



29 March, 2022

Arncliffe Eden Property Pty. Ltd.
C/- Billbergia
Suite 101, 25 Angas Street
Meadowbank
NSW 2114

Attention: Dean Stojanovski

Dear Sir

**PROVISION OF AN EASEMENT BETWEEN PROPOSED MIXED-USE DEVELOPMENT
AT 161 – 179 PRINCES HIGHWAY & 26 – 42 EDEN STREET, ARNCLIFFE AND LAND TO THE SOUTH**

Reference is made to our recent discussions and your request for this Practice to provide advice with respect to the feasibility or otherwise of the provision of an easement between the proposed mixed-use development at the abovementioned address and No. 7 Forest Road and / or No. 181 Princes Highway, situated to the south of the site. This assessment is required in response to Item 16 contained within correspondence from the Department of Planning and Environment to the proponent dated 17 March 2022, requesting additional information with respect to Response to Submissions for SSD-11429726.

The following comments are provided with respect to the respective properties to the south of the site:

No. 7 Forest Road (Lot 1 DP952266)

The development site provides a particularly limited shared boundary with No. 7 Forest Road, being approximately 17m approximately midway along the southern site boundary. A review of the development plans indicate that this shared boundary is proposed to accommodate the following at the various ground and basement levels:

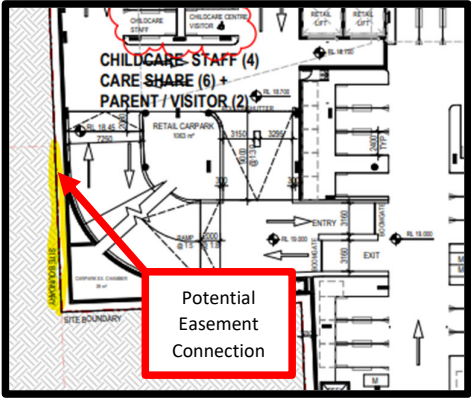
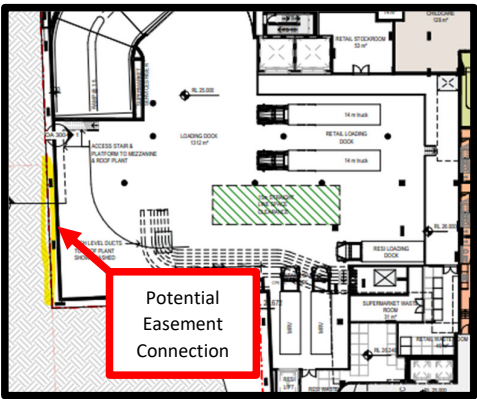
- A heavy vehicle loading dock at Upper Ground Level;
- A curved ramp at Lower Ground Level, Basement Level 1, Basement Level 2 and Basement Level 3.

This extent of shared boundary is illustrated within **Figure 1** overleaf.

FIGURE 1
EXTENT OF SHARED BOUNDARY BETWEEN DEVELOPMENT SITE AND No. 7 FOREST ROAD

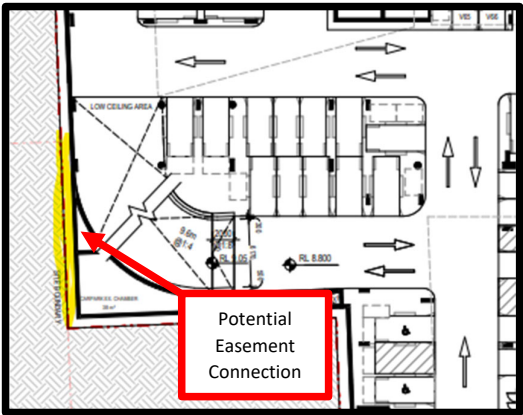
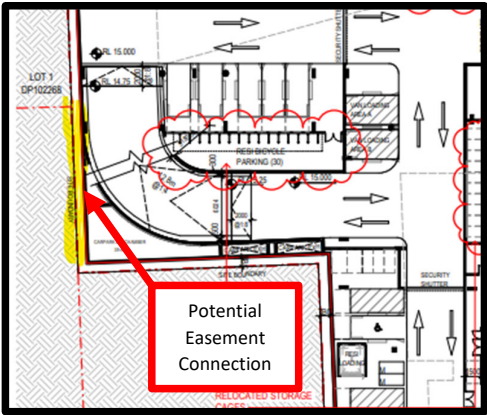
(a) Upper Ground Level

