

14 April 2022

Director – Industry Assessments, Planning and Assessment
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Submission to the Department of Planning and Environment –SSD-30923027 – Lot 1 DP 1274322 Eastern Creek Drive, Eastern Creek (Applicant: Charter Hall Holdings Pty. Limited)

1 INTRODUCTION

This submission is made on behalf of Jacfin Pty Ltd, owner of significant land holdings within the Eastern Creek Employment Area, being land north of Old Wallgrove Road and Lenore Drive. Primarily, this submission seeks to raise issues with respect to SSD-30923027 which pertains to Lot 1 DP 1274322 (subject site) along Eastern Creek Drive. The application calls for the construction of a warehouse for the storage and distribution of pharmaceutical goods, medical devices and health food products.

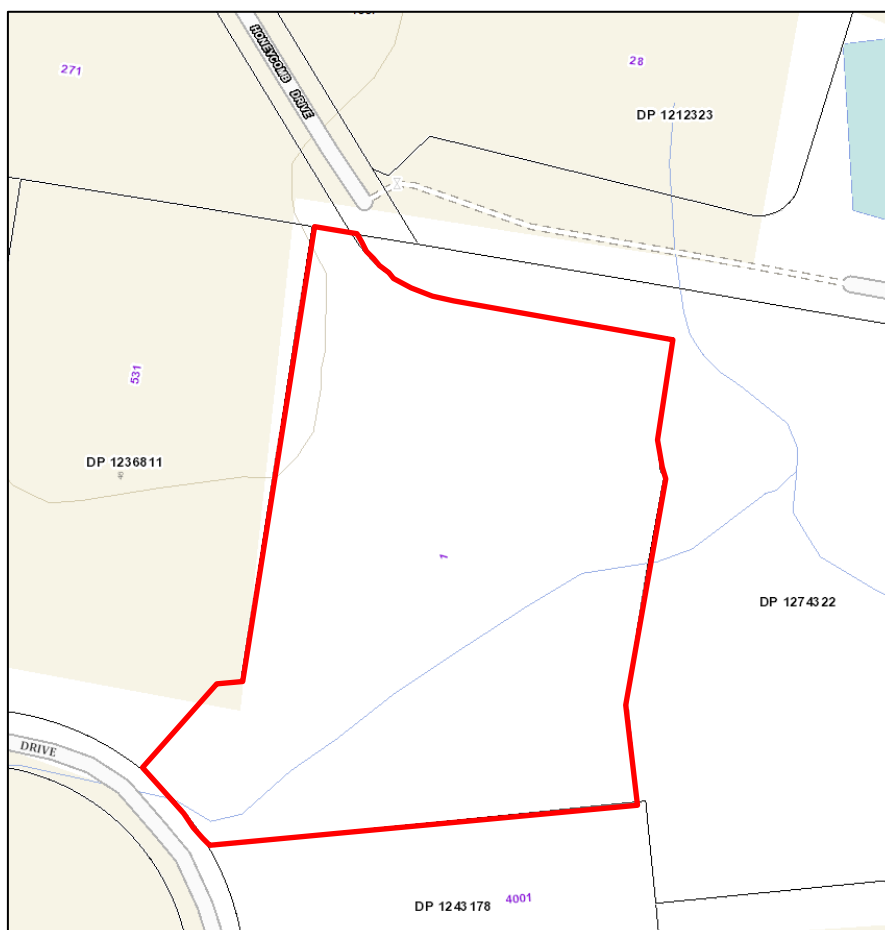


Figure 1 – Proposed warehouse and distribution centre site – SSD-30923027

2 ISSUES OF CONCERN

There are three main issues of concern from Jacfin in relation to the subject application SSD-30923027:

1. Proposed development over adjoining lots without first obtaining owners' consent.
2. Landscaping inconsistencies between the Site Proposal Plan submitted in the Request for SEARs letter and other plans accompanying this DA.
3. Reliance on a road extension of Honeycomb Drive that has not yet been approved, constructed or dedicated.

Concerns lie with the driveway connection to the site from Honeycomb Drive which encroaches onto two adjoining lots, being Lot 271 DP 1198561 to the north of the site and Lot 2 DP 1274322 to the east (Jacfin owned land) and the lack of owners' consent prior to the submission of the Development Application (DA).

