



CF/CF/JM
16258
4 July 2017

Carolyn McNally
Secretary
Department of Planning & Environment
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Emma Butcher

Dear Emma

**RESPONSE TO SUBMISSIONS FOR SSD 5175 MOD 2
EASTERN CREEK BUSINESS HUB (LOT 2)**

We refer to your email dated 10 May 2017 and the submissions received during the exhibition period of SSD 5175 MOD 2. The project team have reviewed the submissions and amended the Concept Plan to address concerns raised by Blacktown City Council and the Roads and Maritime Services (RMS). A description of the proposed amendments to the scheme and a detailed response to the issues raised within the submissions is provided below. We note that no public submissions were received during the exhibition period.

This response should be read in conjunction with the following information:

- Amended Concept Plan and Masterplan prepared by i2c (**Attachment A**);
- Amended Design Guidelines updated by JBA (**Attachment B**);
- Design Package prepared by i2c (**Attachment C**);
- Acoustic Statement prepared by Acoustic Logic (**Attachment D**);
- Odour Impact Assessment prepared by Northstar (**Attachment E**);
- Traffic Statement prepared by CBRK (**Attachment F**); and
- Amended Modifications prepared by JBA (**Attachment G**).

AMENDED PROPOSAL

Table 1 (overleaf) compares the key components of the concept plan as originally proposed to be modified (as part of MOD 2) with the amended proposal resulting from the exhibition period. An amended Concept Plan and Masterplan reflecting these changes are provided at **Attachment A** and updated Design Guidelines are provided at **Attachment B**.

Table 1 – Comparative analysis

Original MOD 2 Proposal	Amended MOD 2 Proposal
Loading dock vehicular access provided via two locations on Rooty Hill Road South.	Single loading dock access provided via Beggs Road. No vehicular access proposed via Rooty Hill Road South.
Hardstand setback to the existing dwellings at north western corner of the site	5-10m landscaped setback to the existing dwellings provided at the north western corner of the site
Treatment to Rooty Hill Road South undefined.	Architectural acoustic barrier to Rooty Hill Road South. Active building frontage to the south western interface with Rooty Hill Road South.

BLACKTOWN COUNCIL SUBMISSION

The following section summarises and responds to the matters raised by Council. We note that the project team met with Blacktown City Council on 22 June 2017 to discuss the matters raised in Council's submission.

1.0 VISUAL, NOISE AND ODOUR IMPACTS

a) *We support the reorientation of the shopping centre towards the Parklands and the separation of truck and car movements. The proposed loading dock, however, is not appropriately located for the following reasons:*

- *It is proposed immediately adjacent to the 2 dwellings on the corner of Rooty Hill Road South and Beggs Road, and is located opposite the low density residential area on Rooty Hill Road South. The loading dock activities will therefore impact on the amenity of these nearby dwellings in terms of visual impact, noise and odour.*

Response

The location of the loading dock is consistent with that approved under the original Concept Plan Masterplan in that a loading area was always envisioned at the north western corner of the site (refer to **Figure 1**). Therefore, the amendments proposed to the loading dock will not result in any additional impacts to adjacent sites. Notwithstanding, the current loading dock location is considered appropriate as any potential amenity impacts on the two dwellings located at the corner of Rooty Hill Road South and Beggs Road, and the residential area on the opposite side of Rooty Hill Road South, can be mitigated as outlined below. It is noted that these matters will be subject to further assessment at the detailed design stage.

