

MEETING NOTES

MEETING:	S.96 Modification 1 (SSD 5175 MOD1)		
PROJECT:	Eastern Creek Retail Centre (aka Eastern Creek Business Hub)		
TIME & DATE:	10:00am, Thursday 26 November 2015.		
LOCATION:	Blacktown City Council, 62 Flushcombe Road, Blacktown.		
ATTENDEES:	Judith Portelli	Blacktown City Council	JP
	Rebecca Gordon	Blacktown City Council	RG
	Perry Bezzina	Blacktown City Council	PB
	Dennis Bagnall	Blacktown City Council	DB
	Aneesh Singh	Blacktown City Council	AS
	Tony Merrilees	Blacktown City Council	TM
	Tim Colless	Western Sydney Parklands Trust	TC
	George Henien	Western Sydney Parklands Trust	GH
	Mark Wilson	Costin Roe Consulting	MW

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- The parties provided a brief introduction and agreed to review the submission (dated 26 October 2015) to the s.96 Modification by Blacktown City Council (Council).
 - TC advised the planning document was issued to Chris Shannon (Council) prior to lodgement with the Department of Planning & Environment (DPE) and that further attempts were made to discuss the Modification.
 - The issues raised in Council's submission are numbered, and were discussed as follows.

1. Land ownership

- TC requested further information regarding the request.
- JP advised the issue related largely to Western Sydney Parklands Trust (WSPT) retaining control over the quality of the development and clarifying its intentions for ownership and maintenance of aspects such as the stormwater basins and the internal access road.

Management responsibilities

- TC advised that WSPT would control the quality and design of development through the lease documentation and that lessees would need to submit development application details to WSPT prior to lodgement with Council or DPE. TC confirmed that development would need to be in accordance with relevant determination documentation and that variances to the design guidelines would only be considered where it could be shown the change made an improvement.
- JP suggested WSPT need to clarify the process for ensuring the site design guidelines were adhered to.
- TC advised that WSPT would be clearer of intentions for long-term ownership and maintenance in the response to Submissions (RtS).

Roadworks: Internal Access Road & Intersection

- Council confirmed that if dedication of the internal road was considered by WSPT, it would need to meet Council's design criteria and that a new subdivision plan may be required to facilitate the dedication to council of the road.
- TC advised it would be further investigated.
- Council stated a preference for the signalised intersection to be complete before construction vehicles were accessing the site. TC advised that WSPT is restricted in their ability to commit to capital expenditure until leases are in place but agreed with concept. Further, TC advised that WSPT is progressing the design and approvals for the road so that only construction works will remain.
- Council advised the internal access road would not be accepted unless the signalised intersection was complete.

Stormwater basins

- TC advised WSPT did not expect Council would accept transfer of the stormwater basins. TM confirmed that the basins/ swales, etc. cannot be dedicated to council.

- MW advised that because much of the catchment of the southern basin is from Cable Place (external to the site), there is a risk of materials other than water flowing into the channel and then the basin, and that as the basin services flows from the Council road, maintenance responsibilities should be discussed further.
- Council advised that WSPT had proposed the drainage strategy (ie capturing flows from Cable Place) and that an alternative may involve re-diverting the stormwater from Cable Place so it does not enter the detention basin on the proponent's site.
- AS mentioned the basin at Bunya for which WSPT is responsible for the maintenance. TC suggested there may have been some negotiations for that agreement.

Pedestrian Link

- AS advised that a Pedestrian Management Plan should be included. TC accepted that at the appropriate time, the PMP would be considered together with landscape details.
- RG advised that Council has an issue with the transfer of the responsibility of the pedestrian path to a long-term lessee. TC advised that the exact details of the pedestrian path would be considered in a future stage of the concept when adjacent lands were developed and that further consideration would be provided at that time.
- JP raised concern that the path should not be at a level lower than the adjacent pads. MW advised that Drawing 35 includes a cross-section. Attendees reviewed the civil design which shows the pad to the east will be at a lower level however the lot to the west may be higher or equal. Council advised a preference for the pedestrian link to be on-grade with the higher pad. WSPT advised it would be given further consideration.

2. Size of supermarket

- TC provided an outline of the consent and advised that from a practical perspective, it was undesirable to require a minimum floor plate of 2,000m². TC proposed an alternative being considered by WSPT that the amount of Gross Floor Area (GFA) to be transferred from supermarket to convenience retail be capped at 2,000m², thereby achieving the outcome detailed in Council's submission. This would allow a supermarket smaller than 2,000m² but WSPT would forego the GFA beyond 2,000m².
- TC advised that further economic analysis was being undertaken at the request of DPE.

3. Remediation Action Plan

- TC noted that Council had no objection and that WSPT had done a lot of work to control the remediation process.
- JP suggested this may be considered as part of the responsibilities item (#1).
- TC agreed although stated that it is no guaranteed WSPT will undertake the works but inclusion in the s.96 at least allowed this option.

4. Heritage

- Council advised that Margaret Fallon (Council's Heritage Advisor) was unable to attend the meeting and that issues should be directed to her separate to the meeting.
- TC advised that fee proposals to address the issues raised had been obtained from qualified archaeologists and that WSPT intends to engage and commence works in the next week, subject to consultation with Margaret. GH will contact Margaret to discuss further.
- TC raised the comment in 4g of Council's submission that visual impact be considered, and advised that it had been considered by the scope of the s.96 Modification did not warrant further assessment works. It was noted that Council did not include a consent condition relating to further visual impact assessments. The issue will be discussed further with Margaret.

5. Drainage & Flooding

Flooding

- JWP flooding information provided in original approval showed PMF at RL 39.5m AHD at southern culvert and 38m at northern culvert associated with flooding of Eastern Creek. The Q100 levels were not provided in the report however these are usually seen to be much lower than PMF flood levels.
- MW advised that flood modelling should not be required because the minimum pad level, at RL42m, is well above the PMF and hence 1 in 100 year level council would require for flood immunity. Further that the basins are at similar level to PMF and would not be affected by mainstream flooding during 1 in 100 year storm events.
- Council advised that MUSIC and DRAINS hydraulic modelling was not issued as part of the application. MW confirmed it had been completed and could be issued to Council for review.

- MW advised that further information/assessment relating to the overland flow 7 channel arrangement from the upstream Cable Place residential catchment can be provided. This would be based on the new design parameters council has requested be used in the assessment.

Retaining Walls

- MW advised that Council's submission notes retaining walls should be tiered after a height of 2m however 3m is stated in the Development Control Plan. Council accepts the height can be 3m if this is consistent with the Development Control Plan.

Batters

- Council stated a preference for 1 in 5m batters and advised that if transferred to Council, this would be required however 1 in 4m would be acceptable if ownership is retained by WSPT.

6. Voluntary Planning Agreement (VPA)

- DB advised that on the basis that WSPT is responsible for all the drainage works, the internal access road and external road amplifications, that a VPA was not considered appropriate.
- TC agreed and advised that it was an error by WSPT to approach lawyers regarding a VPA and that as detailed in the determination documentation, a VPA is not required. TC advised that WSPT will enter a Works Agreement Deed with the RMS for construction of the signalised intersection providing access.

7. Traffic

- JP advised that someone had contacted Nadeem Shaikh (Co-ordinator Traffic Management, Council) on behalf of WSPT to discuss the issue relating to Francis Road/Eastern Road raised in Council's submission. WSPT is not aware who contacted Council so JP or Nadeem will confirm.
- WSPT will communicate further with Nadeem.
- Meeting was closed at 11:20am.