

Mr Stephen Barry
Planning Director
Independent Planning Commission

via email: [REDACTED]

Dear Mr Barry

**Eastern Creek Business Hub Concept Modification and SSD assessment
SSD-5175-Mod-5 and SSD-8858**

Thank you for your letter dated 27 May 2020 requesting that the Department of Planning, Industry and Environment (the Department) clarify a number of details on the above proposals currently before the Independent Planning Commission (the Commission) for determination.

I have attached the Department's response to the Commission's questions in **Attachments A and B**.

The Department agrees with the Commission's view that a meeting will not be required. However, the Department is happy to meet with the Commission, if required after reviewing the Department's response.

If you require further information or have any questions in relation to the attached response, please contact Emily Dickson, A/ Principal Planner, Key Sites Assessments, on [REDACTED] or via email at [REDACTED]

Yours sincerely



Anthony Witherdin
Director
Key Sites Assessments

Attachment A - Department of Planning, Industry and Environment - Response to Independent Planning Commission letter dated 27 May 2020

IPC Question	DPIE Response
<p>1. There is a reference to a pedestrian footbridge that will provide access from the internal road. Was this approved under the Early Works DA approved with the original Concept Proposal?</p>	<p>Approval is sought for the pedestrian footbridge as part of SSD 8858. The footbridge is within the boundaries of Lot 1 and provides access over the drainage channel along the north-western edge of the site as shown on Drawing DA04, Proposed Site Plan, Issue I (available here) and Landscape Plan No. 200, Issue L (available here).</p> <p>The Department's Assessment Report identifies this element in table 4. The Department has attached a marked up Site and Landscape Plan (Attachment B) for the Commission's reference.</p>
<p>2. There are 3D drawings on the Department's website (DA12B/13C/14C and 15B), plus artist's impressions (drawing DA16A and DA17B). Is there any reason why these drawings have not been referred to in the draft consent, if they have been used to assess the DA? Also could you advise what drawing numbers have been used for Figures 12 and 13 in the Assessment Report.</p>	<p>The Department has used the 3D drawings and artist impressions to understand the proposed built form but has not included them in the draft consent as they are illustrative only.</p> <p>Figure 12 in the Assessment Report is sourced from Drawing DA18, Issue B and Figure 13 is sourced from Drawing DA19, Issue B. The drawings are part of the Response to Submissions package dated 10 October 2019, Appendix A – Amended Architectural Plans.</p>
<p>3. Confirm that the total GFA in the DA (11,398m²) includes the vehicle repair station, indoor recreation facility and a possible child care centre (or is the child care centre on lot 1?).</p>	<p>The total GFA for the DA is 11,398 m² and is shown on Drawing DA04, Proposed Site Plan, Issue I.</p> <p>The GFA includes the vehicle repair station (up to a maximum of 400 m²) and indoor recreation facility (up to a maximum of 3,000 m²). The Applicant seeks to use any specialised retail tenancy for the vehicle repair station and indoor recreation facility uses.</p> <p>Should the vehicle repair station and indoor recreation facility not take up the 3,400 m² of GFA, recommended condition A7 allows residual floor space to be used as specialised retail premises.</p> <p>The child care centre is located on Lot 2 (SSD 8588) and is not part of this application. The assessment and determination of SSD 8588 is available here.</p>
<p>4. In the concept proposal draft approval, where is the 'circulation space' referred to in the Table in Condition 7 and is this relevant to the DA?</p>	<p>The 'circulation space' referred to in Condition A7 was approved in SSD 5175 MOD 3. The full allocation of circulation space (1,684 m²) is within the approved retail centre on Lot 2 (SSD 8588) and is not relevant to this application. The assessment and determination of SSD 8588 is available here.</p>

<p>5. There is reference on page 23 of the Assessment Report to updated civil engineering drawings and a stormwater report. However, no approved stormwater concept plans appear in the draft Schedule of approved drawings for the DA. Are there stormwater works to be approved with this DA? If so, could the drawings be provided please.</p>	<p>The Applicant submitted updated civil engineering drawings and a stormwater report as part of the further RtS dated 9 January 2020, Attachment H – updated Stormwater and Attachment J – updated Civil Engineering Drawings (available here and here)</p> <p>Council reviewed this information and advised in its comments dated 31 January 2020 that the engineering report and drainage report were inadequate and provided a list of outstanding issues (available here).</p> <p>As such the Department recommends Condition B22 which requires stormwater and drainage matters to be submitted to and approved by Council prior to the issue of the first Construction Certificate.</p>
<p>6. In terms of the modification to the concept proposal, can some additional explanation be provided in terms of how the development as modified will be substantially the same as the original development? There is discussion in the Assessment Report on pg18 in Table 5, but this only refers to the uses being the same and does not assess changes to the envelope size and locations or compare the type and amount of approved versus proposed GFA.</p>	<p>In addition to the comments provided in Table 5, the Department is satisfied the development as modified will be substantially the same as the original development as:</p> <ul style="list-style-type: none"> • the variation to the GFA is minor, being an increase of 600 m², which is only 1% of GFA approved across the concept plan • although the location and size of the building envelopes on Lot 1 are amended, there is no change to the maximum building heights or setbacks to Rooty Hill Road South as set out in the Design Guidelines and this continues to allow for a high quality built form to be achieved • the proposal remains for a specialised retail centre and the ancillary uses complement the site without changing the primary use • the modification does not alter the approved subdivision into three lots, the approved internal road layout, vehicular access or early works.
<p>7. Condition A9 in Schedule 2 Part A of the draft consent for the DA refers to allowances for future 'replacement' signage not requiring approval, subject to certain criteria. However, no details of the actual sign that is proposed for each tenancy has been provided, only the signage zones. Is it intended that each DA for a tenancy/fit out will include a sign for that tenancy, and from then on, any future change will be able to take advantage of Condition A.9?</p>	<p>The content of the signage zones is not known at this stage as the individual tenants are unknown.</p> <p>The fit out for the individual retail tenancies is likely to include signage, which will be subject to separate approval unless it complies with the exempt development provisions of SEPP (Western Sydney Parklands) 2009.</p> <p>Condition A9 will allow a sign to be changed in the future, or the content of the sign, as long as it complies with the condition, similar to how the exempt provisions in the Codes SEPP operate.</p>

[illegible]

This site plan illustrates the proposed pedestrian footbridge over the drainage channel. The plan shows the layout of the site, including the drainage channel, the proposed footbridge, and the surrounding infrastructure. A red rectangle highlights the area where the footbridge is proposed to cross the drainage channel. The plan also shows the location of the existing pedestrian bridge and the proposed pedestrian bridge. The plan is divided into three sections, labeled 01, 02, and 03. Section 01 shows the area around the drainage channel and the proposed footbridge. Section 02 shows the area around the existing pedestrian bridge. Section 03 shows the area around the proposed pedestrian bridge. The plan includes a north arrow and a scale bar.