention infrastructure and impose Restrictions on Use and Positive Covenants under section 88 of the <i>Conveyancing Act 1919</i> (including Plans of management and maintenance schedules) to ensure they are managed.</p> <p>If the basins were proposed to be retained in private ownership as part of any future development or Project application, it is anticipated that the responsible authority (Council or Department</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>of Planning) would at that time require, as a condition of consent/approval, that a suitable covenant and maintenance schedules be placed on the property title.</p> <p>No further response is warranted to this issue.</p>
(d)(i) Councils parking standards are preferred in place of RTA standards	<p>Not agreed. Council's rates of 1/75m² GFA for warehouses and 1/40m² for ancillary office areas is considered very high when compared to the commonly accepted RTA rates of:</p> <ul style="list-style-type: none"> ○ Warehouse 1 space per 300m² ○ Factory 1.3 spaces per 100m² ○ Office (only the portion that exceeds 20% of an associated Warehouse area or if the office is separate) 1 space per 40m² <p>The following extract from the Traffic & Parking Report prepared by Traffic and Transport Planning Associates Pty Ltd summarises their opinion on this matter:</p> <p><i>"Studies of similar developments completed within the past few years indicate that parking rates higher than stipulated by the RTA, result in an oversupply of parking.</i></p> <p><i>Recent surveys undertaken at the Nexus Estate in Prestons revealed a peak usage of 39% of the parking provision. The peak demand for parking was recorded at 165 vehicles (out of 420 spaces provided), relating to 53,500m² of warehousing and office space accommodated in four buildings. This equates to a parking rate of 1 space per 324m², which confirms the RTA rate of 1 space per 300m²."</i></p> <p>Provision of excessive parking will adversely affect feasibility of employment projects, and represents wasted site area that is prone to use for outdoor storage and other purposes. Adherence to Council's rates would mean that 1,310 car spaces would be required (ie pursuant to the preferred development master plan for the site), occupying approximately 32,750m² or 18.8% of the</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>developable site area. The RTA's rates would require on the other hand 319 car spaces, occupying approximately 7,795m² or 4.5% of the developable site area for car parking.</p> <p>Based on compliance with acknowledged RTA reference parking rates, recent experience, and with a view to reducing hardstand areas and enhancing the economic viability of valuable serviced employment land, the RTA rates are supported as providing the appropriate "benchmark" rates for the MEP.</p> <p>No further response is warranted to this issue.</p>
(d)(ii) There should be a private open space requirement between 50-100m ² per site	<p>Agreed. A new requirement has been included in Section 7.1.3 of the revised Urban Design Report (Revision F, dated March 2010)</p>
(d)(iii) A Neighbourhood Centre is required	<p>Not agreed. The employee numbers in the MEP alone are not considered to be sufficient to sustain a neighbourhood commercial centre. A sustainable retail facility on this site would need to "draw" passing trade off Wallgrove Road. Day to day amenities for occupants and visitors to the MEP are likely to be accommodated within development sites by way of lunch areas, outdoor spaces and general "breakout" spaces within building and sites. For higher order retail and commercial services it is not unreasonable to anticipate use of the Eastern Creek neighbourhood centre (approximately 1.5 kilometres from the site), or even Rooty Hill.</p> <p>No further response is warranted to this issue.</p>
(d)(iv) Stormwater Drainage & WSUD provisions in accordance with Council's <i>Draft Integrated Water Cycle Management DCP</i>	<p>Addressed at (b) above</p>
(e) Where no further DCP is intended or proposed, the proposed Urban Design Guidelines will need to be incorporated into the	<p>Agreed. This is already proposed at section 1.2 of the draft Statement of Commitments, and the Guidelines have been</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