Inconsistencies have been identified with the DA's landscaping design along the northern boundary of the site, and the location of the fire access track also needs clarification.

An extension of Honeycomb Drive is proposed by Jacfin, however works have not yet been approved nor construction commenced. The proposed development relies on this road for accessibility onto the site despite no confirmed approval of the road by Blacktown City Council.

2.1 Proposed development over adjoining lots (Lot and DP of adjoining)

The site currently has no constructed/dedicated road frontage to Honeycomb Drive and proposes a truck exit to its north to connect to Honeycomb Drive. However in order to establish this access, development over adjoining land is required and in turn, the relevant owners' consent. Development Application SSD-30923027 does not address if they have obtained this consent, nor have they provided specific details for the design of this access to Honeycomb Drive.

Clarification from Charter Hall Holdings is required regarding how they are proposing to provide the vehicle crossover connection to the road. The relevant owners' consent from the adjoining landowners is also required since development will extend beyond the extent of the subject site, Lot 1 DP 1274322.

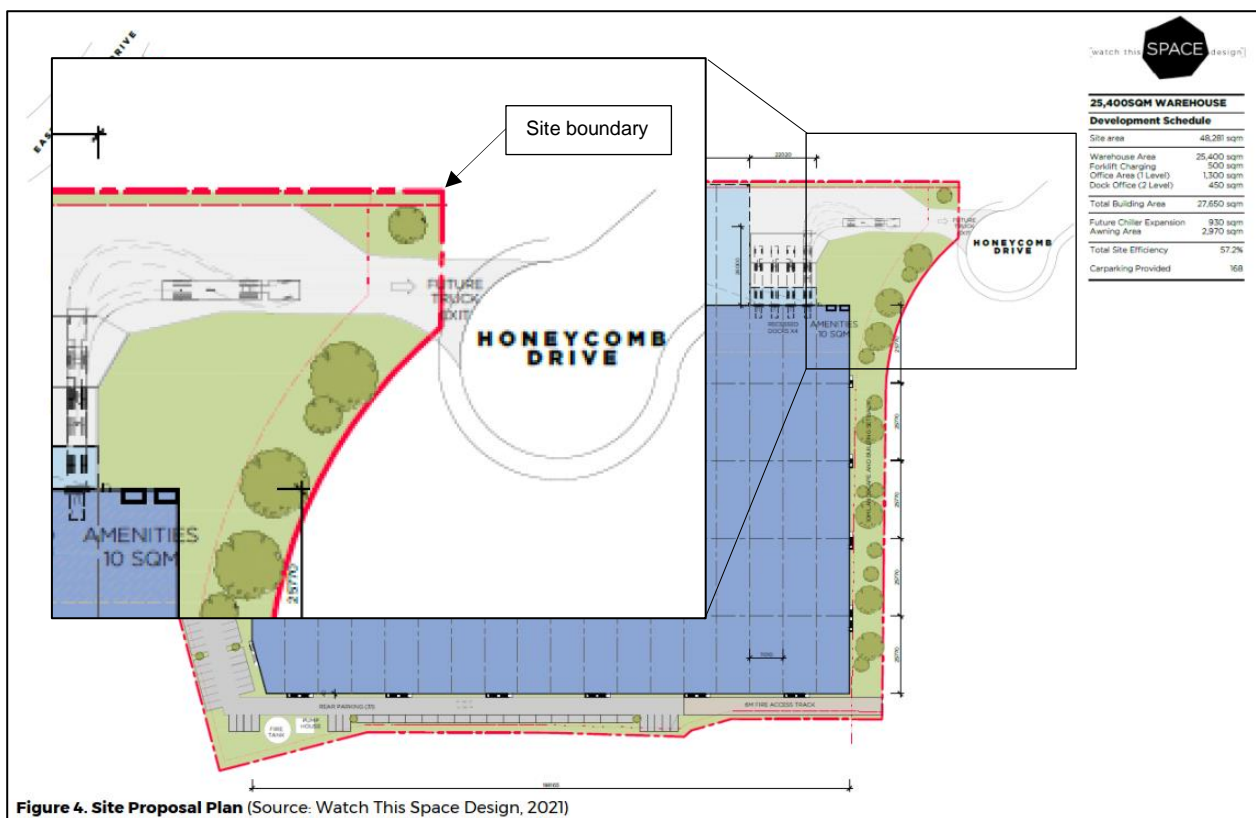


Figure 2: Site Proposal Plan from the Request for SEARs Letter showing proposed development over adjoining lots

2.1.1 Owner's consent required from Lot 271 DP 1198561

In order to provide access via a crossover to the existing Honeycomb Drive cul-de-sac, owner's consent is required to be obtained from the landowner of Lot 271 DP 1198561 (Jacfin land).

