



Our reference: P-675541-Y8Z7  
Contact: Sandra Fagan  
Telephone: (02) 4732 7992

19 April 2024

Attn: Sam Burns  
Email: sam.burns@dpie.nsw.gov.au

Dear Sam,

**Council Response to Modification Report for SSD-9522-Mod-6, Kemps Creek Estate Warehouse, Logistics and Industrial Facilities Hub (The Yards/Altis/Frasers) at 657 - 769 Mamre Road, Kemps Creek, NSW, 2178.**

Thank you for providing Penrith City Council the opportunity to comment on the abovementioned modification report.

Council staff have reviewed the information referred for comment on 5 April 2024 and provides the following advice for the Department's consideration in relation to this matter.

**1. Planning Considerations**

- a) Additional access driveways off public roads should only be supported where they are absolutely needed for the safe functioning of the warehouse uses. Ideally, access roads and space for turning trucks should be accommodated within the site and consolidated driveways should be used for both entry and exit. Duplicating driveways further interrupts road frontages and degrades the ability to provide street trees and a continuous landscaped screen on public verges.
- b) The proponent should demonstrate why the internal master planning for lot 4 does not include an extension of the internal private access road, to provide the required access and manoeuvring space onsite, with entry and exit from the existing approved driveway off Bakers Lane.
- c) Using the existing approved driveway off Bakers Lane would seem more reasonable because that driveway allows both truck entry and exit movements and allows right-in entry movements, which is expected as trucks access the area from Mamre Road and

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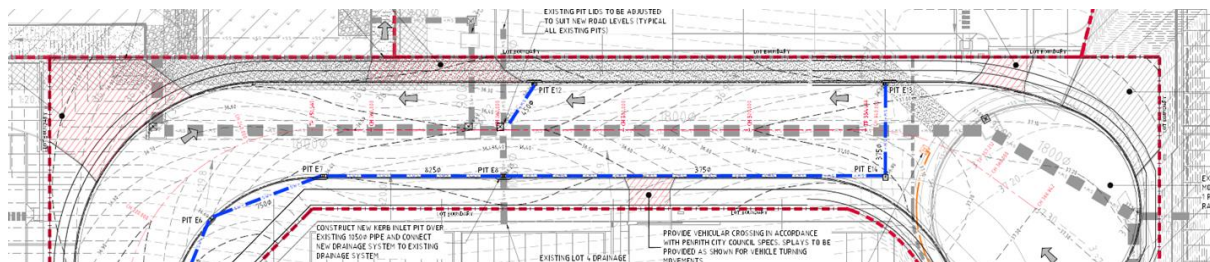
Bakers Lane. That is, trucks entering the area and accessing Lots 4 and 19 are more likely to require a right-hand turn-in using the existing approved driveway from Bakers Lane.

- d) Given that Lot 4 appears to result in an intensification of use by proposing to be subdivided into four lots/warehouse uses (Lots 4, 19A, 19B, and 19C), it would be prudent to require those new lots to be fully accessible and serviced by new internal roads.
- e) DPHI should consider if the current road infrastructure is suitable to support and service the proposed development, both in the short and longer-term scenarios. The existing road infrastructure in its current form is unsuitable to accommodate the proposed development. The MRP DCP requires consideration of the cumulative implications on existing and planned infrastructure.
- f) Given this concern about the road infrastructure and capacity, DPHI should consider whether speculative warehouse proposals should be endorsed at this time. Concepts and speculative development yields in the precinct should only be endorsed if it can be demonstrated that the required infrastructure will be delivered at the relevant stage. Traffic generated from specific future warehouse operators would be unknown at this time.
- g) The EIS states that the proposed built form was approved under the 'parent' consent but was removed as part of MOD-3 due to traffic concerns. DPHI should consider whether the road infrastructure in the precinct has been upgraded to a level that warrants reinstatement of the additional warehouses at this time. In addition, the proposed modification would result in an overall increase in warehouse floor space above and beyond that shown in the parent SSDA (notwithstanding that the SEE states there are certain reductions of GFA).
- h) DPHI should carefully consider the acoustic environment in the surrounding area. The acoustic report should be based on known future tenants of warehouses on Lots 4, 19A, 19B, and 19C as this will allow a more precise and correct estimation of the noise emissions likely to be generated by specific users.

## 2. Development Engineering Considerations

Council's Development Engineering Department have reviewed the proposal and have raised the following considerations:

- a) In principle there is no technical objection to the proposal. However, in accordance with Council's specifications the stormwater drainage pipes within public roads should be located longitudinally under the kerb and gutter alignment. The proposal includes the retention of an existing stormwater drainage pipe and pits located centrally within the road carriage way. This is not supported by Council and will require the drainage pipe and pits to be relocated underneath the kerb and gutter alignment. Please refer to the below extract showing the subject existing stormwater pipe in grey.



## 3. Traffic Considerations

Council's Traffic Engineer has reviewed the proposal and has raised the following considerations:

- a) SSD-9522 MOD 6 proposes a new loop road which provides 2 separate connections to Bakers Lane. The eastern and western Public Access Road/Bakers Lane intersections are proposed for the interim scenario. The proposed western Public Access Road/Bakers Lane intersection would be restricted to LILO (Left-in / Left-out). For the ultimate scenario in 2036, it is anticipated that the western Public Access Road/Bakers Lane intersection would be replaced with a future signal at the Public Access Road/ Southern Link Road intersection.
- b) Though the western public access road is proposed along the curvilinear alignment, there is adequate sight distance available to see oncoming vehicles along the bend. Further, entry to and exit from western public access road is restricted to left-in / left-out.

#### 4. Environmental Management Considerations

Council's Environmental Management Department have reviewed the proposal and have raised the following considerations:

- a) The dangerous goods assessment prepared by Riskcon Engineering dated 24/11/2023 sets out maximum quantities of dangerous goods that can be stored within each of the subject warehouses, without exceeding the SEPP, and therefore not requiring a Preliminary Hazard Analysis (PHA). Should greater volumes of dangerous goods be required to be stored in the future once tenants are selected, another screening against SEPP Resilience and Hazards would be necessary to see if a PHA is required.

#### 5. Waterways Considerations

Council's Waterways Department have reviewed the proposal and have raised the following considerations:

- a) It is noted that the proposed development does not meet the Mamre Road Precinct Development Control Plan waterway health controls, however, the proposal does indicate general compliance with approved stormwater management systems approved as part of SSD 9522.
- b) Based on the above, it seems that the proposed stormwater management approach is generally consistent with the approved stormwater strategy approved as part of SSD 9522.
- c) DPHI should consider if clarification is required on the development's need to comply with the water quality and flow management controls in section 2.4 of MRP DCP. It is noted that the approval for SSD 9522 includes an Advisory Note AN2: Future development applications will be subject to the Mamre Road Precinct Development Control Plan or its equivalent.

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Should you wish to discuss this matter further, please don't hesitate to contact me on (02) 4732 7992.

Yours sincerely,



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Principal Planner

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