(b) Lower Ground Level

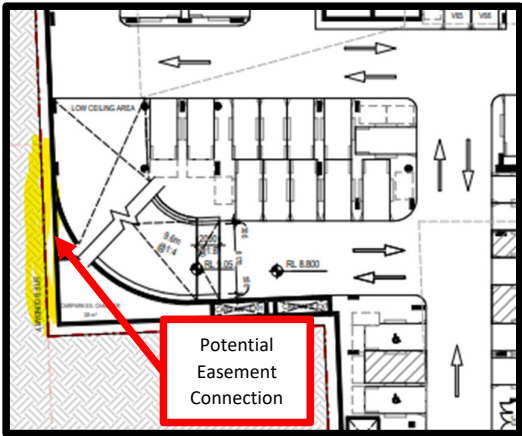


(c) Basement Level 1

(d) Basement Level 2



(e) Basement Level 3



The provision of an easement for vehicular access through the Upper Ground Floor Level is not practicable as it would necessitate vehicles associated with No. 7 Forest Road being required to negotiate the substantial heavy vehicle loading dock servicing the proposed mixed-use development. The movement of general traffic movements through the loading dock, accommodating reverse movements by vehicles up to and including 14m long semi-trailers, is considered particularly unsafe and undesirable.

The provision of an easement for vehicular access through the Lower Ground Floor Levels and Basement Levels 1 – 3 is not practicable due to the ramping nature of the internal circulation areas within the proposed development directly adjacent to the shared site boundary.

No. 181 Princes Highway (Lot 1 DP412310)

No. 181 Princes Highway provides a notably more substantial shared boundary with the subject development site in comparison to No. 7 Forest Road, sharing a boundary with the total northern and western boundaries of No. 181 Princes Highway.

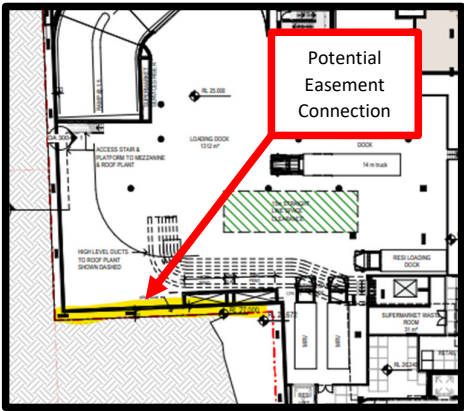
The provision of an easement between the development site and the western boundary of No. 181 Princes Highway is however not considered practicable for the same reasons at that previously outlined with respect to No. 7 Forest Road, i.e.:

- An easement at Upper Ground Level would unreasonably necessitate the movement of vehicles to / from No. 181 Princes Highway and Eden Street via the proposed development loading dock; and
- An easement at Lower Ground Level or Basement Levels 1 – 3 would necessitate connectivity through a ramp situated within the proposed development.

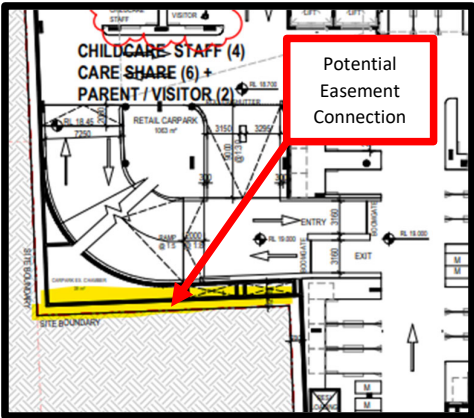
The above is illustrated overleaf within **Figure 2** overleaf.