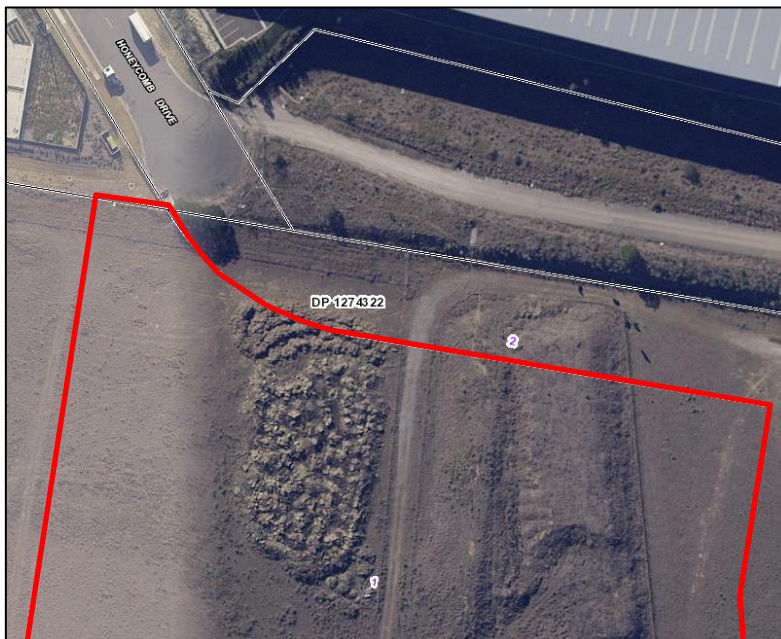


Subject site

Figure 3: Aerial photograph highlighting overlap of development onto adjoining Lot 271 DP 1198561 and the requirement to obtain owner's consent (SIX Maps)

2.1.2 Owner's consent required from Lot 2 DP 1274322

In order to provide access via a crossover to the existing Honeycomb Drive cul-de-sac, owner's consent is required to be obtained from the landowner of Lot 2 DP 1274322.



Subject site

Figure 4: Aerial photograph highlighting overlap of development onto adjoining Lot 2 DP 1274322 and the requirement to obtain owner's consent (SIX Maps)

2.2 Inconsistencies between plans and drawings

Along the northern boundary of the site, it is unclear whether the site will be fully landscaped, as per the Site Proposal Plan (Figure 4 of the Request for SEARs letter submitted by Willowtree Planning), or partially landscaped with a fire access (spray sealed surface) also running along the northern side and part of the eastern boundary, as per the Landscape Plans and Architectural Drawings. Consistent site design throughout all submitted plans is required to ensure that development of the site matches the associated plans.