Concept Plan approval.	revised to accommodate relevant comments from the exhibition process.
(f)(i) Future use should encourage more than warehousing on the site.	<p>Agreed. The subject site is zoned IN1 General Industrial under <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>. which permits with consent, the following land uses</p> <p><i>Depots; Freight transport facilities; Industrial retail outlets; Industries (other than offensive or hazardous industries); Neighbourhood shops; Roads; Transport depots; Truck depots; Warehouse or distribution centres.</i></p> <p>Whilst it is acknowledged that the predominant use of new employment land in Western Sydney has been warehousing and distribution centres, and this site enjoys unparalleled access to the M4 and M7 Motorways, the proposed Concept Plan does not in fact seek to limit future industrial uses to warehousing. Rather through its design and environmental controls, and in recognition of its outstanding locational exposure, a much higher “office” and technology use component (ie 15% of overall floorspace) has been factored in to all traffic modeling and yield analyses.</p> <p>Finally office type uses are in fact encouraged by the proposed Urban Design Guidelines through permitting variations to height standards by up to 50%, and development on “landmark” sites (refer section 7.1.4).</p> <p>This point of objection is unfounded.</p>
(f)(ii) Office parking rates should be applied irrespective of size of office area.	Not agreed. This approach is contrary to RTA parking standards and is addressed at (d)(i) above.
(f)(iii) Visitor parking should not be permitted within the front setback area of the buildings.	Not agreed. Visitor car parking is far more likely to be patronized where it is safe, accessible, and visible to those who are unfamiliar with site, particularly large industrial sites. Location

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>closer to the street frontage fulfills these criteria.</p> <p>Further it is noted that Section 7.2.2 “Design Requirements” states:</p> <p><i>Required car parking shall be located behind the required minimum front setback area, however visitor car parking may be permitted forward of the building line where it can be demonstrated that the landscape quality of the streetscape can be maintained.</i></p> <p>Visitor parking within the front setback will only therefore be permitted upon satisfaction of the performance criteria stated. It is not permitted “as of right”.</p> <p>Visitors to large employment/industrial sites are generally “trade” visitors, who are typically few in number and only stay on-site for limited time. In the case of the smallest sites permitted in the MEP (4,000m², 40 metres frontage) which are most likely to yield floor areas of around 2,500m² only, will have less than 20 employees. These small buildings are highly unlikely to require more than a handful (eg 3-4) of visitor car spaces (occupying 100m² @ 25m² per space), and which the landscaping (over 200m²) will be by far the dominant element in this frontage – even considering the requirement for a driveway of 10m in width.</p> <p>For larger sites (eg 20,000m², 100 metres frontage) with buildings of floor areas in excess of 10,000m², and staff numbers less than 100, it would be extremely unlikely that visitor parking requirements should exceed 10 spaces. At 10 spaces (occupying 250m²), and a driveway crossing of 10 metres in width, the front setback remaining for landscaping will exceed 650m².</p> <p>Under these outcomes it is not difficult to envision that compliance with the performance requirement will be possible whilst providing convenient, safe and accessible parking for visitors.</p>
--	--

