



27 June 2024

Our reference: 215447, 203986

Concurrence Referral

Penrith City Council

concurrence.referral@penrith.city

RE: Development Application DA24/0330 at 221-227 Luddenham Road, Orchard Hills

Thank you for notifying Sydney Water of DA24/0330 at 221-227 Luddenham Road, Orchard Hills, which proposes the construction and operation of a single warehouse building with a total gross floor area (GFA) of 38,500 sqm, with associated site preparation works, hardstand areas, car parking and landscaping. Sydney Water has reviewed the application based on the information supplied and provide the following comments to assist in understanding the servicing needs of the proposed development.

This development application forms part of the larger Alspec Industrial Business Park (AIBP) Estate which was subject to the recently approved Luddenham Road Planning Proposal (PP-2022-1052). Sydney Water's response to the Luddenham Road Planning Proposal, dated 19 January 2024, has been enclosed.

The proposed development sits in the Greater Penrith to Eastern Creek growth within the Orchard Hills precinct. Sydney Water is currently only in **strategic planning** for the area. We understand that the proponent wishes to accelerate services in this area. Any works or additional planning therefore are anticipated to be at the developers cost.

Water Servicing

- The proposed development is in the Erskine Park Water Supply Zone within the Orchard Hills Water Distribution Zone. The existing service for drinking water is a ON250 PE watermain along Luddenham Road and Patons Lane.
- Sydney Water is upgrading a section of the main in Mamre Road, Luddenham Road and Solander Drive to PE ON315 (ID256.3) to increase the network capacity. The trunk network may have adequate capacity to service this development only after the amplification work is completed.
- The Utilities Servicing Report however notes that the Maximum Daily Demand (MDD) for the AIBP Estate is now 728 kL/day, which is higher than 597 kL/day assessed in Feasibility application CN 203986. It is likely the existing PE OD250 main along Patons Lane and Luddenham Road will require amplification to support the increased demand.

Sydney Water Corporation ABN 49 776 225 038

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- Sydney Water acknowledges the proponent has an existing Feasibility for the entire AIBP Estate under CN 203986 however, as the expected MDD has increased the proponent is recommended to notify their Sydney Water case manager once a Section 73 application has been lodged for DA24/0330. The proponent should notify their case manager that the overall MDD has increased for the AIPB development.
- **As the proponent wishes to accelerate servicing ahead of Sydney Water timescales, all planning and any additional amplification or delivery costs are likely to sit with the proponent. A commercial agreement may be required.**

Wastewater Servicing

- Sydney Water notes the development will be serviced **privately** through an onsite sewer management facility.
- However as noted in Sydney Water's response to the Luddenham Road Planning Proposal dated 19 January 2024 (Attachment 1), the Orchard Hills East Options Assessment is currently in progress, the outcome of which will determine the preferred wastewater servicing option to the Orchard Hills precincts, including the proposed site.
- The current Options Assessment estimates that trunk wastewater infrastructure may be delivered circa 2028, however this will be dependent upon the finalisation of the Options Assessment and will be subject to approvals.
- Once wastewater services become available at this location, the proposed development may be able to connect to Sydney Water's wastewater network.
- To enable future connection, the proposed wastewater infrastructure for this development should be sized and configured according to the relevant WSAA code requirements.

Recycled Water Servicing

- Sydney Water is undertaking an Options Assessment Study for the Orchard Hills Precincts considering providing recycled water services to the Orchard Hills South including this development subject to service viability.
- Council should consider **future-proofing** development in this area to enable recycled water from public or private supply.
- Sydney Water understands the proponent intends to install a recycled water network throughout the AIPB estate.
- Sydney Water suggests the proponent also liaise with their case manager to discuss recycled water opportunities at the Section 73 stage.

Next steps

- Should the Council decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent. Further details of the conditions can be found in **Attachment 1**.
 - Section 73 Compliance Certificate
 - Building Plan Approval

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- Once this development application has progressed to the Section 73 stage, the proponent should notify their Sydney Water case manager of the increase in MDD for the entire AIPB Estate.
- As the proponent wishes to accelerate servicing ahead of Sydney Water timescales, all planning and any additional amplification or delivery costs are likely to sit with the proponent. A commercial agreement may be required.
- Council is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides more information on Infrastructure Contributions.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Council can read further advice on requirements for this proposal in Attachment 1. If the proponent has any questions, they should contact their Sydney Water case manager. Should Council require further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Commercial Growth Manager
City Growth and Development
Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Enclosed:

- Sydney Water Development Application Information Sheet (for proponent)
- Sydney Water Response to Luddenham Road Planning Proposal Jan 2024 (Appendix 1)

Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's [Technical guidelines – Building over and adjacent to pipe assets](#).

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