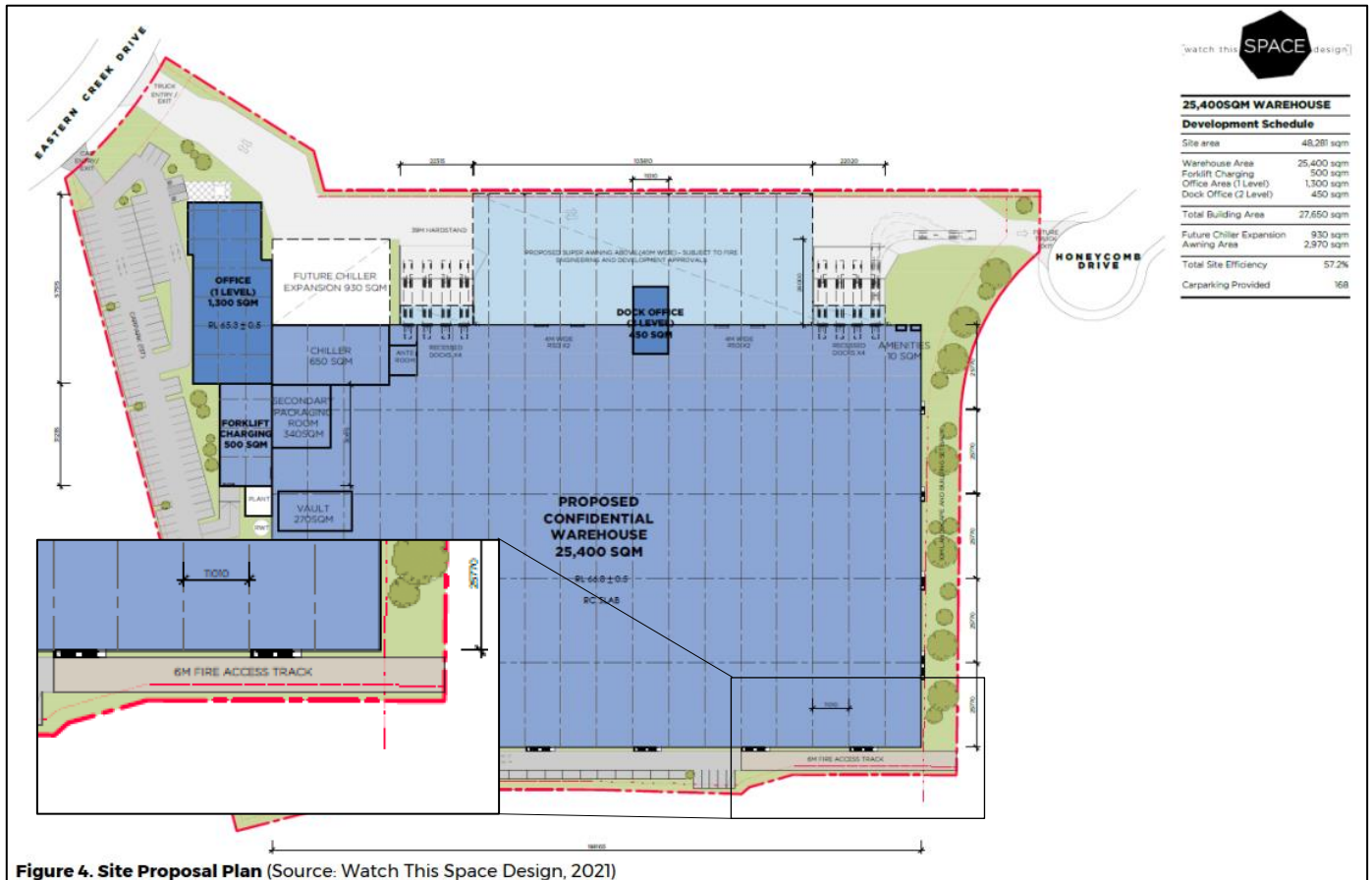


Figure 4. Site Proposal Plan (Source: Watch This Space Design, 2021)

Figure 4: Site Proposal Plan from the Request for SEARs Letter highlighting the inconsistencies with regard to the fire access track