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	This point of objection is unfounded.
(f)(iv) Building height control is noted as being 15-20 metres.	<p>This is reflected by the variations in height “zones” on the site as shown in Figure 7.1 of the Urban Design Guidelines. This variation was considered warranted to consider the impacts of the development upon the adjoining cemetery.</p> <p>No further response is warranted to this issue.</p>
(f)(v) Dense landscaping should adjoin the northern site boundary with the Cemetery.	<p>Agreed. This has already been incorporated into the Concept Plan in the following manner:</p> <ul style="list-style-type: none"> ○ provision for a 10 metre landscape zone to this boundary (s7.1.3 of UD Guidelines); ○ a lower height control of 15 metres adjoining the cemetery (section 7.1.4 of the UD Guidelines); and ○ specific reference to façade articulation adjoining the cemetery (section 7.3.3 of UD Guidelines). <p>No further response is warranted to this issue.</p>
(f)(vi) To assist longer term compliance and notification to purchasers, a section 88B instrument shall be placed over the 10 metre buffer adjoining the cemetery.	<p>Not agreed. Section 88B instruments under the <i>Conveyancing Act 1919</i> are not intended to enforce planning standards. Council has every opportunity via the DA assessment process, the issue of consent conditions (which are in fact legally enforceable), and the orders provisions of the <i>Environmental Planning & Assessment Act 1979</i>, to secure compliance.</p> <p>Furthermore section 88B instruments are not intended or used to alert purchasers to zoning, development control or other “planning” issues generally, and it is not established why this DCP requirement warrants such “advertisement” whereas all other DCP provisions do not.</p> <p>There is ample compliance powers available through existing</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>statutory provisions, and adequate purchaser awareness provided through the availability of planning documents, without the necessity to impose a Section 88B instrument.</p> <p>This suggestion is not supported.</p>
(f)(viii) Product promotional or general advertising should not be permitted	<p>The SEPP (WSEA) 2009 permits as Exempt development any signage on a building wall up to 10m² as Exempt development. Section 7.3.4 of the Urban Design Guidelines specify that signage in the MEP is to be business identification only, and not comprise product promotional or advertising signage.</p>
(f)(ix) Façade quality to Great Western Highway (sic) and Wallgrove Road	<p>While it is agreed that frontages to M4 Motorway and Wallgrove Road should be highly articulated and constructed of a range of materials and finishes, it is considered impractical to require as Council has suggested that a minimum of 50% of wall area be comprised of masonry.</p> <p>Contemporary industrial design in Eastern Creek, Erskine Park and Greystanes, provides a showcase of what can be achieved through articulating wall elements; variations in texture, colour and material; and considered placement of building elements including offices, and loading areas.</p> <p>Each site will be subject to its own design assessment at DA stage which will resolve and consider the individual merits of each case, including satisfaction of operational requirements. As such, it is considered too restrictive to place a percentage requirement on masonry finishes. Furthermore encouraging high quality façade design is a matter already addressed at section 7.3.3 of the Urban Design Guidelines which requires that build form and facades should be modulated and articulated to provide visual interest, long blank walls will not generally be supported and articulation of walls can be achieved by variations in setback, use of glazing and differing architectural materials, finishes and</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	colours. This Design Requirement has been amended to provide additional emphasis upon building appearance from the M4 Motorway and Wallgrove Road
(f)(x) Prohibition upon water tanks and pumprooms facing Great Western Highway (sic) and Wallgrove Road	Agreed. This is addressed within section 7.1.3 of the Urban Design Guidelines which specifies that water tanks are not to be located within front setback areas. An additional requirement will be included within this section that prohibits water tanks and pumprooms within the Wallgrove Road and M4 Motorway setbacks.
(f)(xi) Office area outlooks over OSD areas	Agreed. Section 7.3.3 of the Urban Design Guidelines requires that office components should be sited in front of buildings to assist in reducing building mass and increasing visual interest. However it is acknowledged that passive surveillance of the OSD/open space area is required. A design requirement has accordingly been added to Section 7.3.3 requiring buildings on development lots adjacent to the OSD/open space area to provide offices and windows orientated with an outlook over that area for passive surveillance.
(f)(xii) Provision of outdoor staff areas	Agreed. Addressed at (d)(ii) above
(f)(xiii) Provision of landscape details for each development site	Agreed. This is an existing development application requirement for DAs submitted to Blacktown City Council as noted in their Commercial and Industrial DA Checklist.
(f)(xiv) High quality fencing within the front setback	Section 7.1.3 of the Urban Design Guidelines have been amended to include Council's specific requirements.
3. Traffic Issues	

