



TW/JB
12555
9/1/2017

The Secretary
Department of Planning & Environment
320 Pitt Street
Sydney NSW 2001

Dear Ms McNally,

**DRAFT ROPES CREEK DEVELOPMENT CONTROL PLAN
SUBMISSION**

JBA has reviewed the draft Ropes Creek Development Control Plan (DCP) and prepared this submission on behalf of Jacfin Pty Ltd (Jacfin).

We understand that Jacfin is generally supportive of the draft Ropes Creek DCP and the future development of the associated land for employment purposes. However, we note that the Traffic and Transport Assessment refers to the Broader Western Sydney Employment Area (BWSEA) Draft Structure Plan which identifies an indicative alignment for a possible future Western Sydney Freight Rail Line and a possible future Western Sydney Intermodal Terminal.

JBA has previously provided comments to the Department of Planning and Environment (DPE) on behalf of Jacfin in relation to the possible future Western Sydney Freight Rail Line and a possible future Western Sydney Intermodal Terminal as shown in the BWSEA Draft Structure Plan.

The BWSEA Draft Structure Plan proposes an intermodal terminal located substantially on the Jacfin Eastern Creek site, which is located immediately to the east of the land to which the draft Ropes Creek DCP applies. The location identified in the BWSEA Draft Structure Plan for the possible future Eastern Creek intermodal terminal seems to be based on the recommendations of the Freight Infrastructure Advisory Board (Railing Port Botany's Containers 2005), which recommends that:

"... a large private land holding at Eastern Creek as the best of the available sites..."
"... the Eastern Creek site should be reserved for the development of an intermodal terminal to service Western Sydney. Unless the site is protected, there is a significant risk that it may be developed in a way that compromises its use as an intermodal terminal servicing the Western Sydney industrial markets."
"Accordingly, it is the Advisory Board's view that the Eastern Creek site should be reserved, consolidated and then made available on suitable terms to the private sector for development as an intermodal terminal."

The 2005 Freight Infrastructure Advisory Board recommendations have been reiterated in the NSW Long Term Transport Masterplan (December 2012), the BWSEA Draft Structure Plan (June 2013), the NSW Freight and Ports Strategy (November 2013) and the NSW State Infrastructure Strategy 2014.

It is highlighted that the recommendations of the above plans and strategies with respect to the location of the intermodal terminal were made without a detailed planning study being undertaken.

It is understood that Transport for NSW (TfNSW) has undertaken preliminary investigations into the identification of a corridor for the Western Sydney Freight Line in around 2014-2015 with a view to identify and protect a corridor for the Western Sydney Freight Line and a site for the Western Sydney Intermodal Terminal. Whilst the outcomes of these preliminary investigations have not yet been released, TfNSW indicate in its publicly released documentation about the Western Sydney Freight Line and Intermodal Terminal corridor identification project that the Western Sydney Freight line would connect to the Western Line via the new Outer Sydney Orbital corridor. This would reflect the obvious effect of recent development throughout the WSEA Eastern Creek precinct that Eastern Creek is no longer a suitable location for the Western Sydney Freight Line or the Western Sydney Intermodal Terminal.

Feasibility and planning studies should be completed and released with a view to reserving appropriate land for the development of an intermodal terminal prior to the adoption of the Ropes Creek DCP. It is submitted that the infrastructure should be located on the currently undeveloped Ropes Creek site (the subject of the draft DCP) and this site should be the basis for further corridor studies and investigations. These planning studies and site investigations should be completed prior to the adoption of the draft Ropes Creek DCP to ensure that the land subject of the DCP is not developed in a way that would preclude the future development of an intermodal terminal at Eastern Creek. Adopting the Ropes Creek DCP prior to the completion or finalisation of a planning study for the intermodal terminal would therefore be considered to be premature.

It is also highlighted that the transport study supporting the draft Ropes Creek DCP has not considered the traffic and transport implications associated with a possible future Western Sydney Intermodal Terminal within the Eastern Creek precinct, even though it is specifically mentioned within the study. If the DPE intends to provide for a new Western Sydney Freight Line and Western Sydney Intermodal Terminal within the Eastern Creek precinct, then the traffic and transport study should consider the possible future traffic requirements for the intermodal terminal, and the road network set out in the DCP should be demonstrably suitable for accommodating the traffic associated with the intermodal terminal. Adopting the Ropes Creek DCP prior to the completion of the traffic and transport studies that consider the intermodal terminal would therefore be considered to be premature.

In addition, in the intervening eleven years since the Freight Infrastructure Advisory Board recommendations were first made, land at Eastern Creek has not been reserved for the development of an intermodal terminal and the Jacfin land has been developed in a way that would compromise its future use as an intermodal terminal.

Due to the development activity that has occurred at Jacfin's Eastern Creek site and which is projected to take place in coming years, the Jacfin site is not a suitable site for the location of a possible future Western Sydney Intermodal Terminal. Jacfin would object to any sterilisation of its land, or any unnecessary uncertainty surrounding the development potential of its land, as a result of any proposal for the Western Sydney Freight Line and Western Sydney Intermodal Terminal to be located on its land.

Should you have any queries about this matter, please do not hesitate to contact me on 9409 4962 or tward@jbaurban.com.au.

Yours faithfully,



Julie Bindon
Director



Tim Ward
Associate