



Your ref: SSD-79500208
File no: MC-25-00006

15 August 2025

NSW Department of Planning, Housing and Industry
GPO Box 39
SYDNEY NSW 2001

Recipient Delivery Patrick.Copas@planning.nsw.gov.au

Attention: Patrick Copas

Dear Sir/Madam

SSD-73761707 - Notification of exhibition of a State Significant Development Application for Honeman Close Warehouse facility

Thank you for your correspondence dated 17 July 2025 requesting our comments on the above State Significant Development proposal.

The applicant's Environmental Impact Assessment and supporting documents have been reviewed by Council officers and we object to the proposal in its current form. Council officers have listed a number of issues that need to be addressed, please see them in the attachment to this letter.

Council therefore requests that these matters be comprehensively addressed and returned back to Council for further comment and consideration before any determination of this application is made by the Department.

If you would like to discuss this matter further, please contact Jared Spies, our Senior Development Assessment Planner on 9839 6228.

Yours faithfully

Judith Portelli
Manager Development Assessment

Connect - Create - Celebrate

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Blacktown City Council's submission to SSD-79500208

1. Planning issues

- a. Confirm if the proposed new estate road in this application is a public or private road. There are different planning implications depending on the type of road proposed such as building setbacks, easements, restrictions, boundary adjustments, maintenance obligations, dedications etc. It is noted that the entrance point of the site is off an existing private road for TfNSW Crash Lab.

It is also noted that the entrance point will impact on the existing entry gate for TfNSW Crash Lab site to the north which restricts access to their operation. Arrangements will need to be made to relocate this gate.

- b. Capping of contamination in on-site containment cell is mentioned as a site remediation option in the submitted Remediation Action Plan. Please advise where the containment cell will be located on amended plans. Note that the location of the cell will ultimately need an Environmental Management Plan (EMP) and referenced on the Deposited Plan with an associated S88B restriction for ongoing management of the cell in perpetuity in accordance with the EMP.
- c. There is no evidence that the proponent has entered into a Voluntary Planning Agreement with Council for the proposed development prior to this application being approved. No consent can be granted without a Voluntary Planning Agreement being executed for the development as the land to which the application relates is subject to Section 66 of the EPA Regulation and must not be determined without an executed Voluntary Planning Agreement.
- d. Provide council with evidence of approval from Department of Climate Change, Energy, the Environment and Water for the proposal which includes diverting the existing creek as this contrary to the Water Management Act and council does not support this either.

2. Natural Areas issues

The development as proposed is inconsistent with the applicable planning framework and proposes unacceptable impacts to biodiversity with inadequate offsetting and impact mitigation. Specifically,

- a. Conservation areas under the Huntingwood Precinct Development Control Plan August 2011- amended May 2020 have not been protected (Figure 4 Huntingwood DCP).
- b. High Biodiversity Value Areas under the Huntingwood DCP have not been protected (Figure 14 Huntingwood DCP).
- c. Areas identified as core habitat, support to core habitat and other remnant vegetation under the Huntingwood DCP have not been protected (Figure 13 Huntingwood DCP).