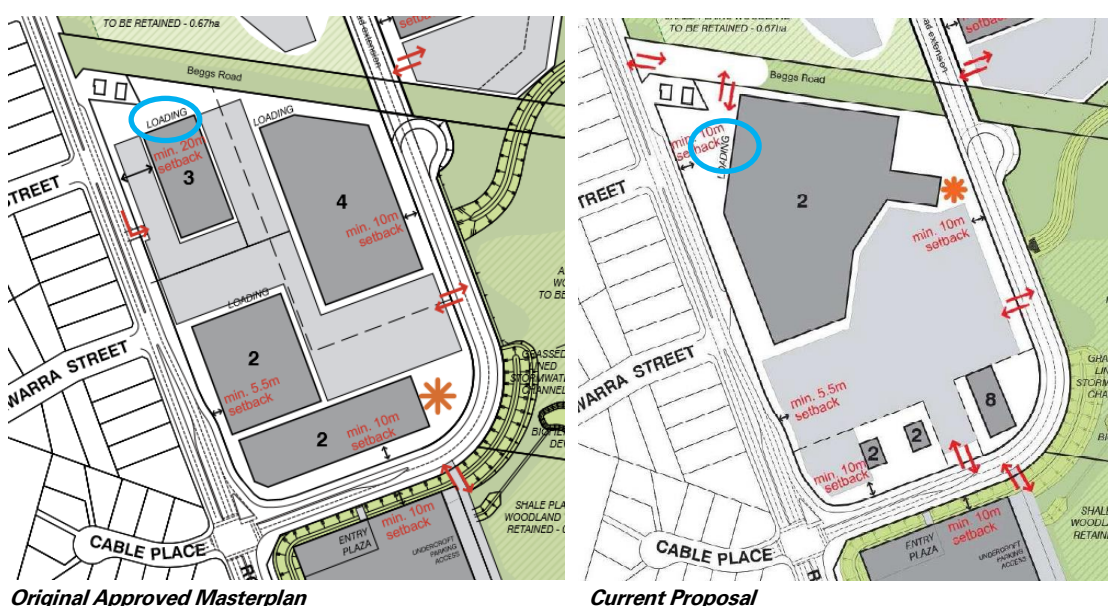


Figure 1 – Comparison of approved vs proposed masterplans

Visual Impact

The proposed location of the loading dock will not cause any additional visual impacts to the dwellings adjacent the north western corner of the site or on the opposite side of Rooty Hill Road South as:

- there is a maximum 2.05m level change between the proposed location of the loading dock and the adjacent residential site which will act as a natural screen to the loading dock activities and trucks (refer to **Figure 2**);
- a 2.1m acoustic wall is proposed along the boundary of the site which will screen the loading dock;
- a landscaped setback is provided along the boundary of the site which will allow for substantial planting, providing a green buffer at the interface with the residential dwellings.

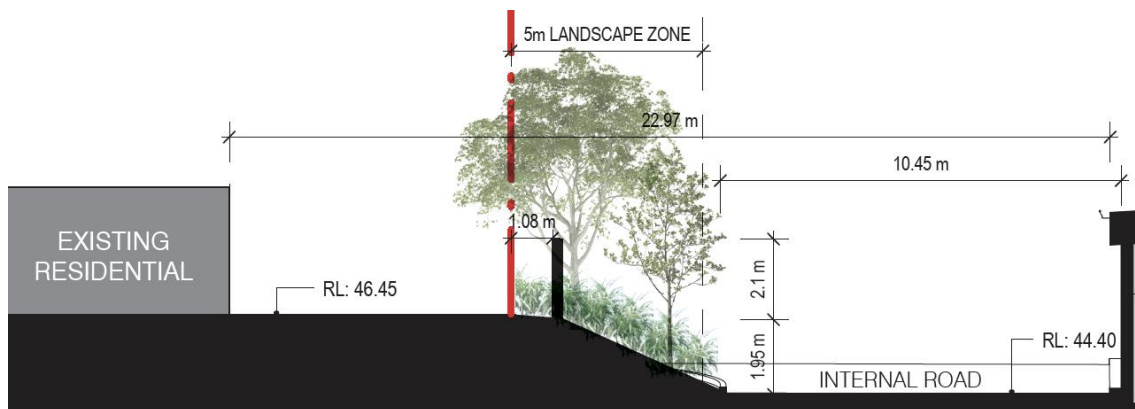


Figure 2 – loading dock section

Source: i2c

Acoustic Impact

Acoustic Logic were engaged to undertake a preliminary assessment of the location of the loading dock on the nearby dwellings (refer **Attachment D**). The assessment confirms that the loading dock is capable of complying with the EPA Industrial Noise Policy and the Sleep Arousal Criteria for noise time operations. This will ensure the acoustic amenity of the worst affected residential receivers is protected. A full acoustic assessment will be undertaken for the detailed DA.

Odour Impact

Northstar were engaged to undertake an odour assessment in relation to the potential impact of the loading dock on the nearby residential dwellings (refer **Attachment E**). The report concludes that the generation of odour emissions from the proposed loading dock activities is minor. Further, the detailed design of the loading dock area and the level difference between the sites will limit the dispersion of any potential minor odour emissions to the surrounding dwellings. Accordingly, the risk of unacceptable odour impacts is reported as low and can be appropriately managed through the waste collection contract. A detailed assessment of odour will be undertaken for the detailed DA and appropriate mitigation measures will be incorporated into the design.

