

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	27 November 2024
DATE OF PANEL DECISION	26 November 2024
DATE OF PANEL BRIEFING	19 November 2024
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Carlie Ryan
APOLOGIES	Ross Fowler
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 15 November 2024.

MATTER DETERMINED

PPSSWC - 488 - Penrith - DA24/0009 - 581 Luddenham Road, Luddenham - Upgrading of a 600m long section of Luddenham Road and associated works, including the development of a new 'interim' signalised 'T-intersection' to provide access to the Sydney Science Park and other private land, and the subdivision of 3 Torrens Title lots into 6 lots to create 3 'Road Reserve' lots.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at item 8 in Schedule 1.

Matters for consideration

At the final briefing, Council advised the Panel that it had omitted the consideration of several mandatory matters in its assessment report, none of which were material to the determination of the development application. The Panel asked Council to provide a supplementary memorandum on these matters. Council did this on 19 November 2024.

Conditions

At the final briefing, Council advised the Panel that it was in discussions with the Applicant about potential amendments to the recommended conditions. The Panel asked Council and the Applicant to complete these discussions and report back to the Panel as soon as possible.

On 21 November 2024, Council provided the Panel with amended conditions for the development, which have been accepted by the Applicant.

Development application

The panel determined to approve the development application pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in Council's assessment report, supplementary memorandum and amended conditions.

In particular, the panel concluded that:

- The development either complies with or is consistent with the provisions of the relevant environmental planning instruments, including the requirements in Chapter 4 of *State Environmental*

Planning Policy (Precincts – Western City Parkland), the Western Sydney Aerotropolis Precinct Plan, and the Western Sydney Aerotropolis Development Control Plan 2024;

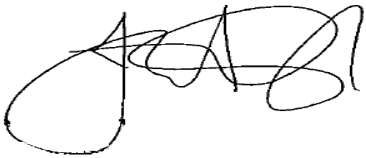


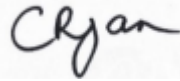
- The site does not require remediation and is suitable for the development;
- The impacts of the development are acceptable and can be suitably controlled with the recommended conditions;
- The recommended conditions provide for the payment of the relevant local and State development contributions in accordance with the *Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Direction 2022* and *Penrith Aerotropolis Development Contributions Plan 2023*;
- The development will upgrade a small section of Luddenham Road and provide alternate signalised access to approved private developments off Luddenham Road (such as the Sydney Science Park) to accommodate the development of the Sydney Metro Western Sydney Airport railway line, consistent with the strategic planning objectives of the area; and
- The development is in the public interest.

CONDITIONS

The development application was approved subject to Council's amended conditions, dated 19 November 2024.

CONSIDERATION OF COMMUNITY VIEWS

Council exhibited the DA from 29 January to 26 February 2024 and received no submissions.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Louise Camenzuli
 David Kitto	 Carlie Ryan

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC - 488 - Penrith - DA24/0009
2	PROPOSED DEVELOPMENT	Upgrading of a 600m long section of Luddenham Road, new 'interim' signalised 'T-intersection', associated works and Torrens Title Subdivision of 3 Lots into 6 Lots to create 3 'Road Reserve' lots.
3	STREET ADDRESS	581 Luddenham Road Luddenham
4	APPLICANT/OWNER	Applicant: Tom Herbert – Celestino Developments SSP Pty Ltd Owner: Sydney Science Park Pty Limited and Sydney Metro
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Section 1.7 of the <i>Environmental Planning and Assessment Act 1979</i> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Precincts—Western Parkland City) 2021, including the Western Sydney Aerotropolis Precinct Plan ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Western Sydney Aerotropolis Development Control Plan 2024 • Planning agreements: <ul style="list-style-type: none"> ○ State Planning Agreement executed on 7 December 2016 ○ Local Planning Agreement executed on 9 September 2016 • Provisions of the <i>Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Direction 2022</i> • Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council's assessment report: 14 November 2024 • Council's supplementary memorandum: 19 November 2024 • Council's amended conditions: 21 November 2024 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 19 November 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Carlie Ryan ○ <u>Council assessment staff</u>: Sandra Evans, Robert Walker ○ <u>Applicant representatives</u>: Vidhya Ramesh, Ben Hawkins, Brad Dekruif, Tom Herbert

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Council’s amended conditions: 21 November 2024