

BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 27 June 2022, 2:00pm and closing 2:42pm
LOCATION	Teleconference

BRIEFING MATTER

PPSSWC-243 – Penrith – DA22/0318 – 158-164 Old Bathurst Road, Emu Plains – Torrens Title Subdivision into 40 Industrial Lots, 1 Stormwater Management Infrastructure Lot & Public Roads including Land Remediation, Earthworks, Civil Engineering Works & Public Domain Landscaping.

PANEL MEMBERS

IN ATTENDANCE	Justin Doyle (Chair) and Louise Camenzuli
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	<p>Ross Fowler: Penrith City Council has an interest in the subject property and the proposed subdivision.</p> <p>As a Councillor on Penrith City Council my involvement with the consideration of this application creates a conflict of interest.</p> <p>Tricia Hitchen: As the Mayor of Penrith I believe I have a conflict of interest</p> <p>Carlie Ryan: As DA22/0318 is a Council DA I have a conflict.</p>

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Robert Craig and Gavin Cherry
INDEPENDENT REPRESENTATIVE	Donna Clarke
OTHER	Mellissa Felipe and Jeremy Martin

KEY ISSUES DISCUSSED

The Panel received a presentation from Council's independent consultant engaged to address issues of potential conflict with Council (due to acquire the site under an exchanged contract) as the developer and applicant.

Four principal issues were raised, namely:

- Tree Removal & Scenic Landscape Values - retention of mature trees along all boundaries required.
- Intersections - second access road to Old Bathurst Road MC04 is not supported & further modelling required of the traffic signals being installed at the Old Bathurst Road/David Road intersection & its funding.
- Layout & Design – tree retention, second access removed, pedestrian pathway added, Lot 33 incorporated into drainage lot, Lots 34, 35 & 36 combined to be usable, boundary corners to meet and not offset, road location changed to allow for tree retention, TfNSW lease to be considered and minimum lot width achieved to Old Bathurst Rd.

Planning Panels Secretariat

d. Title – as Council will not accept the dedication of the proposed wetland.

The Panel made the suggestion that the options for titling might include community title or a capitalised payment (or interdepartmental allocation of funds) within the Council calculated with reference to the long-term maintenance cost to ensure that the profits from the development funded that cost.

Additional matters raised for attention are:

- Retention of mounding and vegetation in the north west corner.
- Potential modifications to the subdivision layout such as a possible loop road to allow for better tree retention, particularly noting the views of the site from the rail corridor.
- Whether a footpath is required along New Bathurst Road.
- Whether Lot 33 ought to be incorporated into the drainage lot.

Council was invited to withdraw the DA to relodge it after the above issues had been better considered, but that invitation was not taken up.

TENTATIVE DETERMINATION DATE SCHEDULED FOR OCTOBER 2022