

MEMORANDUM

To: Sydney Western City Planning Panel
From: Jacqueline Klincke, Development Assessment Planner
Date: 26 May 2023

DA22/1110, Panel Reference – PPSSWC-284

Subject: **Construction and Use of 2 Warehouse and Distribution Centres (Lots 4A and 4B) at 2-4 Cuprum Close, Kemps Creek (Oakdale West Estate)**

I refer to the above application which was briefed to the Sydney Western City Planning Panel (the Panel) on Monday 22 May 2023 and was recommended for Approval via e-determination.

As discussed in the briefing meeting with the Panel, Transport for NSW (TfNSW) is currently investigating the introduction of a fourth leg at the future signalised intersection of Southern Link Road and Emporium Avenue, to connect to Aldington Road to the south. The determination of this application was deferred to enable Council the opportunity to further investigate and discuss the proposed realignment of Southern Link Road with TfNSW.

Whilst Council has made several attempts to contact TfNSW, no response has been received.

However, a review of information available on the TfNSW website in relation to the 'Southern Link Road corridor' project, outlines that the proposed realignment is in the early stages of development. TfNSW is currently reviewing comments received during the consultation process of the preferred alignment, and the consultation report is expected to be available to the community and stakeholders in the second half of 2023. Preliminary investigations by TfNSW are also underway as part of the environmental assessment of the Southern Link Road realignment.

An email (dated 2 September 2020) from TfNSW to Penrith City Council and the Applicant provided a detailed draft concept plan for the fourth leg intersection as

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seen in Figure 1 below. The proposed road and intersection alignment does not significantly interfere with the built form of the warehouse. Some landscaping and hardstand may be impacted.

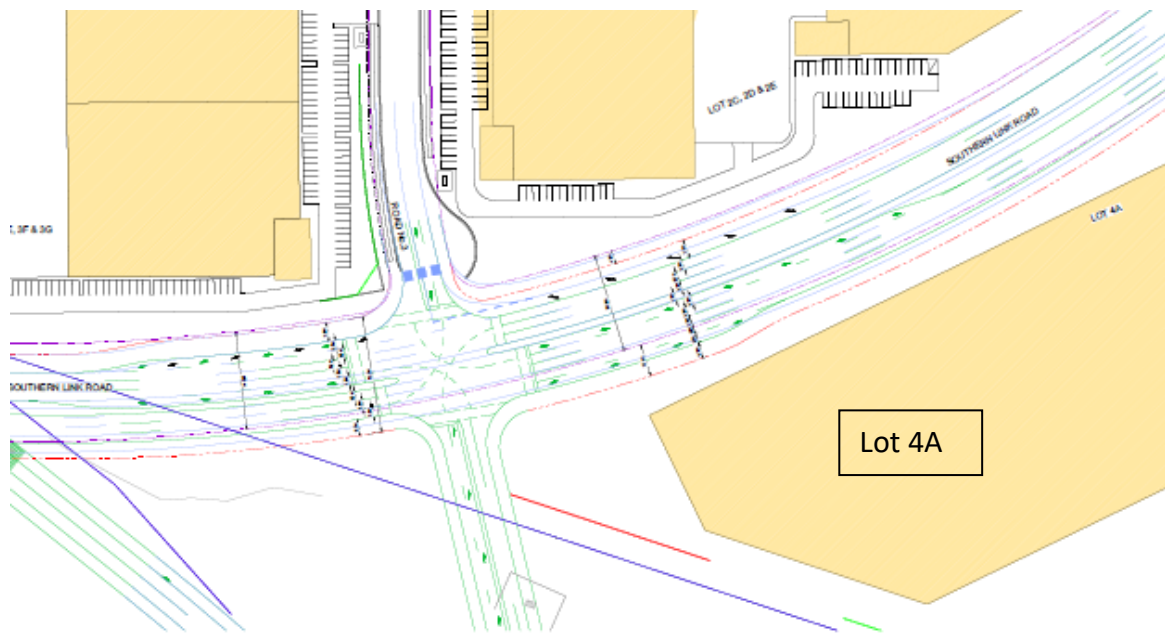


Figure 1. Concept Southern Link Road and Intersection Plan.

It should also be noted the land subject to the future intersection and fourth-leg extension is not identified on the land acquisition plan under *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP), nor is the intersection reflected on the most recent modification to the approved Concept Plan of the Oakdale West Estate under SSD 7384 MOD 12. The Southern Link Road corridor project still subject to funding.

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Notwithstanding the above, the Mamre Road Precinct 'Road Network Hierarchy' map within the *Mamre Road Precinct Development Control Plan 2021*, demonstrates a connection of Aldington Road (i.e. blue Distributor Collector Road) to the future Southern Link Road via the fourth leg intersection, as per Figure 2 below.



Figure 2. Mamre Road Precinct Road Hierarchy Map.



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Whilst the subject site and intersection are not located within the Mamre Road Precinct, the fourth leg road extension (i.e. the Distributor Collector Road) and connection to Aldington Road is within the Precinct.

Section 35 of the *Environmental Planning and Assessment Regulation 2021* requires the consent authority to ensure any application is consistent with the Mamre Road Precinct Structure Plan. In this regard, the Mamre Road Precinct 'Structure Plan' marks this intersection as a 'potential road access'. As this intersection and fourth-leg extension is located outside of the precinct and is marked as 'potential', no further consideration of the intersection and fourth-leg extension is warranted under this application.

Furthermore, as outlined within Council's Assessment Report, the application was referred to TfNSW under the Industry and Employment SEPP, who provided a response dated 9 March 2023, raising no objections or concerns to the proposal.

A Satisfactory Arrangements Certificate, confirming that arrangements have been made to contribute to the provision of regional transport infrastructure and services was also issued by the Department of Planning on 12 May 2023.

In light of the above, Council's recommendation is that the application can be determined as recommended, via e-determination.

Jacqueline Klincke
Development Assessment Planner