

Record of Preliminary Briefing Sydney Western City Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSSWC-416 – Penrith – DA24/0268 – 244-256 ALDINGTON ROAD KEMPS CREEK
APPLICANT / OWNER	Applicant: Allan Young Owner: STOCKLAND DEVELOPMENT PTY LIMITED
APPLICATION TYPE	Demolition of Existing Structures, Subdivision and Subdivision Works Including Construction of Access Roads, Utilities, Retaining Walls and Earthworks
REGIONALLY SIGNIFICANT CRITERIA	EDC >\$30 million
EDC	\$32,440,814.00(excluding GST)
BRIEFING DATE	29 July 2024

ATTENDEES

APPLICANT	Brendon Lucas, Debbie Fransen, Allan Young
PANEL	Justin Doyle (Chair), David Kitto, Brian Kirk and Ross Fowler
CONFLICTS	Louise Camenzuli declared a conflict as Louise firm acts for Stockland who is the property owner.
APOLOGIES	Carlie Ryan
COUNCIL OFFICER	Rob Walker, Sandra Fagan
CASE MANAGER	Renah Givney (DPHI)
PLANNING PANELS TEAM	Tim Mahoney (DPHI), Rach Harlock (DPHI)

DA LODGED: 22 APRIL 2024

DAYS SINCE LODGEMENT: 98 days

TENTATIVE PANEL BRIEFING DATE: Not anticipated at this stage

TENTATIVE PANEL DETERMINATION DATE: Within 250-day target

Chair reviewed attendance and introduced Preliminary Briefing purpose and process.

Applicant

- The applicant gave an overview of the site, history, and proposed development.
- The proposed development is for subdivision and subdivision works comprising:
 - Earthworks including grading, levelling, and trenching for drainage assets
 - Stormwater drainage and stormwater treatment works
 - Road construction of a new collector road providing access to the site and a new internal local road
 - Provision of utilities such as electricity, sewer, water and telecommunications.
- The proposed development will deliver approximately 18.92ha of development ready benched and serviced land.

Council

- Council advised that they have received a response from Sydney Water who have indicated that they do not support the proposed stormwater management arrangements. Sydney Water has suggested the DA should be put on hold until the outstanding issues are resolved.
- Two (2) submissions have been received in response to neighbour notification.
- Internal referrals have been received and concerns have been raised that will be included in a request for information to be issued to the applicant within 14 days.
- Council advised that they are seeking advice about whether the development requires a Controlled Activities Approval under the Water Management Act. The applicant is of the view that the development does not require this approval.
- Council requested the applicant advise them of the progress made with Sydney Water within 28 days. Once advice is received from the applicant Council will advise the planning panels team with a brief summary on the progress made.

Panel

- The Panel investigated with the Applicant's representatives the different retaining walls incorporated in to the design which will be substantial (presently planned to be up to 13 metres high in one corner of the site). The impacts of embankments for the roads and excavation will need to be considered particularly where they extend onto neighbouring properties.
- The impacts of those retaining walls will need to be considered. In that regard, while that this is a greenfield site it is one which is planned for an industrial character. Impacts and constraints on neighbouring properties will be relevant, and the anticipated development on neighbouring properties will need to be taken into account.
- The Panel noted that owners consent from the owners of properties upon which work will take place is required.
- The panel noted the present differences in opinion concerning the extent which particular existing drainage features constitute watercourses which would generate a need for concurrence under the Water Management Act. The Department's "Controlled activities – Guidelines for riparian corridors on waterfront land" Fact Sheet might assist. The Chair

asked that if the Department acting as the water authority had not adequately responded with its position within 28 days that the planning panels team be notified so that the Panel can consider whether action is required.

- The panel chair outlined a target determination date for the end of November.
- The panel targets determination of RSDAs within 250 days. The chair recommends that the applicant expedite their efforts to facilitate amendments or additional information required by Council to allow them to complete their assessment. The panel may determine development in the form it is presented at or prior to 250 days.

Note:

Council is yet to undertake a complete assessment of the development application. This record is not a final list of the issues Council will need to finalise their assessment and 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.