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

(a) Existing site intersection with Wallgrove Road will be upgraded.	Yes, this is a critical element of the Concept Plan. No further response is warranted to this issue.
(b) The proposed internal road layout adopts Council's standards for industrial collector and local roads and would be designed to accommodate B-double vehicles.	Yes. Council standards for road design have been adopted, and detailed compliance with B-double turning paths will be checked in detail at subdivision and road design stage. No further response is warranted to this issue.
(c) Parking should be in accordance with Council's DCP or Eastern Creek Precinct Plan.	Not agreed. Refer to discussion at 2(d)(i) above.
(d) New public road should be built to Council standards and include inspections by Council.	Agreed. The specification for design and regime for inspections and certifications can be detailed at the time when approval is being sought to construct the roads. No further response is warranted to this issue.
4. Stormwater Drainage	
(a) Comments relate to WSUD report dated November 2009.	Noted.
(b) Hydrologic / hydraulic or water quality modeling was not provided to support the application. Council cannot accept any proposals to place stormwater infrastructure under its care and control until proposals are fully reviewed and approved.	Agreed. The application is for a Concept Plan approval, where the concept of public roads and public detention basins (to future design and approval) is proposed. Hydrologic / hydraulic was undertaken in accordance in the course of preparation of the WSUD report and Master Plan proposal. This fact is acknowledged under point 4(c) that the WSUD proposal for the MEP has been "generally based on Council's requirements given in the <i>Draft Integrated Water Cycle Management DCP ...</i> ". Furthermore the proponents consultants had met with Council's engineering staff on 18 June 2009 to discuss parameters and the concept stormwater strategy

