

Your ref: MP 06_0225 Mod 3
File no: MC-06-0225

26 August 2016

Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Copas,

**Re: MP 06_0225 Mod 3 - Modification to the Concept and Project Approvals
for the Hanson Concrete Asphalt Facility at Eastern Creek**

I refer to your correspondence dated 29 July 2016 requesting that Council provide comments in relation to the above section 75W modification application in to amend the plan of Subdivision, relocate the re-vegetation area, amend the road alignments, amend the retaining wall location and heights and include a warehouse / industrial use on the allotment acquired by Frasers Property.

The proposal has been reviewed by us and the following concerns are raised:

1. Proposed Building Pads

The proposal states that the all built forms for future warehouse / industrial facilities will be subject to separate development consent with regard to the relevant planning instruments, including the Blacktown Local Environmental Plan 2015 and Blacktown Development Control Plan 2015. However the Proposed Site Plan also indicates the location of intended 'building pads' hatched in red, which are quite extensive with no regard for setbacks. Given built form approval is to be the subject of separate development applications, it is recommended that the building pads are removed from the Proposed Site Plan.

2. Use

The Environmental Assessment Report states that the proposal is for the "*use of the proposed lots which are to be consolidated for warehousing and distribution purposes. Note: any future built form will be subject to separate approval.*"

Insufficient information is provided in this application to warrant the approval of land use in this modification application.

Council Chambers • 62 Flushcombe Road • Blacktown NSW 2148
Telephone: (02) 9839 6000 • **Facsimile:** (02) 9831-1961 • DX 8117 Blacktown
Email: council@blacktown.nsw.gov.au • **Website:** www.blacktown.nsw.gov.au
All correspondence to: The General Manager • PO Box 63 • Blacktown NSW 2148

Given each lot will be the subject of a separate application for the built form and other operational considerations, it is recommended that the approval of the use is premature and unnecessary in this application, and therefore it should be deleted.

3. Sewerage System

The proposal seeks to replace Condition 4 'Sewerage System' with a condition requiring the issue of a Section 73 Certificate to satisfy the requirements of Sydney Water.

No objection is raised to the proposed amended Condition 4. However it is also recommended that the condition requires the Proponent to obtain a Trade Waste Approval as part of the operation of any approved development, if required by Sydney Water.

4. Retaining Structures

The proposal indicates that all 'walls greater than 3 m in height will be terraces where they are in the public view including along public roads.'

The proposal indicates that the proposed retaining walls in the vicinity of the proposed revegetation area along the western boundary of the subject site are of a substantial height, of up to 6 m to the west of the Australand Purchase Area and 15 m between the Australand Purchase Area and the Basin. In most cases the battering is also quite steep.

Concern is raised that this substantial change in levels will result in substantial overshadowing of the proposed revegetation areas and its viability. This will be further exacerbated by the future building forms on the site.

The Proponent is requested to consider the viability of this vegetation if the opportunity for access to sunlight is limited.

5. Precinct Road

The Proponent's Environmental Assessment Report acknowledges that the Project Approval required the Proponent to construct the Precinct Road to the north of the site within 12 months of the date of approval of MOD 2, being by 3 June 2016.

We request the Proponent provide further information as to the timing of the completion of these works, as any further delays are considered to result in an adverse impact on the orderly development of this precinct. The adjoining major project approval for Dial a Dump cannot practically comply with its obligation to construct parts of the proposed precinct road unless this project delivers its obligations.

Please note that our Section 94 Contributions and Asset Design are still reviewing this proposed amendment. Should any concerns be raised, we will forward this to you as soon as possible.

We look forward to the Proponent's response in relation to the above, and request the opportunity to review and additional information and provide recommended conditions of consent, should the Department support this proposal.

If you would like to discuss this matter further, please contact me on 9839 6228.

Yours faithfully,



Judith Portelli

Manager Development Assessment

Your ref: MP 06_0225 Mod 3
File no: MC-06-0225

7 September 2016

Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Copas,

**Re: MP 06_0225 Mod 3 - Modification to the Concept and Project Approvals
for the Hanson Concrete Asphalt Facility at Eastern Creek**

Further to our correspondence dated 26 August 2016 and in relation to the above section 75W modification application, the following concerns are raised by Council's Section 94 Contributions and Asset Design sections.