- *While a 5m setback has been provided to Rooty Hill Road South to accommodate screening and dense vegetation, no such allowance has been provided in the north-west corner of the site adjacent to the existing dwellings. A 5m setback is also considered insufficient given the scale of the development and the activities proposed.*

Response

A landscaped setback with a dimension between 5m - 10m is proposed along the loading dock boundary with the adjacent dwellings (refer to **Figure 3**). It is noted that the built form of the retail centre is setback a total of 23m (refer to **Figure 2** above). This plan has been updated within the Design Guidelines at **Attachment B** to reflect this change. As detailed above, the level difference between the sites, the proposed landscaped setback and acoustic wall all ensure that the residential amenity of the dwellings with regard to visual and odour impacts is maintained and will not appropriate outlook is maintained for the adjacent residential dwellings.

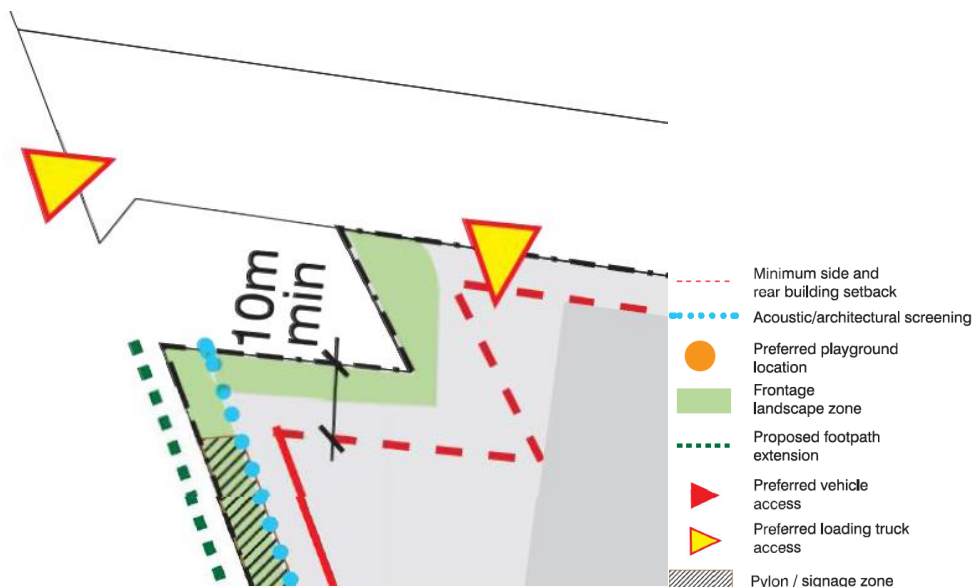


Figure 3 – Concept Plan Extract
Source: i2c

- *We disagree that the visual impact of the loading dock will be minimal. Figure 4 on page 7 of JBA's section 96(2) report indicates that the level change between Rooty Hill Road South and the loading dock will be less than 2 m. At the south-west corner of the building the level change is less than 1 m. Therefore the 'back' of the building (i.e. roller doors, waste storage area, trucks, etc.) and loading dock activities will be highly visible from Rooty Hill Road South.*

Response

The loading dock will be located at the north western corner of the site where the level difference is greatest to the adjacent land. As demonstrated by the section plans contained within the i2c design package (**Attachment C**), the level difference at the loading dock is up to 2.05m.

At the south western corner of the site, where the level difference is less, the built form will be designed to address the Rooty Hill Road South frontage. This frontage will also be addressed through the provision of an integrated architectural screen and landscape treatment. **Figure 4** shows the indicative treatment of this frontage and further details are included within the accompanying i2c design package (**Attachment C**).



Figure 4 – Rooty Hill Road facing north east from the south west corner of the site
Source: i2c

- b) Given that the majority of the building will be visible from Rooty Hill Road South, it is not appropriate for the back of the building and loading areas to address the street. The south-west corner of the building should provide an active street frontage and the design statement should be updated to include further controls about the treatment of this facade and the architectural screening provided to Rooty Hill Road South.*

Response

The attached design package shows the indicative treatment along the Rooty Hill Road South frontage. As shown in **Figure 4** above, and detailed within the i2c design package, the south western corner of the site will be activated by a community garden and active uses (such as cafes). The loading dock activities will occur toward the northern end of the site where the level change is greatest, thereby providing the highest level of natural screening. An integrated architectural screen and landscape treatment along this frontage will provide visually aesthetic views from adjacent properties.