- d. The proposal impact area should be overlain onto maps of these Figures from the Huntingwood DCP as was requested in the pre-Application meetings with Council, in order to clearly visualise this inconsistency.
- e. The Huntingwood DCP section 6.1 Biodiversity states that conservation is not negotiable in the Riparian corridors and that Conservation areas as shown in Fig 4 are to be maintained as a part of private properties.
- f. The proposed new access road will destroy more than half of the 0.44 ha of on-site mapped important habitat of Critically Endangered Swift parrot.
- g. Section 9 of the BDAR presents information for an assessment of serious and irreversible impact on swift parrot and neglects the most recent information from the National Recovery Plan for Swift parrot (2024) including current population estimates of between just 300 and 1000 mature individuals in 2020 and declining. Destruction of swift parrot habitat on site is not supported given the potential for serious and irreversible impact to this species.
- h. The Swift parrot conservation area impacted by the proposal has potentially been underestimated in the BDAR.
- i. In terms of impact mitigation and the stated objectives in the EIS of ensuring effective management and protection of ecological areas within the site, the application is unacceptable:
 - o No Flora and Fauna management plan has been provided.
 - o No in perpetuity Vegetation management plan has been provided.
 - o No mechanism of enduring protection and maintenance of Conservation area and Riparian corridors has been proposed
 - o No Arboriculture Impact Assessment Report inclusive of Tree Protection Plan has been provided
- j. The DA proposes a realignment of a category 1 riparian corridor which the Huntingwood DCP stipulates is not supported. The DCP identifies this as the largest drainage line in the Precinct. Huntingwood DCP stipulates that this category 1 riparian corridor - Environmental corridor - requires a 50m buffer from top of bank and the category 2 riparian corridor requires a 30m buffer from top of bank. The DCP states on pages 40 and 60 that development consent shall not be granted/buildings not permitted within 50 m of the top of bank of this creek.
- k. Creek realignment is inconsistent with Caring for Country Principles and Designing for Country Guidelines with areas of aboriginal archaeological significance identified on site in close proximity to the Category 1 stream proposed for realignment. Toehold trees were located in place on site by Council Officers where past surveys indicated they would be, in contrast to the Aboriginal Archaeological Report and EIS provided with the proposal.
- l. Creek realignment is generally not supported by Council due to poor outcomes such as slumping, scouring, washaway and erosion, in short, poor outcomes and degradation. Creek realignment is inconsistent with Council objectives of healthy

natural waterways. The applicant was advised at pre-application meetings that creek realignment as part of any proposals on the site would not be supported.

- m. On site survey by Council staff indicate this is the healthiest of the two riparian corridors on site with definite bed and bank, less weeds and higher native aquatic species diversity. The realigned riparian corridor proposed in the civil plan lacks attributes of natural forming riparian zones and will not offer any biodiversity values, the design is more consistent with a storm water drain.
- n. The on site 'ecological area' is proposed to contain the creek pushed into a drain with little ecological value.
- o. If dense invasive vegetation is so problematic that it is preventing proper assessment of the site, as stated by the proponent in many of the submitted application reports, preliminary bush regeneration should be undertaken to manage these infestations to allow for proper site assessment. These works should be undertaken by a reputable restoration ecology firm.
- p. Please revisit the on-site vegetation delineation with large areas of mapped Critically Endangered Cumberland Plain Woodland (PCT 3320) considered in the BDAR to instead be the lower listed entities Endangered Swamp Oak Riparian Forest (PCT 4023) or Red Gum Riverflat Eucalypt Forest (PCT 4025). This has implications for both the quantum and type of ecosystem and species credits generated and the EPBC referral and assessments required. Ground truthing by Council suggests only a narrow area of Casuarinas along the eastern watercourse, much less than the 50-150 m wide area and less than the 2.10 ha impact area determined in the BDAR. Likewise, the western area determined in the BDAR to be 1.78 ha of Red Gum Riverflat Eucalypt Forest was inspected and is considered regenerating Cumberland Plain Woodland entirely consistent with state vegetation mapping for 3320.
- q. Please justify why species credits for *Pimelea spicata* (Spiked Rice Flower) and *Meridolum corneovirens* (Cumberland Plain Land Snail) have been restricted within the larger onsite area of Cumberland Plain Woodland (PCT 3320).
- r. Any proposed on site conservation area is to be designated in perpetuity protection and management under a VMP via an 88D permanent positive covenant on Lot title.
- s. Please demonstrate how the setbacks proposed are consistent with the Huntingwood DCP in terms of minimum widths given the encroachment of Sydney Water assets required. Please note that buildings are to be set back by: (i) 20m from the Great Western Highway, M4 Motorway corridor and Prospect Highway; (ii) 10m from Reservoir Road; (iii) 7.5m from other roads in the Precinct of which all is to be used for landscaping; and (iv) 5m for a secondary setback on a corner allotment. (b) No storage of any kind is permitted within the setback area. (c) No side setbacks are permitted between allotments subject to meeting fire rating requirements. (d) A minimum setback of 5m is required from the building alignment to any boundary that is adjoining to a conservation area, or to any conservation area within the site.
- t. Please include complete copies of the fieldwork 20 x 20 m plot data in the BDAR by *écologique* 04/07/2025 to enable checking of growth form allocation, summed cover scores etc.