1. Asset Design

Amended civil plans are required to be provided which address the following:

- a) Easements for support are required as batters as steep as 1V:2H are proposed from the road boundary.
- b) No drainage is shown at the collector road cul-de-sac. Details of any interim drainage are to be provided. The plans indicate a future extension of the collector road which does provide additional drainage which appears to go through proposed Lot 7. Easements would need to be created to take the road stormwater through private property.
- c) The drainage system from Lot 7 to the proposed basin in Lot 5 will need to have a minimum 100 year capacity as proposed batters over easement I would direct overland flows away from the proposed basin.
- d) The catchment plan shows what appears to be a GPT in the north western corner of lot 7. A GPT on the southern boundary of Lot 7 before discharging into easement I would be better as pre-treatment should be provided before discharging into the bio-retention system.

The Proponent is also required to confirm that the revegetation area is not impacted on by the proposed drainage pipe at easement I.

2. Section 94 Contributions

Condition 24 *Local Road Contributions* is yet to be satisfied as the outstanding contributions should have been paid by 30 November 2014. We do not consider that any further extension or delay is appropriate.

Contributions Plan No. 18 Eastern Creek Stage 3 came into force on 22 June 2016.

We consider it appropriate that Condition 24 is satisfied prior to the approval of this modification application.

Alternatively, we consider it appropriate that a condition of consent is introduced requiring the full payment of the required CPI indexed contributions prior to the release of any linen for subdivision or the issue of any Construction Certificate, whichever is first.

We look forward to the Proponent's response in relation to the above, and request the opportunity to review and additional information and provide recommended conditions of consent, should the Department support this proposal.

If you would like to discuss this matter further, please contact me on 9839 6228.

Yours faithfully,



Judith Portelli

Manager Development Assessment

Your ref: MP 06_0225 Mod 3
File no: MC-06-0225

4 October 2016

Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Copas,

**Re: MP 06_0225 Mod 3 - Modification to the Concept and Project Approvals
for the Hanson Concrete Asphalt Facility at Eastern Creek**

Further to our correspondence dated 26 August 2016 and 7 September 2016 and the Applicant's further correspondence dated 7 September 2016 and 12 September 2016 with regard to the above section 75W modification application, the following comments are provided:

1. Asset Design

No objection is raised, subject to the imposition of the following new condition:

"Stormwater Plans

Amended stormwater plans are to be submitted to and approved by Council prior to the issue of any Construction Certificate which addressed the following:

- a) Easements for support are required as batters as steep as 1V:2H are proposed from the road boundary.
- b) No drainage is shown at the collector road cul-de-sac. Details of any interim drainage are to be provided. The plans indicate a future extension of the collector road which does provide additional drainage which appears to go through proposed Lot 7. Easements would need to be created to take the road stormwater through private property.
- c) The drainage system from Lot 7 to the proposed basin in Lot 5 will need to have a minimum 100 year capacity as proposed batters over easement I would direct overland flows away from the proposed basin.

- d) The catchment plan shows what appears to be a GPT in the north western corner of lot 7. A GPT on the southern boundary of Lot 7 before discharging into easement I would be better as pre-treatment should be provided before discharging into the bio-retention system.”

2. Section 94 Contributions

No objection is raised subject to Condition 24 *Local Road Contributions* being deleted and replaced as follows (this condition is in accordance with Council's current standard condition for contributions):

“Local Road Contributions

24. The Proponent shall reasonably contribute toward the acquisition, design and construction of the Precinct Plan Road known as the 'Quarry Link Road' between Old Wallgrove Road and Wonderland Drive, and the Bridge forming part of the Quarry Link Road. The contribution shall be made by the Proponent to Council by before the issue of the Subdivision Certificate for the new plan subject to the MOD 3 application.

The following monetary contributions pursuant to Section 94 of the Environmental Planning & Assessment Act 1979, are payable. The amounts below are BASE contributions which WILL BE INDEXED from the nominated base date to the date of payment.

Contribution Item	Base Amount	Relevant C.P.	Base CPI
(i) Quarry Link Road	\$466,270	18	June 2015
(ii) Traffic Management	\$26,158	18	June 2015

The contributions will be indexed according to the Australian Bureau of Statistics' Consumer Price Index (All Groups Sydney).

Copies of the following relevant Contributions Plan may be inspected/purchased from Council's Development Services Unit or downloaded from Council's Webpage:

S.94 CP No. 18 – Eastern Creek Stage 3

The Section 94 Contributions have been based on the total developable area nominated below. Should the final plan of survey indicate any change in the total developable area the Section 94 contributions will be adjusted accordingly.