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>proposed.</p> <p>This Concept Plan application is not of a detail to require or warrant acceptance of the detailed design of any proposed infrastructure. In the normal progression of design, full details and modeling data will be provided not at strategic planning level, rather at a development approval/project approval for infrastructure works on the site.</p> <p>No further response is warranted to this issue.</p>
(c)(i) Water quality control is preferred to be on site rather than in communal basins	<p>Not agreed. The Concept Plan is based upon creation of a viable wetland type quality control prior to discharge off-site.</p> <p>If allotment-scale treatment systems were implemented, less water would flow to the wetland, which may threaten the sustainability of the permanent pool. Additionally, allotment-scale systems are most likely to be bioretention systems. Bioretention systems require a drainage pipe to be set approximately 1 m below the soil surface. For some allotments near the wetland, it may not be viable to get water from this depth up to the inlet of the wetland, further threatening the sustainability of the permanent pool in the basin.</p> <p>Space is available for the wetland proposed for the western catchment, as it will be located in a flood detention basin. It also has additional benefits in the provision of high value landscape amenity, and the creation of high value habitat for the detention basin.</p> <p>Water quality infrastructure of this type is best situated within communal areas under public ownership, thus providing for economies of scale in maintenance, greater longer term chance of success for its purpose.</p> <p>At section 3.3 of the draft Statement of Commitments, target water quality and water quantity standards (consistent to</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>Council's requirements) are identified to apply to future development within the MEP. These will be addressed in a detailed Stormwater Management Strategy to be submitted for approval prior to commencement of construction.</p> <p>No further response is warranted to this issue.</p>
<p>(c)(ii) Flows into the wetland in the north-western corner of the site may be insufficient to maintain the proposed wetland</p>	<p>Incorrect. Flows to the wetland are considered to be sufficient to sustain a healthy wetland. A time-series plot of the expected inflow and outflow from the proposed wetland was assessed to determine if water level drawdown from evaporation would threaten the viability of the water body. The period 1967 – 1977 was assessed, the period used in modeling the wetland treatment performance. This revealed that the longest dry periods occurred in 1968 and 1974. In winter of 1968, a dry spell of 9 weeks occurred. In winter of 1974, a dry spell of 5 weeks occurred. Plots of flows during these periods are presented in the following Figures 1 and 2. Adopting 1968 as the worst case, an estimate of the likely drawdown of wetland water level was calculated. Evapotranspiration at that time of year is expected to be approximately 2mm per day. Therefore 9 weeks = 56 days. 56 days x 2mm per day = total 112 mm evapotranspiration. This drawdown is sufficient to empty the wetland of water, however, it is not considered likely to threaten the viability of the wetland. The most water-dependant plants would only be exposed for 1-2 weeks, which is within the tolerance limits of these plants for dryness.</p> <p>Additionally, this modelled scenario is considered to be worse than reality if base-flows are considered. The base flows result from washing down and watering activities that discharge water to the stormwater network. More flow than modelled is anticipated to be discharged to the wetland during these dry periods due to these base-flows that typically occur in urban developments. Therefore, the drawdown analysis presents a</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	scenario that is worse than likely to occur.
(c)(iii) A rainwater harvesting strategy needs to be provided to comply with clause 22 of the SEPP (WSEA) 2009.	<p>Agreed. Due to uncertainties in the development layout, this strategy will be effectively prepared at a later development / project application stage. Rainwater harvesting and reuse provisions are already addressed at sections 10.2 (Collected Rainwater shall be reused to reduce demand) and 19.1 (Provision of infrastructure suitable to contribute towards Regional Rainwater Harvesting) within the draft Statement of Commitments.</p> <p>No further response is warranted to this issue.</p>
(c)(iv) Provide modeling to demonstrate that re-directing runoff from the eastern to the western catchment will not impact flows to the local creek systems	<p>This proposal was discussed at some length during consultation with Blacktown City Council engineers on 18.06.09, of which the following minutes are reproduced for reference:</p> <p><i>EDAW presented to Blacktown City Council the approach taken for the Water Sensitive Urban Design strategy for 60 Wallgrove Road, Minchinbury. Council noted that it does not normally approve of diverting water away from its natural catchment, but agreed in principle the concept subject to the following conditions:</i></p> <ul style="list-style-type: none"> • <i>Peak flows from this catchment are not increased for flood events from the 1 year ARI to the 100 year ARI</i> • <i>the water quality of stormwater runoff is improved by treating runoff to the treatment targets outlined in the Blacktown WSUD DCP</i> <p><i>Council also acknowledged that the diversion of stormwater run-off to the western catchment would:-</i></p> <ul style="list-style-type: none"> ○ <i>result in an increased supply of stormwater that could be used for irrigation by the cemetery thereby having a beneficial effect of reducing the potable water demands of the cemetery for landscape watering</i>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<ul style="list-style-type: none">○ <i>Result in preserving or reducing the peak outflow to the Wallgrove Road culvert, which may be currently under-capacity.</i> <p><i>Council also support in-principle an on-site flood detention basin to be located within the area set aside for environmental conservation in the Western catchment. It was noted that if the depth of the detention basin was less than 0.6 m, no fencing would be required. Blacktown City Council noted that batter slopes for detention basins should be no steeper than a grade of 1:6.</i></p> <p><i>In-principle support was also given for a series of cascading flood detention basins to be located within the vegetated reserve of the eastern catchment. These would not require fencing if they were 0.6 m deep or shallower.</i></p> <p>Diversion from one side of the site to the other is of no overall consequence to the “local creek system” given both catchments ultimately drain into Eastern Creek within several hundred metres of each other.</p> <p>It is noted that the receiving waterways from both eastern and western catchments onsite have been highly modified. Downstream of the eastern catchment has been disturbed by the construction culverts and of the motorway itself, and increases in runoff that have resulted. Downstream of the western catchment, flows are captured by a pond within the cemetery. Directing some runoff to the western catchment will help mitigate the impact of excess runoff generated by the increased imperviousness of the proposed development site. Some of the excess runoff will be used by the cemetery as an alternative water supply for irrigation.</p> <p>The flood studies conducted demonstrate that peak flows are controlled by the culvert underneath Wallgrove Road, and that these flows will not be worsened by the development.</p>
--	--