- c) To address concerns relating to potential visual, noise and odour impacts on adjacent and nearby residential properties, and concerns regarding truck access from Rooty Hill Road South (see comments below), the loading dock should be relocated adjacent to the northern boundary. The loading dock could be recessed into the building so that a visual and acoustic barrier is provided to Rooty Hill Road South and to the new internal access road. All truck access could be provided via a separate driveway off the internal access road.*

Response

The loading dock is proposed to be located adjacent the northern boundary of the site as suggested by Council. We note that Council would prefer the loading dock to be recessed into the building, however the proposed location is essential to the overall Stage 1 design as:

- the proposed design facilitates the complete separation of trucks and delivery vehicles from the customer parking and pedestrian routes;
- the proposed location allows for the most efficient service access to the greatest number of tenancies;

- the proposed location takes advantage of the greatest change in site levels (compared to Rooty Hill Road South) to assist in the screening of the loading dock activities. This will provide a similar effect to recessing the loading dock into the building.

Despite the loading dock not being recessed into the building, any potential visual and acoustic impacts can be appropriately mitigated as demonstrated at Section 1 above.

d) The open car park is elevated approximately 2.6 m above the internal access road. While a 5m landscaped setback would help to screen the car park, there is concern that this will eliminate passive surveillance to the area at night. The visual impact of the open car park should be addressed while still ensuring that the area will be safe at night.

Response

The elevation of the open car park above the internal access road varies across the site. Notwithstanding, the road levels, Lot 2 pad level and the 5m landscape zone were approved under SSD 5175. Appropriate low scale planting within the landscape zone to maintain visibility between the car park and the internal will be proposed and assessed at the detailed DA stage.

2.0 SIGNAGE

a) The revised Design Guidelines are seeking approval for 2 pylon signs for each lot (page 54). This is considered excessive and is not supported. It is considered that a maximum of 3 freestanding signs along the Rooty Hill Road South frontage would be appropriate. All other signage provided along the internal access road should be incorporated into the design of the buildings.

Response

A maximum of three freestanding signs are proposed along the Rooty Hill Road South frontage. This has been clarified at Section 3.6.8 of the Design Guidelines (**Attachment C**).

3.0 ANCILLARY USES

*a) The applicant's written statement is seeking approval for a child care centre, medical and indoor recreation facility (gymnasium) as ancillary uses within Lot 2 of the site. Condition A7 should therefore **not** make reference to "ancillary uses" (as suggested on page 11 of JBA's section 96(2) report). Instead, the condition should specifically state what uses are permitted.*

Response

The proposed amendment to Condition 7 has been updated to specify the following ancillary uses within Lot 2:

- Child care centre;
- Medical centre; and
- Indoor recreation facility.

b) The revised Masterplan (Drawing SK-20.1 dated 6 April 2017) includes references to a "bulk liquor outlet" and "adventure, outdoor/camping centre". These references should be deleted as the retail and bulky good premises should be subject to a separate DA and these specific uses have not been approved.

Response

These uses have been removed from the revised Masterplan at **Attachment A** (SK-20.3) and updated within the Design Guidelines at **Attachment B**.

4.0 TRAFFIC AND PARKING

As outlined above, the proposal has been amended to relocate the loading dock access to the north western corner of the site with access via Beggs Road. CBRK have reviewed the Council's and the RMS comments on the proposed modifications to site access and parking. CBRK's response to each matter is provided as **Attachment F**.

5.0 COMMENTS RELATING TO THE AMENDED DESIGN GUIDELINES

Council made a number of comments in relation to the proposed amendments to the approved Design Guidelines. **Table 2** provides a response to each of these concerns and the Design Guidelines have been updated accordingly (**Attachment B**).