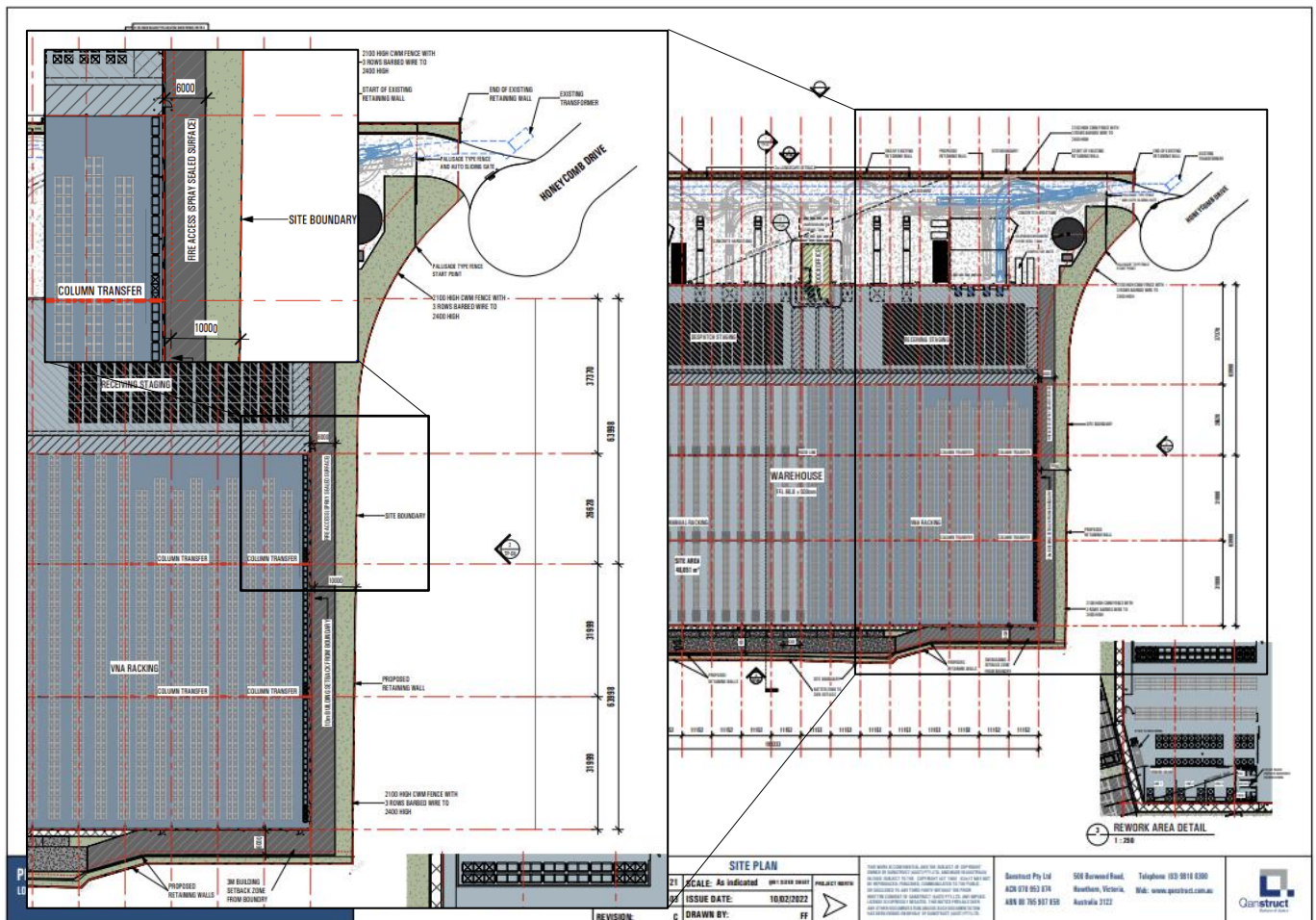


Figure 5: Site Plan from the Architectural Drawings highlighting the inconsistencies with regard to the fire access track

2.3 Reliance of unapproved proposed extension of Honeycomb Drive

It is evident from the plans submitted for the SSD-30923027 that the proponent is anticipating road access via an extension of Honeycomb Drive. This extension is proposed by Jacfin; however the application has not yet been approved by Blacktown Council. Without confirmation that this road extension will be built and dedicated, it is not appropriate for this Development Application to rely upon access from the site to the future road. The applicant should show a staging plan for future access to the extension of Honeycomb Drive.

3 CONCLUSION

In summary, this submission has raised issues with respect to SSD-30923027 in its current form and design due to the adverse impacts the proposed development will impose on Jacfin land.

We propose that the development should not be approved until owners' consent is obtained from the landowners of Lot 271 DP 1198561 and Lot 2 DP 1274322 as the proposed development encroaches onto their land. Further, a consistent site design should be established, particularly with regard to the location of the fire access track and associated landscaping. The registration of the proposed extension of Honeycomb Drive is also required to be approved by Blacktown City Council prior to the approval of this DA.

We request further discussion with the proponent and collaboration throughout the process as the application progresses to ensure an equitable outcome for Jacfin land.

Yours sincerely

Calibre Professional Services Pty Ltd

A handwritten signature in black ink, appearing to read 'P Lee'.

Peter Lee
Planning Leader