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<p>Quantitative demonstration of expected outcomes will occur as part of the detailed design that accompanies the subsequent stages and approvals the follow the Concept Plan.</p> <p>No further response is warranted to this issue.</p>
<p>(c)(v) Detailed Salinity study is required to ensure that Stormwater / WSUD infrastructure is not adversely affected.</p>	<p>Agreed. Preparation of a Salinity Assessment and Management Plan is already addressed at section 3.2 of the draft Statement of Commitments.</p> <p>Where it is found that saline soils exist on site, the proposed wetlands and bioretention systems can be lined to prevent these from having any impact on saline soils, and to prevent saline soils from affecting the performance of these devices. Bioretention systems have been constructed in saline environments within the Blacktown City Council LGA - such as Second Ponds Creek (Landcom). Designs should follow the procedures developed for these developments.</p>
<p>(d) The WSUD Report uses the term On-site detention where it describes a Precinct or Regional detention basin.</p>	<p>Agreed. The term “Precinct Detention” can be used in place of “On Site Detention” where it is used in sections 4.4.1, 4.4.8 and Figure 3 of the WSUD Appendix. This change is a semantic issue of no significance when considered in light of the content of the report and its proposed hydrologic outcomes and strategy.</p> <p>No alteration to the WSUD report is warranted.</p>
<p>(e) The flood modeling parameters are inappropriate and the basin will be undersized</p>	<p>The flood modeling parameters were reviewed again in response to this query and were considered realistic for the site. Further agreement on modeling parameters can be achieved reasonably at a detailed design stage accompanying a future development/project application on this site. The provision and sizing of basins is considered suitable to progress to approval of the Concept Plan upon the MEP site.</p>

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	No further response is warranted to this issue.
4(f) Provision for local flooding has not been considered	<p>The site is not affected by mainstream flooding, and the site receives no upstream runoff due to past roadworks for the M4 and Wallgrove Road effectively insulating the site against flooding.</p> <p>Local flooding generated on-site would be accommodated in detailed design for the development. This would ensure that roads were built with sufficient capacity to convey the design flow event arise.</p> <p>Quantitative demonstration of expected outcomes will occur as part of the detailed design that accompanies the subsequent stages and approvals the follow the Concept Plan.</p> <p>With regard to clause 5 of the SEPP (WSEA) 2009 the site is not flood prone and the local flood issue created by site development is of minor significance that can be addressed at a later detailed design stage.</p> <p>No further response is warranted to this issue.</p>
4(g) A drainage easement is required to be created across the cemetery.	Agreed. The requirement for creation of the easement can be stipulated as a condition of the Concept Plan approval that it be created prior to any works commencing on the site.
4(h) All stormwater / hydraulic modeling shall be provided to Council for assessment. All modeling parameters need to be approved by Council prior to final modeling.	<p>The flood modeling parameters were reviewed again in response to this query and were considered realistic for the site. Further clarification would be required to determine which parameters were considered inappropriate.</p> <p>Modeling parameters for MUSIC are provided for the major design components of the wetland and bioretention system. These are:</p> <ul style="list-style-type: none"> ○ Meteorological data

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

	<ul style="list-style-type: none">○ Catchment size and imperviousness○ Constructed Wetland<ul style="list-style-type: none">- Detention time- Extended Detention- Length to width ratio- Vegetation cover in macrophyte zone○ Size of inlet zone relative to macrophyte zone○ Bioretention System<ul style="list-style-type: none">- Extended Detention- Saturated hydraulic conductivity- Mean particle size- Depth of filter media○ Flood modeling <p>All parameters for the RAFTS flood model were supplied in the WSUD Report.</p> <p>The comment regarding “<i>the modeling parameters are not acceptable, particularly for the undeveloped condition</i>” suggests that it is the flood modeling parameters that are under question as this was the model with a scenario for the undeveloped condition. The flood modeling parameters were reviewed again in response to this query and were considered realistic for the site.</p> <p>The proponent has engaged professional hydraulic consultants and they have reviewed their modeling to ensure it was accurate and reliable.</p> <p>Further assessment and agreement upon the conduct of modeling can occur at a later detailed design stage associated to a future development/project application stage.</p> <p>No further response is warranted to this issue.</p>
5. Other issues of Concern	

Response to Submissions - Minchinbury Employment Park – Concept Plan (MP 09_099)

(a) Will the basins be dedicated to Council?	The purpose of the basins is to act as regional or communal basins and be accessible from a public road. The basins will be constructed by the site developer to Council's approved design, with the intent to dedicate them to Council as drainage reserves. This is stated in section 3.7 of the exhibited EA.
(b) Exhibition has taken place during school holidays. Was additional time given for exhibition?	Yes. The exhibition period for the proposed Concept Plan and EA was extended by 1 month and ran from 16 December 2009 to 16 February 2010.