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1 Rialto Lane  
Manly NSW 2095

2 December 2021

Mr Chris Ritchie  
Director, Industry Assessments  
NSW Department of Planning, Industry and Environment  
GPO Box 39  
Sydney, NSW

Dear Mr Ritchie,

**Elevation at Greystanes Estate (SSD 10399) Modification 2 – Warehouse 7 Pad**

We write on behalf of of *ISPT Pty Ltd c/- Aliro Management Pty Ltd* (the Applicant) in relation to the application to modify the State significant development (SSD) consent for the Elevation at Greystanes Estate (SSD 10399 Mod 2), which deals with the proposed layout and operation of Warehouse 7 within the estate.

Since the lodgement of SSD 10399 Mod 2, the Applicant has progressed earthworks across the majority of the site. The Applicant has also progressed its planning of the construction program and associated earthworks for the extension to the regional detention basin and Warehouse 7 (Attachment A). These activities will include:

- excavation of soil within the footprint of the new embankment extension of the regional detention basin (subject to Blacktown City Council (BCC) and Dams NSW approval);
- filling of the Warehouse 7 pad, part of which falls within the storage of the regional detention basin (blue hatched area in Attachment A), plus a 1,120 m<sup>2</sup> area within the regional wetland (red hatched area in Attachment A); and
- associated stormwater drainage structures to be installed in conjunction with filling works for Warehouse 7.

The Applicant has identified these activities associated with the Warehouse 7 pad as distinct phases of the overall works. However, under Condition B31 of SSD 10399 (see below) the Applicant cannot commence any earthworks or construction of Warehouse 7 until the extension of the regional detention basin has been completed to the satisfaction of Blacktown City Council (BCC).

*B31. Prior to the commencement of earthworks or construction works for warehouse 7, the Applicant must provide written evidence to the Planning Secretary, confirming:*

- (a) *the Applicant has entered into an access deed with BCC for carrying out works on the regional detention basin;*
- (b) *the completion of a detailed Dam Break Study of the existing regional detention basin considering the proposed modifications for the development, completed to the satisfaction of BCC;*
- (c) *the relevant recommendations of the Dam Break Study for the regional detention basin have been implemented at no cost to BCC and to the satisfaction of BCC; and*
- (d) *the works to the regional detention basin, as described in the EIS, RTS and generally in accordance with the plans in Appendix 5, have been completed to the satisfaction of BCC.*

The Applicant is developing its design of the basin extension in consultation with BCC, to satisfy the requirements of Condition B31. However, the Applicant anticipates that these requirements will not be fulfilled for some time.

With the majority of earthworks at the site nearing completion, the Warehouse 7 pad is the main area of the site yet to be filled. As a consequence, the spoil from within the basin would need to be stockpiled elsewhere before being transferred to the Warehouse 7 pad once the basin extension works are completed. This will result in double handling of the spoil and management of associated impacts including noise, air quality and increased risk of erosion and sedimentation.

The Applicant is continuing its discussions with BCC regarding the design of the regional detention basin extension and construction of the development. These discussions included a visit to the site with BCC officers on 10 November 2021 to discuss the timing of works within the Warehouse 7 footprint and the proposal to directly transfer the spoil from the embankment footprint to the Warehouse 7 pad.

The Applicant, in consultation with BCC, has identified that the Warehouse 7 earthworks could be undertaken in a staged manner, without reducing the storage capacity of the regional detention basin. This will ensure the intent of Condition B31 is achieved.

The following elements of works have been considered with respect their potential impact to the basin storage volume:

#### **Works within the BCC basin**

Condition B31 currently prevents the direct transfer of spoil from within the embankment footprint to the Warehouse 7 pad. This will require the spoil to be stockpiled elsewhere within the site. To avoid double handling of the spoil and the associated impacts noted above, the Applicant proposes to undertake a balance cut to fill exercise between the basin and Warehouse 7, with cut material being placed and recompacted simultaneously. This process ensures the volume of the basin storage is never reduced.

#### **Works to Warehouse 7 Pad**

The in-situ soil in the footprint of the Warehouse 7 pad (blue hatched area in Attachment A) is not suitable as foundation material and will need to be over-excavated to a sufficient depth prior to importing fill from the embankment extension works. As this area is within the basin inundation area, this will result in a temporary increase in the capacity of the basin during these works. The Applicant intends to use the excavated topsoil material elsewhere on the estate to reduce the amount of fill imported to the site from other locations.

The filling works of the warehouse pad not impacted by the Dam storage capacity, and the installation of retaining walls, stormwater infrastructure could also be undertaken without influence to the Dam storage volume.

We note that, in Appendix 2 of SSD 10399, the mitigation measures summary includes a commitment by the Applicant to:

*...complete the design of the regional basin embankment and construct the embankment prior to any reduction in the water storage capacity of the wetland adjacent to Warehouse 7...*

### Proposed modification

The Applicant proposes to undertake earthworks and initial construction activities within the Warehouse 7 footprint in a manner which does not reduce the capacity of the regional detention basin. This approach is wholly consistent with the mitigation measure described above.

The Applicant therefore seeks a modification to Condition B31 to require that no earthworks or construction works associated with Warehouse 7 ***that reduce the storage capacity of the regional detention basin***, can commence until the requirements of Condition B31(a) to B31(d) are satisfied. This will:

- ensure there is sufficient capacity in the detention basin to accommodate flood flows from the Northern Employment Lands; and
- enable the transfer of excavated spoil from the embankment to the Warehouse 7 pad and reduce the double handling of spoil and associated impacts.

The Applicant therefore requests an amendment to SSD 10399 Mod 2 under Clause 121B of the *Environmental Planning and Assessment Regulation 2000*, to modify Condition B31 of the development consent.

Subject to the implementation of mitigation measures described in SSD 10399 and associated Environmental Impact Statement and Response to Submissions, the proposed works described above can be carried out in a manner which is consistent with the approved development.

Please do not hesitate to contact Kane Winwood on 02 8459 7507 or [kane@keylan.com.au](mailto:kane@keylan.com.au) if you wish to discuss any aspect of this correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Woodland'.

Michael Woodland BTP MPIA  
Director

**Attachment A**

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**Regional Detention Basin and Warehouse 7 Earthworks Plan**