- u. On ground assessment by Council staff indicates that the quality of CPW is best within the construction footprint given it has the largest trees, the oldest trees by historical aerial imagery, the most tree hollows, the highest native groundcover and shrub richness, and the highest regeneration potential if Lantana is managed. The construction size and siting on site is thereby inconsistent with avoid and minimise principles under the Biodiversity Conservation Act 2016.
- v. In the Bushfire Hazard Assessment prepared by BlackAsh Bush fire Consulting 24/04/2025 it states that the entire site other than the Ecological zone will remain cleared and maintained as an APZ and lacks clarity on whether this includes the new drain (realigned creek) suggesting that this too will be intentionally kept vegetation free for fire fighting purposes, even though the block is not fire prone land.
- w. The proposed riparian zone requires clarity. Currently, the civil plan by Arcadis Australia Pacific 07/03/2025 only shows the depth of the cut and directs back to the landscape plan by Place Design Group 24/03/25 which in turn directs back to the civil plans.

3. Engineering

- a. We require the following information to be provided as per Engineering Guide for Development – 2005:
 - i. Pavement Report/Design
 - ii. Long Sections and Cross Section of slip lane (GWH & Estate Road) approved by TfNSW
 - iii. Long Sections and Cross Section of Estate Road with Industrial Cul-de-sac
 - iv. Drains Model for Drainage Design for the roads
 - v. Traffic Management Plan.

4. Drainage

- a. The following supporting documents must be provided in electronic copy for assessment:
 - i. Blacktown's Deem to comply OSD spreadsheet shall be provided.
 - ii. MUSIC model shall be provided to confirm the reduction target and the non-potable reuse target are achieved.
 - iii. DRAINS model to confirm the drainage design on both internal and external of the site
 - iv. Tuflow model to show the waterway/ creek in both pre and post development
- b. The submitted Civil drawings, Arcadis, Job Number 30206399, Issue 03 and dated 7/03/25 have been reviewed and are insufficient for assessment of the proposed drainage design. The following details must be provided:

- i. the details of the proposed OSD, GPT and storm filter tank including details of the control pit, orifice level weir level and cross-section of the tanks and GPT etc. The required submission details can be found in Council's Engineering Guideline For Development and WSUD Standard drawing A(BS)175M.
 - ii. the details of the proposed riparian swale shall be provided including details of the finishing of the swale, longitudinal and cross-section of the swale, the material of the swale and the buffers. The required details can be found in Council's Engineering Guideline for Development and WSUD Standard drawing A(BS)175M. Secondly, the access path of the swale shall be provided to prove the maintenance of the swale.
 - iii. The drainage details of the access cul-de-sac must be provided including the longitudinal section, invert of the pipe and pit, pipe size and hydraulic grade line.
 - iv. All internal pipeline details must be included in the submitted plan including the longitudinal section, the invert of the pipes and pits, pipe size and hydraulic grade line etc.
 - v. The details of the easement where is located on the eastern side of the lot, must be provided including the proposed headwall and the invert of the pipes and pits
- c. Flood details:
 - i. The detailed flood level and impact of the proposed access road from the proposed site to Great Western Highway must be provided as it is the only access route to the site.
 - ii. The detailed flood level and impact on the existing creek and provided swale must be provided due to the proposed diversion of the creek line.

5. Greenspace Services

- a. The landscape plan shows trees proposed to be removed and retained. It is unclear why they are being removed without a report in the form of an Arboriculture Impact Assessment (AIA). We therefore request an AIA for this development.
- b. The trees being retained also need to have a tree protection plan. This can be incorporated into the AIA.