

14 February 2024

Our Ref: 11584\_Letter - Amended Layout

Donna Clarke  
Penrith City Council  
Property Development  
PO Box 60  
PENRITH NSW 2751

VIA: donna.clarke@penrith.city

Dear Donna,

**RE: DA22/0318 – Amending Lot Layout**

Property: 158-164 Old Bathurst Road, Emu Plains

The following has been prepared on instruction from ACOR Consultants on behalf of Penrith City Council, the **Applicant** of Development Application DA22/0318 over land at 158-164 Old Bathurst Road, Emu Plains (the **Site**). Development Application (**DA**) DA22/0318 includes the subdivision of the Site for future industrial development. Ancillary removal of vegetation, earthworks, roadworks and other infrastructure also forms part of the proposal.

Provided in **Attachment A** is a revised lot layout, which includes the realignment of part of proposed Road MC01, the amalgamation of Lots 4 and 5 and subsequent increase in area of Lot 38/39. The amendment will result in a change to the development, ultimately reducing the proposal from the creation of 39 Industrial lots (**Former Proposal**) to 38 industrial lots (**Amended Proposal**).

The amendment is made on the understanding that Penrith City Council (**Council**) as the Assessment Manager of the DA will support the Amended Proposal for approval by the Sydney Western City Planning Panel subject to a condition that requires engineering and landscape design to be updated to reflect the Amended Proposal as provided in **Attachment A**.

The amendment responds to Council's claim that the Former Proposal did not comply with Section 2.2.13 of Council's *Design Guidelines for Engineering Works for Subdivision and Development*, which specifically states:

*"2.2.13 Geometric Standards*

*The design of urban roads is to provide smooth, safe and trafficable horizontal and vertical alignments, adequate sight distances with consideration being given to the road classification requirements, pedestrian access to each allotment, provision for utilities and stormwater drainage. The design speed to be used for a particular road shall be the legal road speed limit for that road.*

*For design speeds up to 60km/h, the use of transitional curves is not considered necessary.*

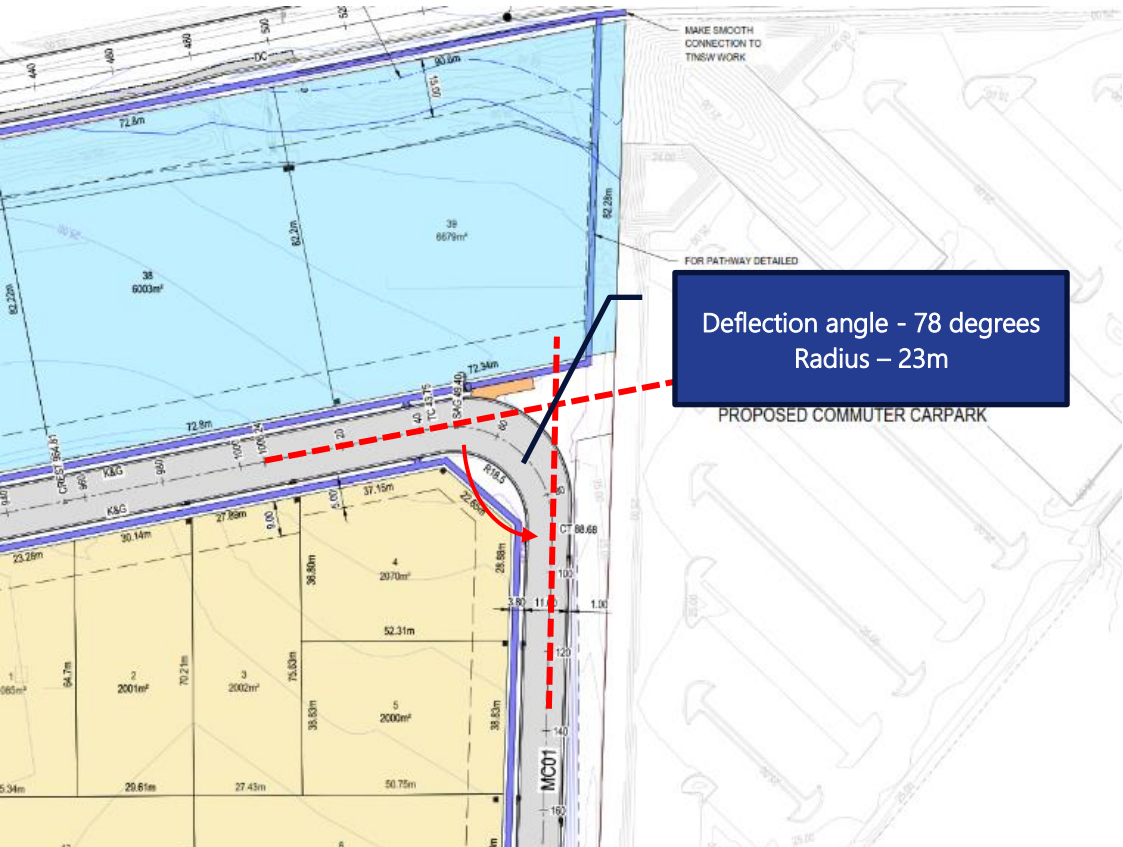
*The minimum radius of horizontal curves should be:*



<i>Minimum Deflection Angle</i>	<i>Minimum Radius (m)</i>
75°	20
60°	33
40°	65
30°	75
20°	100

*Where the deflection angle is 90° and travel speed is not an issue, the size of the horizontal curve is to be related to the turning requirements of vehicles such as single unit trucks (removalist vans and garbage trucks)"*

The Applicant has provided evidence that the Former Proposal complies with the above, with the portion of Road MC01 having a deflection angle of 78° and a radius of 23m. Further, swept path diagrams demonstrate that two B-Double Semi Trailers could pass each other on the corner in question (see **Figure 1 and 2**).



