

## BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 14 April 2025, 10:00am to 11:00am
LOCATION	MS teams

## BRIEFING MATTERS

**PPSSWC-516 – Camden – DA/2024/615/1** – 173 Rickard Road, Leppington - Demolition of existing structures, tree and vegetation removal and the staged construction of a mixed use development containing two commercial buildings comprising a four storey shopping centre building and six storey hotel containing 176 rooms, with basement car parking for a total of 1394 car parking spaces, and including site preparation and bulk earthworks, road construction, stormwater and drainage works, servicing, landscaping, associated subdivision into three lots and all associated site works.

## PANEL MEMBERS

IN ATTENDANCE	Louise Camenzuli (Chair), David Kitto, Michael Mantei, Michael File
APOLOGIES	NIL
DECLARATIONS OF INTEREST	Justin Doyle declared a perceived conflict of interest as he is representing a nearby landowner in another planning matter

## OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Ryan Pritchard, Brad Colling
APPLICANT	Anas Rahhal, Andrew Stacey, Kim Ton, Frank Alvarez, Simon Wilkes, Anthony Kong
PLANNING PANELS SECRETARIAT	Tim Mahoney

## Key Issues Discussed

- The Chair welcomed everyone and noted that the application is currently the subject of deemed refusal proceedings in the Land and Environment Court and that the first directions hearing is on 22 April 2025.

## Strategic Planning

- The Chair acknowledged the complex planning history of both the Leppington Town Centre and the site.
- While the Applicant is seeking approval for the proposal under the existing planning framework for the site, including the *Leppington Major Centre Indicative Layout Plan* and *Camden Growth Centre Precincts Development Control Plan*, the Chair noted that:
  - a planning proposal was exhibited for the Leppington Town Centre, including the site, in late 2023/early 2024 and is now being finalised as a State-assessed rezoning proposal

## Planning Panels Secretariat

- the Applicant submitted a planning proposal to Camden Council in 2024 for a major mixed-use proposal on the site with heights of over 100 metres, which did not proceed to a gateway determination because the Sydney Western City Strategic Planning Panel (SWCSPP) determined in June 2024 that the proposed changes on site should be considered in conjunction with the planning for the development of the whole town centre
- in February 2025, the Minister for Planning and Public Spaces declared a major mixed-use proposal on the site (which was similar to the proposal previously considered by the SWCSPP) to be State significant development (SSD) following a recommendation from the Housing Delivery Authority (HDA), which included that the proposal should better align with the Leppington Town Centre planning proposal and that the density of the proposal may need to be reduced accordingly.
- The Panel highlighted:
  - its statutory obligation under Section 4.15(1)(ii) of the EP&A Act to consider any proposed environmental planning instrument that is or has been the subject of consultation, such as the material exhibited with the Leppington Town Centre planning proposal
  - the matters outlined in Planning Circular PS 24-007 that should be taken into consideration by consent authorities in deciding what weight should be given to a proposed environmental planning instrument in assessing the merits of a development application, including the likely “certainty and imminence” of the relevant instrument coming into force.
- The Panel noted that the current application did not include any assessment of the consistency of the development with the Leppington Town Centre planning proposal, nor the matters outlined in the planning circular, and encouraged the Applicant to provide an assessment of these matters to the Council by 2 May 2025.
- In this regard, the Panel notes that:
  - the Minister for Planning and Public Spaces has declared 4 proposals in the Leppington Town Centre - including the mixed-use proposal on this site - to be State significant development
  - in making this recommendation to the Minister, the HDA was satisfied that all 4 proposals complied with all the relevant HDA SSD criteria, including that they could be “assessed and constructed quickly”, despite needing a concurrent rezoning.

### Outstanding Information

- In its Briefing Report to the Panel, Council indicated that the development application for the proposal is deficient and identified several matters that should be addressed by the Applicant before the application is determined.
- The Panel noted that these matters were similar to the matters identified in Council’s request to the Applicant for additional information in December 2024; and that at that time, the Applicant had advised Council that it would not provide any further information on these matters.
- The Applicant indicated that it did this to avoid any delay in being able to commence the deemed refusal proceedings, but that it was willing to provide further information on these matters.
- The Chair asked the Council to send the Applicant a copy of its Briefing Report to the Panel as soon as possible and the Applicant is to provide the information requested to the Council and the Panel Secretariat by 2 May 2025.

### Court Proceedings

- Council is due to submit its Statement of Facts and Contentions (**SOFAC**) for the deemed refusal proceedings on 18 April 2025.
- Council indicated that the SOFAC was likely to identify several non-compliances with the *Camden Growth Centre Precincts Development Control Plan* and concerns about the design of the proposal.
- The Chair encouraged the Applicant to provide a response to these matters to Council along with the other outstanding information by 2 May 2025

### Planning Panels Secretariat

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**NEXT STEPS**

- Applicant to provide additional information to the Council and the Panel Secretariat relating to the issues in the Briefing Report, which largely reflect the matters raised in the RFI of December 2024, by 2 May 2025.
- A further and likely final briefing is to be arranged for late May 2025.

**TENTATIVE DETERMINATION DATE SCHEDULED – JUNE 2025****Planning Panels Secretariat**

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