

File No: MC-08-1111

1 November 2010

Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

**Attention: Haley Rich**

Dear Ms Rich,

**RE:** Bungarabee Industrial Estate (Huntingwood West): Stage 1 – Infrastructure Works (MP 08 0225)

Reference is made to your letter received by Council 29 September 2010 for the above cited development proposal that is currently before the Minister for consideration as a Major Project under Part 3A of the Environmental Planning & Assessment Act 1979 (as amended) advising that the Application has been placed on public exhibition.

The Major Project Application and supporting documentation was referred to Council's internal departments for review/comment.

As a result, a consolidated submission prepared by Council's Planning Department in this regard is set out below. Whilst Council does not object in principle to the proposed infrastructure works, Council does raise a number of issues to be considered during your assessment of the Application. Council's issues are on the following grounds:

#### **1. Developer Contributions**

In response to Council's letter dated 25 August 2010 (Appendix A Part 2 Response to Council Issues) with regard to Developer Contributions, there is acknowledgement that there are a number of local infrastructure items which are part of the approved Concept Plan commitments which are to be provided as part of the development of this estate, namely:

- Provision of new 4 way intersection to GHW to provide access to the site and to the western Sydney parklands;
- Provision of a North/South and East/West cyclepath;
- Regional road cash contribution to the RTA;

- Construction of WSUD elements to manage stormwater from the estate and the 20 ha upstream catchment; and
- Construction and dedication of local roads including extension of central avenue (providing access to parklands), park edge road (for light vehicular traffic only) and connecting internal estate roads.

The response continues with "This application will include a letter of offer to enter into a Voluntary Planning Agreement (VPA) with the Minister, Blacktown Council and Western Sydney Parklands to formalise these commitments".

However, Council has not received any letter of offer or draft planning agreement in the EA. Council's position remains that in order to adequately assess whether the "local" developer contributions proposed by the Applicant adequately address the demand or increased demand for local infrastructure created by the proposed development, that Council requires a clearly defined section that deals with "Local Infrastructure" or a letter of offer to enter into a Voluntary Planning Agreement (VPA) with the Minister, Blacktown Council and Western Sydney Parklands to formalise these commitments, as referred to above.

## **2. Landscaping**

The Project Description Report of the Application has addressed the issues previously raised by Council. Whilst these responses generally satisfied Council's concerns regarding landscaping, the issue of street tree species remains.

Council currently does not accept new street tree plantings to be of *Eucalyptus* species (including *Corymbia* species). The Project Description Report states that the species selection is in accordance with the approved concept plan, and the Landscape Statement has identified *Eucalyptus moluccana* and *Corymbia maculate* to be planted as street trees along the Entry Boulevard.

The Landscape Statement also states that a key landscape design principle is for the "*new landscape to be acceptable to Blacktown City Council and their maintenance capabilities*". This statement is in conflict with the *Eucalyptus* species selection for street trees, as Council has resolved to not plant *Eucalyptus* species as street trees. The Applicant should refer to Council's Street Tree Strategy for alternative species, or make an alternative suggestion.

## **3. Stormwater and Drainage**

Council's Development and Drainage Engineering Sections have reviewed the Application and provided a number of conditions Council requests to be included in the Development Consent, should it be forthcoming. Please find these conditions attached in the Appendix to this correspondence.

Furthermore, it is noted that the following errors are included in the exhibition document (Appendix F) containing the Water Sensitive Urban Design Strategy, prepared by EDAW/AECOM dated 27 October 2009, Council requests that these matters be amended as per the following:-

- a) On page 5, Section 3.2 the following note shall be added to the end of the third dot point "(Now deleted see 5.02.01.)";

- b) On page 8, Section 4.02 the final dot point on the page shall be amended as follows, "... be used for appropriately matched uses such as ... rainwater tank top up or bypass. Rainwater is to be used for cooling tower make-up water, toilet flushing ...";
- c) On page 8, Section 4.02 the end of the third last paragraph shall be amended to insert "In the draft Blacktown City Council 2010 IWCM DCP the stream erosion index is set to 3.5.";
- d) On page 8, Section 4.02 the second last paragraph shall be amended to replace "50" with "80" and insert "... demands, unless physically impossible." after the final sentence;
- e) On page 8, Section 4.02 the last paragraph shall be amended to delete the phrase "... not the required targets for the detailed WSUD strategy for the West Huntingwood Employment Lands. They are considered as stretch targets, to be met where possible ..." and replace with "... are to be met unless completely impractical or physically impossible ...";
- f) On page 10, Section 5.01, at the last paragraph shall be amended to replace the figure "50" with "80" and insert "...BCC, unless physically impossible." following the final sentence; and
- g) On page 13, Section 5.02.02 an additional dot point shall be inserted stating "A proprietary water quality device is to treat a minimum of the 3 month flow from the surface of the site, targeting TSS and free oil, before discharge to the Council system."

#### **4. Title Restriction**

Due to the limited access opportunities for Proposed Lot 5b at the major intersection with the Great Western Highway, it is recommended that a restriction, pursuant to Section 88B of the Conveyancing Act 1919 be imposed limiting access to the southern most point away from the intersection on the frontage of Proposed Lot 5b to the internal collector road.

Furthermore, Proposed Lots 5b, 5d and 5e shall have an access denial provision to the Great Western Highway, pursuant to Section 88B of the Conveyancing Act 1919.

Thank you for affording Council the opportunity to comment on the Application, should you have any further enquiries concerning this matter, please do not hesitate to contact Nathan Collins of Council's Development Services Unit on 9839 6053 should you wish to discuss this matter further.

Yours faithfully,

JUDITH PORTELLI  
MANAGER DEVELOPMENT SERVICES AND ADMINISTRATION