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15 December 2020

Chris Ritchie
Director – Industry Assessments
Department of Planning, Industry & Environment

Dear Sir,

Re: Your Reference: SSD-10479
200 Aldington Road, Industrial Estate, Kemps Creek.

We thank the Department for advising of the above application, and herewith provide a submission.

Pazit Pty Ltd (Pazit) as owner of approx. 83 ha. Of land adjoining this proposal to the east, shares a 2 kilometre boundary with its western neighbours, 1 kilometre of which is the common boundary between Pazit and the proponent i.e. Stockland/Fife (SF).

While we have J. Wyndham Prince as our consultants preparing a more detailed and technical response to the exhibited proposal, as the director of Pazit and having worked on this land since 1982 we make this submission providing some background and overarching concerns regarding the departure from the Mamre Road Development Control Plan (DCP), roads hierarchy and thereby access to the Pazit land, also drainage works that will create water impacts to our site.

The SF proposal, has indicated a location for the future road on its southern end of the proposed development. This road is some 950m from our northern boundary, this access according to discussions with SF representatives, has no timeframe and will be demand driven for warehousing, therefore, Pazit's land will be land locked, **until we do not know! This situation is untenable and unacceptable!** This proposed road is approx. 400m further south, than identified in the Mamre Precinct structure plan.

As discussed Department of Planning, Industry and Environment (DPIE) and Penrith Council, Pazit, is proposing to subdivide into industrial lots, upwards of 1,500sqm and can commence immediately, upon consent being issued thereto. However, we are currently unable to complete our structure plan, whilst the road access location to our site remains unresolved.

Sewerage services are available on our northern boundary therefore, road access is critical both as far as location and timeframe is concerned. In principle we support the DCP road hierarchy which depicts the collector road on the SF northern perimeter boundary and extends to the Pazit land, via the green road. This collector road thereafter heads in a westerly direction, whereby it crosses over Aldington Road and continues further westward and provides a much better traffic circulation and connection to our site by virtue of the wider collector road.

Currently, Pazit has approx. 83 ha. of land-locked industrial land with 2 kilometres boundary with its western neighbours, 700m offset from Aldington Road, the primary roadway in the Mamre Precinct. Therefore, Pazit's land has very limited exposure, given this constraint we require three road access locations as shown in the DCP road hierarchy. The accessibility and ease of traffic circulation is imperative to make the isolated location attractive to end users. Without these attributes the land will become an isolated island.

Further, the road on the northern perimeter boundary of SF, needs to be constructed as part of Stage 1 of the SF proposal. Pazit is prepared to carry out any relevant works in kind, if required to provide road access to our land, in a timely manner.

DPIE had initial discussions with Pazit in 2018 to include the land in the Mamre Precinct, even though our land has an active consent for a rural residential subdivision of 1 ha. lots. The subsequent rezoned structure plan for the Mamre Precinct, requires road access for industrial traffic only from the west.

The SF proposal does not include the construction of road to our boundary and remains approx. 300m away, this shortfall could create a ransom strip demand and cause delay in our subdivision proposal. The consent when issued, must include that all roads to land-locked properties including Pazit's land, the road construction and services must be constructed by the proponents to the boundary of any adjoining properties, alternatively these ransom strip's will cause conflict between land owners time after time.

The current proposal demonstrates, that it is intended to provide retaining walls, fill the north eastern part of the SF land and locate an on-site detention basin online of a watercourse, with consequent drainage and flooding impacts onto the Pazit land. Such work does not conform with industry standard. Any discharge of additional flood water onto the Pazit land is not acceptable.

There is a multiplicity of mapping, within the application and other topographical information showing this watercourse, the tributary of Ropes Creek naturally flowing in a northerly direction from Pazit's land, onto SF land and further northwards into Ropes Creek. The notion from the consultants that the water from this watercourse flows uphill on our land and contemplable. Pazit has owned this land since 1986 and prior to that, used the land for farming, we are very aware of the sites history and constraints and the water has always flowed to the north until the dam was built across the channel.

On review of the Ethos Urban report, figure 27, 28 and 29 the depicted properties highlighted, do not correlate to the actual proposed development and land holding of SF. However, noting figure 28, the aerial photo from 1982, you note the northern end properties, there are no farming activities on the last two lots and the water body on the Pazit land is relatively small.

Subsequently, in figure 29 the aerial photo from 1991 notably shows much more farming activities, on the northern end of the SF land and a much larger water spread on the Pazit land. This occurred as the dam wall was constructed by the previous owners approx. 2.5m high, across the natural watercourse. By this action, the water bodies became more widespread and Pazit at that time had to build piped culverts in three locations to maintain vehicular access around the perimeter of the north-western corner of our site.

Therefore, we submit that the development proposal by SF, should now reinstate the natural watercourse, to its historical flow path and any retaining wall on the common boundary and consequent discharge and concentration of stormwater on the Pazit land will not be accepted and strenuously contested and request alternate solutions.

In summary, the industrial development of the 83 ha. of Pazit land dictate is the provision of vehicular access, variation from the Mamre Road DCP as proposed by SF, is opposed as it would affectively cause sterilisation of our land, or otherwise conspire to create a second rate isolated island of industrial subdivision. This is not the vision by Pazit for it's industrial estate.

Matters to addressed:

1. Timing and location of road access/services
2. Road construction to Pazit's western boundary
(preventing a ransom strip)
3. Resolution of retention basin
4. Flooding on our land

We trust that this submission is received in a manner advanced, providing an overview of the history of the land and confirming the desire of Pazit as a significant landowner, to contribute positively to the desired future development of our precinct and would welcome the opportunity to discuss any aspects of our submissions, as I have worked on this land for approx. 38 years and have extensive knowledge of the land and its surrounds.

Yours Sincerely,

Dino Seraglio
Director Pazit Pty Ltd