Table 2 – Summary of changes to Design Guidelines

Council Comment	Response
Our concerns are listed below, together with recommended amendments shown in bold .	
1.3 Urban Design Principles To incorporate best practice WSUD measures including tree planting for at grade parking areas consistent with the landscape master plan (dwg no. G.LA01) dated 28/02/17 . Provide an address by providing buildings to the new business hub access street. Any building located adjacent to the internal access street is to address and activate the street frontage. The rear of the building and/or any associated activities (e.g. drive-thru facilities) must not address the street.	Guidelines have been updated to reflect this request.
2.1 Urban structure The document should be updated to make reference to figure 25 on page 4-7- 27.	Guidelines have been updated to reflect this request.
2.3 Access and connectivity A separated left in entry and left out exit for heavy vehicles to the development area on Rooty Hill Road South. Lot 2 is to be provided with two left in/left out entries to the development area from the proposed access road. One of these entries is to be provided for trucks/delivery vehicles only.	These matters are no longer applicable as they have been resolved by the relocation of the loading dock access way.

Council Comment	Response
2.5 Built form The following should be added: Any building located adjacent to the internal access street is to address and activate the street frontage. The rear of the building and/or any associated activities (e.g. drive-thru facilities) must not address the street. The southern corner of the retail building is to address both the internal car park and Rooty Hill Road South. A blank facade with no street activation must not be provided to the street.	Guidelines have been updated to reflect this request.
3.1 Subdivision design References to the minimum lot sizes have been deleted. These should be reinstated with the minimum lot sizes being consistent with those shown in figures 30 and 31.	Guidelines have been updated to reflect this request.
3.2 Access and circulation Control C2 requires that the loading areas are to be located behind the front building line. The proposed structure plan does not achieve this. The plan and design guidelines should be updated to provide a more appropriately located loading dock, which address the concerns outlined above.	This matter is addressed at Section 1 above. The reorientation of the site toward the parkland prevents the loading dock being located behind the building line. Nevertheless, any potential impacts such as noise and visual impacts can be appropriately mitigated.
3.6.1 General guidelines Control C4 currently requires that the buildings be designed with pitched and skillion roof forms. Any building visible from the Parklands or from a residential area should be required to provide a building with a pitched or skillion roof.	Guidelines have been updated to reflect this request.
3.6.2 Street address Control C3 currently requires that 40% of the primary building facade be activated. This requirement should not be decreased to 30%.	Guidelines have been updated to reflect this request.
3.6.6 Parking Control C2 is to include a requirement that any parking area provided adjacent to the building is to be screened from the street by a minimum 5m landscape setback.	Guidelines have been updated to reflect this request.
3.6.8 Private domain signage - Control C2 would allow 2 freestanding signs for each lot. Figure 31 indicates that the site could be subdivided into 9 lots. This would therefore allow a total of 18 freestanding signs. It is believed this is not the intention. The control should therefore be reworded. It is considered that a maximum of 3 freestanding signs along the Rooty Hill Road South frontage would be appropriate. All other signage provided along the internal access road should be incorporated into the design of the buildings. - In relation to control C5, figure 52 should be updated and the location of any other freestanding signs (not just within lot 2) should be identified. - In relation to control C6, the maximum height of the pylon signs should be limited to 10 m given the residential setting. This will also ensure that the pylon signs generally do not encroach above the height of the buildings which are positioned lower and will have a maximum height of 12 m.	Guidelines have been updated to reflect this request. The location of freestanding signage within Lots 1 and 3 has not been determined.
3.6.9 Fences Control C1 is to be updated to include a requirement that any required fencing must be open style and of a decorative design.	Guidelines have been updated to reflect this request.

Council Comment	Response
3.6.15 Lot 2 - Setbacks ▪ C1 is to be updated to require a 10m building setback to Rooty Hill Road South. ▪ CS is to be updated to require a minimum 5m landscape setback to the car parking area adjoining the internal access road.	Guidelines have been updated to reflect this request.
3.6.15 Lot 2 - Architectural screening/feature ▪ Control C2 should be updated to specifically detail what is considered to be "appropriate" screening.	Guidelines have been updated to reflect this request.

RMS SUBMISSION

The matters raised within the RMS submission related to the proposed left in-left out driveway connections to Rooty Hill Road South and the internal access way. These matters have been addressed within the CBRK traffic statement at **Attachment F**.

CONCLUSION

We trust that the information provided in this letter, and attached, satisfies the concerns raised within the submissions. The changes proposed respond to the issues raised by Council and RMS and as such the amended application will not result in any additional environmental impacts. For these reasons renotification of the application is unnecessary and the Department can continue their assessment.

Should you have any further queries about this matter, please do not hesitate to contact me on 9956 6962 or cforrester@jbaurban.com.au.

Yours faithfully



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Senior Planner



Jim Murray
Principal Planner