Developable Area: 25.95 Ha.

PLEASE NOTE: Indexed payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED. Payments of the full amount by credit card or EFTPOS are accepted. However, payments by credit card or EFTPOS over \$10,000.00 are levied a 3% surcharge on the whole amount and cannot be split between different credit or EFTPOS cards."

3. Planning Matters – Building Pads

As previously raised in our correspondence dated 26 August 2016, given built form approval is to be the subject of separate development applications, it is recommended that the building pads are removed from the Proposed Site Plan.

The Applicant has also requested in their correspondence dated 29 September 2016 that the following condition is added:

"The Lot 6 / Pad 6 Bulk Earthworks levels may be altered by raising the northern two thirds of the pad level by up to 1m (from 80m to 81m) and lowering the southern one third of the pad level by up to 2m (from 80 to 78m), with a batter and later retaining wall between the two levels."

Council's development engineer has confirmed that no objection is raised to the intended change in levels for the above pad. These levels are suitable as they will be consistent with the road grade and provide better access to the site.

Therefore, although building pads are not approved in this DA, we confirm that these intended levels are appropriate. Approval for any works for the construction of building pads is required to be the subject of a separate DA and demonstrate full compliance with the Blacktown Local Environmental Plan 2015 and Blacktown Development Control Plan 2015.

4. Planning Matters – Use

As previously raised in our correspondence dated 26 August 2016, separate approval is required for the use of the site.

5. Planning Matters – Sewerage System

As previously raised in our correspondence dated 26 August 2016, no objection is raised to the proposed amended Condition 4. However it is also recommended that the condition requires the Proponent to obtain a Trade Waste Approval as part of the operation of any approved development, if required by Sydney Water.

If you would like to discuss this matter further, please contact me on 9839 6228.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'JP' or 'Judith Portelli' in a cursive style.

Judith Portelli

Manager Development Assessment



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Office of
Environment
& Heritage

DOC16/380152
MP06_0225 MOD 3

Ms Kate MacDonald
Team Leader, Industry Assessments
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Patrick Copas

Dear Ms MacDonald

Notification of s75W Modification - Hansons Asphalt and Concrete Facility

I refer to your letter received 29 July 2016 by the Office of Environment and Heritage (OEH) seeking comments on the proposed modification to the Hansons Asphalt and Concrete Facility at Honeycomb Drive, Eastern Creek (MP06_0225 MOD 3).

OEH has reviewed the relevant documentation and provides comments on biodiversity at Attachment 1.

If you have any questions about this matter, please contact Marnie Stewart, Senior Regional Operations Officer on 9995 6868 or marnie.stewart@environment.nsw.gov.au.

Yours sincerely

S. Harrison 03/08/16

SUSAN HARRISON
Senior Team Leader Planning
Regional Operations

Contact officer: MARNIE STEWART
9995 6868

ATTACHMENT 1

Office of Environment and Heritage (OEH) comments on proposed modification to the Hansons Asphalt and Concrete Facility at Honeycomb Drive, Eastern Creek (MP06_0225 MOD 3)

1. Background

OEH has reviewed the Environmental Assessment prepared by Willowtree Planning (July 2016) and Ecological Assessment prepared by Cumberland Ecology (February 2016). OEH understands that the proposed modification (MOD 3) will amend the subdivision layout and roads, relocate the revegetation area, amend the design of retaining walls and permit warehouse/industrial uses on part of the site.

2. Biodiversity

OEH previously provided advice on 31 July 2012 in relation to Modification 1 to MP06_0225 (MOD 1), recommending that vegetation losses be offset with a minimum offset to clearing ratio of 2:1 in accordance with the OEH policy at the time. Following this advice, MOD 1 approved the removal of 1.5ha of vegetation, to be offset by the revegetation of 1.85ha of the site with Cumberland Plain Woodland (an offset to clearing ratio of approximately 1.23:1).

OEH met with representatives of the proponent in February 2016 to discuss the relocation of the revegetation area and raised no concerns provided that the extent of revegetation was maintained. OEH notes that an area of vegetation 1.85ha in size is proposed to be revegetated under MOD 3. OEH considers that the configuration is a slight improvement as the area to be revegetated is adjacent to the area of the site to be development rather than in the centre of the development. However, it is still not ideal given high edge to area ratio which makes the vegetation susceptible to weed invasion and rubbish dumping.

(END OF SUBMISSION)