

Record of Preliminary Briefing Sydney Western City Planning Panel

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| PANEL REFERENCE, DA NUMBER & ADDRESS | PPSSWC-375 – Penrith – DA23/0955 – 35-53 Chain-O-Ponds Mulgoa |
| APPLICANT / OWNER | Applicant: Mirvac Homes (NSW) Pty Limited Owner: Roads and Maritime Services |
| APPLICATION TYPE | Staged Torrens Title Subdivision into 235 Lots including Public Roads including Demolition Works, Land Remediation, Civil Works and Landscaping (Stages 1 & 2, Glenmore Park Stage 3). |
| REGIONALLY SIGNIFICANT CRITERIA | Capital Investment Value > \$30M |
| CIV | \$ 48,130,067,000 (excluding GST) |
| BRIEFING DATE | 29 January 2024 |

ATTENDEES

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| APPLICANT | William Hodgkinson, Aaron Baker, Peter Lawrence, Sam Johns, Ian Brown, Chris Mallion, David Robertson, Ayberk Sahin, Saad Kashif |
| PANEL | Justin Doyle (Chair), David Kitto, Louise Camenzuli, Carlie Ryan, Ross Fowler |
| COUNCIL OFFICER | Taylah Ebzery, Robert Craig |
| CASE MANAGER | Renah Givney |
| PLANNING PANELS SECRETARIAT | Sharon Edwards, Tim Mahoney |

DA LODGED & DAYS SINCE LODGEMENT: 31 October 2023 (90 days)

TENTATIVE PANEL BRIEFING DATE: April 2024

TENTATIVE PANEL DETERMINATION DATE: June 2024

Chair reviewed attendance and introduced Preliminary Briefing purpose and process.

Council

- Council provided an overview of the proposal, advising this is the first proposed subdivision for the Glenmore Park Stage 3 – urban release area.
- Council outlined its key assessment issues and considerations including:
 - Subdivision design
 - Level of access and embellishment to linear park/riparian corridor
 - Planning Secretary's concurrence is required under Clause 6.3A of the Penrith LEP
 - Design of upgrade works to Chain-O-Ponds Road.
 - Clarification likely to arise from internal referrals in response to technical assessment reports
- Referrals to DCCEEW and RFS remain outstanding.
- RFI is to be issued mid-February, applicants response required by mid-March. Tentative assessment report to be provided to Panel for determination in June 2024.
- Response from TfNSW raised issues with the adequacy of the proposal to deal with proposed population including:
 - Intersections
 - Single laned roads
- Council's biodiversity officer has queries regarding proposed development outside of the approved conservation zones. These are to be articulated through the pending RFI.
- Notification concluded - one submission received.

Applicant

- The applicant outlined the rezoning undertaken creating the Glenmore Park Stage 3 – Urban Release area. The associated conservation plan is still awaiting sign off at the Commonwealth level.
- The applicant provided descriptions of site context and existing condition, and proposed bulk earthworks and subdivision of Stage 1, including roads, landscaping and stormwater infrastructure.
- The applicant advised that rehabilitation of the environmental corridor which traverses the site is proposed, including revegetation and the provision of passive recreation opportunities in the future. The applicant confirmed that public access to this space is proposed as part of this application.
- With respect to the TfNSW response, the applicant advised that a TIA was prepared as part of the rezoning proposal which addresses adequacy of proposed roads. Referral to TfNSW has been as a traffic generating development and not integrated as works are not proposed at the classified road. Proposed street and road typology is consistent with the DCP developed for the release area.
- The applicant advised that the application has not been referred to the Commonwealth as proposed vegetation impacts outside of the conservation plan will not trigger the Commonwealth legislation.
- The Applicant's ecologist David Robertson advised that the ecology was of low grade and the impacts could be managed.
- With respect to contamination, the applicant has prepared a dam dewatering assessment and significant concerns were not raised.

Panel

- The Panel noted that TfNSW response raises concerns with:
 - (a) the adequacy of Chain-O-Ponds to efficiently cater for the future traffic demands of the 1,250 residential lots that will use this intersection post development, given that the submitted concept plan indicates that Chain-O-Ponds Road will have a road configuration that consists of a single through lane and a parking lane in each direction.
 - (b) potential queuing and congestion in relation to the efficiency of traffic signals at the intersection of Mulgoa Road/Chain-O-Ponds which may require provision of dual right turn lanes in the future,
- TfNSW has suggested that Chain-O-Ponds Road be designed with two traffic lanes in each direction from Mulgoa Road to the proposed roundabout, with the merge to one lane located to the west of the proposed roundabout ..
- The Panel discussed onsite ecology, and specifically the requirements for Commonwealth approvals noting applicable provisions of the Bilateral Agreement if triggered.
- The Panel noted that contamination exists onsite and sought clarification of the extent of contamination and proposed remediation and certification of measures proposed.
- The Panel sought clarity as to public access to be facilitated to the environmental corridor. The applicant advised it would be publicly accessible.

The panel targets determination of RSDAs within 250 days. The chair recommends that the applicant expedite any amendments or additional information in answer to Council feedback to avoid delays. The panel may determine the DA in the form it is presented at or prior to 250 days.

Note:

Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered by the Sydney Western City Planning Panel and therefore future comment will not be limited to the detail contained within.