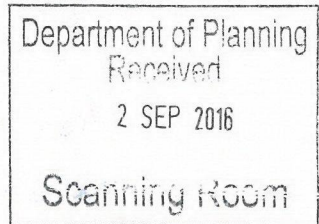


PCU066821

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.

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,

A handwritten signature in blue ink, appearing to be 'JP' or similar initials, written in a cursive style.

Judith Portelli

Manager Development Assessment