

Chris Ritchie
Director – Industry Assessments
Department of Planning and Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

20 April 2023

RE: WESTLINK STAGE 1 (SSD-9138102) – RETAINING WALLS AND EARTHWORKS

Dear Chris,

As requested by the Department of Planning and Environment, ESR has prepared a response to the following questions to enable close out of the development application.

Is there a requirement for any works within adjoining properties not owned by ESR, including earthworks, battering or anchors?

There is no earthworks, battering or anchors proposed in adjacent properties. All structural elements are contained within the ESR property boundary. This is designed to ensure neighbouring properties are not burdened by the development proposed within the site.

To support this statement, ESR has attached three letters from the following consultants confirming the above.

- Douglas Partner Letter – Advising the geotechnical design of retaining wall elements within the cut walls at the northern boundary
- Costin Roe Letter – Advising the structural design of the retaining walls at the northern boundary
- AT&L Letter – Advising the earthworks design across the estate and retaining elements to the northern boundary.

Whether the earthworks and proposed levels will result in any impediment or additional cost for future development on adjoining properties, such as inability to develop up to the property boundary. This includes, but not limited to consideration of zones of influence, need for footings and piers or increased levels of earthworks on adjoining sites.

The proposed design does not impede the ability for development to occur within the neighbouring properties. We are designing to the existing RLs at the boundary of our site to the

northern properties for our cut retaining walls. If a landowner chooses to develop, they will need to assess the existing conditions of their site and determine a suitable development scheme. The retaining wall structure on our site does not change the existing conditions on their land as we meet the existing RLs, i.e. does not force the landowner to construct any additional works or footings in response to our retaining wall design or earthworks levels.

Further, all zones of influence are within our site (refer to consultant letters). As the retaining wall increases, we provide a larger landscape setback to accommodate all retaining wall elements within our site. It does not impact the neighbouring landowners and is a constraint ESR has set on ourselves within our property boundary to facilitate the proposed development. The design proposed is expensive compared to standard retaining walls but ensures no structural or financial burden on neighbouring sites.

It is further noted that the Mamre Road Precinct Development Control Plan sets development parameters including:

- Access for northern property neighbours to be facilitated via a Collector Industrial Road at their northern boundary, not near ESR's boundary. (Section 3.4.1, Control 19, Figure 12)
- Collector Road Building Setback: 12m (Section 4.4.2, Control 1, Table 10)
- Local Estate Roads Building Setback (if any): 7.5m (Section 4.4.2, Control 1, Table 10)
- Building Setback (Side & Rear): 5m (Section 4.4.2, Control 1, Table 10)
- Landscape Setback (Collector) 6m (Section 4.4.3, Control 3, Table 11)
- Landscape Setback (Local): 3.75m (Section 4.4.3, Control 3, Table 11)
- Landscape Setback (Side): 0m (Section 4.4.3, Control 3, Table 11)
- Landowner Setback (Rear): 2.5m (Section 4.4.3, Control 3, Table 11)
- All retaining walls to be setback by 2m and landscaped (Section 4.41, Control 8)

These development parameters will be applicable to any landowner's land, including the northern property owners. Therefore, the likelihood of the neighbouring landowner's ability to develop up to the property boundary is low, along with every other development in the Mamre Road Precinct.

Further when a cut and fill strategy is determined on the neighbouring land, they will need to assess the existing RLs at the boundary. This is a consistent requirement for any landowner within the Mamre Road Precinct. If they choose to lower their levels, appropriate engineering design will be determined at this stage. The retaining walls on ESR's land does not impact this exercise or create any additional structural or financial burden to the landowners to the north.

The maximum height of cut retaining walls along the northern boundary.

The maximum height of the cut retaining wall is maximum 21m, which is permissible under the Mamre Road Precinct Development Control Plan.

The development methodology on our proposed development is consistent with best industry practice, which seeks to ensure no undue burden is added to the neighbouring landowners. We trust the information in this letter and our consultant's letters are sufficient to enable the determination of the development application.



Should you have any questions please do not hesitate to contact me.

Kind regards,

A handwritten signature in black ink that reads "G. Macdonald". The signature is written in a cursive style with a large, looping initial "G".

Grace Macdonald
Planning Manager NSW
0411 599 155
Grace.Macdonald@esr.com