Source: Accor Consultants (Marked up by GLN)

**Figure 1** Former Proposal - Section of Road MC01 deflection angle of 78 degrees and radius of 23m



Source: Accor Consultants

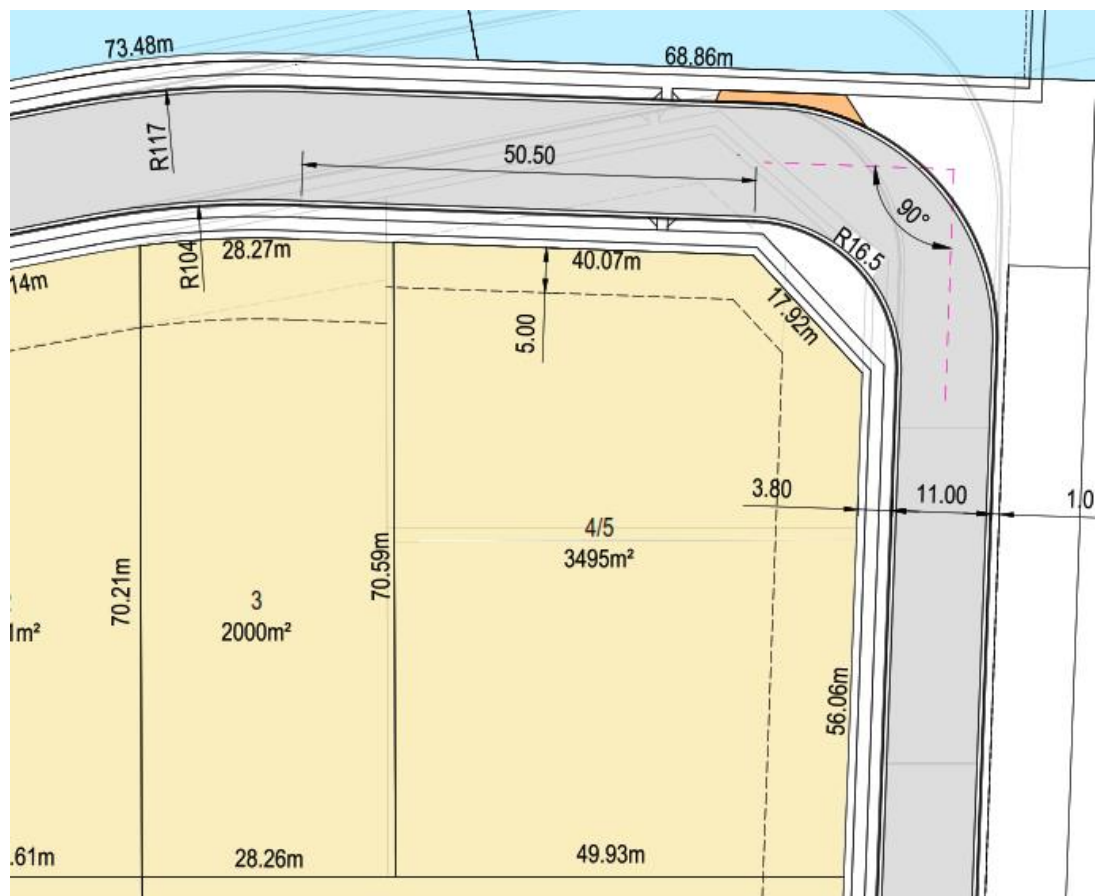
**Figure 2      Section of Road MC01 - Swept Path Diagrams**

Despite the provision of additional evidence from the Applicant, Council has stated that its interpretation of Section 2.2.13 of Council’s *Design Guidelines for Engineering Works for Subdivision and Development* is that roads with a deflection angle more acute than 90 degrees are not permitted. Despite our disagreement, the Applicant has agreed to amend the road alignment as shown in **Figure 3** in the hope that this will enable the final determination of the application.

The amendment road alignment has resulted in changes to lot areas as described in **Table 1**.

**Table 1. Affected Lot Areas**

Lot	Former Proposal	Amended Proposal	Comment
Lot 3	2,002m <sup>2</sup>	2000m <sup>2</sup>	
Lot 4	2,070m <sup>2</sup>	3954m <sup>2</sup>	Realignment of road has meant for Lot 4 to maintain compliance with the minimum Lot size, Lot 4 and Lot 5 need to be amalgamated.
Lot 5	2,000m <sup>2</sup>	N/A	Area amalgamated into Lot 4. Lot numbers have been adjusted accordingly.
Lot 38/39	6,679m <sup>2</sup>	7,559m <sup>2</sup>	Former Proposal Lot 39 has been renumbered to Lot 38. The realignment of the road has allowed for additional area to be attributed to Lot 38.



Source: Accor Consultants

### Figure 3 Amended Road MC01 Configuration

The information provided in this correspondence and provided in **Attachment A** contains sufficient details of the change to enable the Consent Authority to compare the Amended Proposals with that originally proposed and to draft appropriate conditions to be attached to any consent granted. We would be please to review those conditions when drafted.

Should you have any questions regarding the information please do not hesitate to contact me directly.

Yours faithfully

**GLN PLANNING PTY LTD**

**MICHAEL HANISCH**  
**PRINCIPAL PLANNER**



**Attachment A** – Amended Proposal (General Arrangements Plan prepared by Accord Consultants)