FIGURE 2
EXTENT OF SHARED BOUNDARY BETWEEN DEVELOPMENT SITE AND No. 181 PRINCES HIGHWAY

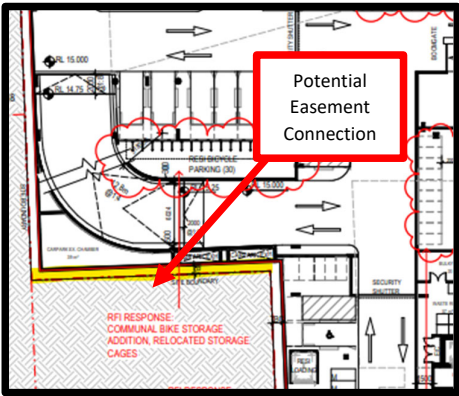
(c) Upper Ground Level



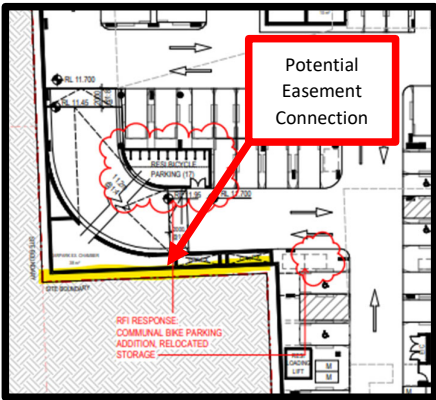
(b) Lower Ground Level



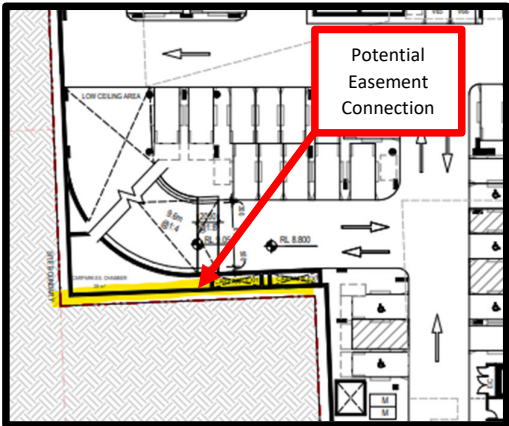
(d) Basement Level 1



(d) Basement Level 2



(f) Basement Level 3



Further, the provision of an easement between the development site and the northern boundary of No. 181 Princes Highway is not considered practicable for the following reasons:

- An easement at Upper Ground Level would, once again, unreasonably necessitate the movement of vehicles to / from No. 181 Princes Highway and Eden Street via the proposed development loading dock, with the introduction of an easement necessitating the deletion of two dedicated loading bays servicing Medium Rigid Vehicles; and
- The provision of an easement at Lower Ground Level or Basement Levels 1 – 3 would:
 - Encroach upon secure resident parking areas;
 - Introduce undesirable additional traffic conflicts throughout the residential parking areas; and
 - Necessitate the removal of proposed residential parking spaces.

In the unlikely event that it was determined that an easement can reasonably be provided between the development site and the northern boundary of No. 181 Princes Highway, to minimise the potential impact on the proposed residential parking areas, it is considered the most appropriate location for the easement connection would be situated within Basement Level 1. This development basement provides a level approximately 12m below the natural ground level of No. 181 Princes Highway. Any easement connection would therefore be situated a minimum four basement levels below natural ground level. This would appear to be an unreasonable impost for such a small site, providing an approximate area of 900m². Indeed, the limited dimensions of the site would suggest that it is not practicable to provide the required ramping arrangement to service basement levels above the easement connection.

Submitted for your consideration.

Yours sincerely,



Morgan Stanbury
Director
Traffic Engineer