



Your ref: SSD-30628110
Our ref: DOC25/339033

Deana Burn
Industry Assessments
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street,
Parramatta NSW 2150

21 May 2025

Subject: Summit at Kemps Creek – SSD-30628110 – RTS

Dear Deana,

Thank you for your referral received 22 April 2025 requesting advice from the Conservation Programs, Heritage and Regulation (CPHR) Group on the Response to Submissions (RTS) for this State Significant Development (SSD-30628110).

CPHR has reviewed the Submissions Report prepared by Ethos Urban (dated 17 April 2025) and accompanying technical reports and provides its comments and recommendations at Attachment A.

Should you have any queries regarding this matter, please contact Theo Wilkinson, Senior Conservation Planning Officer via theo.wilkinson@environment.nsw.gov.au.

Yours sincerely,

Louisa Clark
Director, Greater Sydney
Regional Delivery – Greater Sydney Branch
Conservation Programs, Heritage and Regulation Group

CPHR advice on the RTS for Summit at Kemps Creek – SSD-30628110

In preparing this advice CPHR has reviewed the following documents:

- Submissions Report – Ethos Urban – 17 April 2025
- Updated Northern Access Works Drawings – MU Group - 31 March 2025
- Updated Biodiversity Development Assessment Report (BDAR) – Cumberland Ecology – 11 April 2025
- Updated Civil Drawings – AT&L – 9 April 2025
- Updated Water and Stormwater Management Plan (WSMP) – AT&L – 10 April 2025.

Biodiversity

The RTS documentation has addressed CPHR's previous biodiversity comments (dated 17 March 2025) as:

- CPHR now has access to the case in the BAM-C and confirms that the credits in the BAM-C align with those in the BDAR.
- The BDAR is now in accordance with section 6.15 of the *Biodiversity Conservation Act 2016* (BC Act), as the date of submission to DPHI is within the 14 days of the date of finalisation of the case in the BAM-C (11 April 2025) and the date of certification of the BDAR (11 April 2025).

However, 'indicative' development for roadworks is shown in purple on the Northern Access Works Drawings (MU Group) within land that is identified as avoided at 1-51 Aldington Road (Gibb Group Development). On 4 September 2024 (DOC24/685155), CPHR advised (in relation to SSD-74784709 for 1- 51 Aldington Road Industrial Estate) that, 'CPHR does not support the proposed development within the C2 zoned and CPCP avoided land... The proposed layout at 1-51 Aldington Road Industrial Estate must be amended so that impacts to avoided land and C2 zoned land are removed.' CPHR notes that amendments to the road layout may be required to ensure that no impacts to C2 zoned and CPCP avoided land are caused by the development at the 1-51 Aldington Road Industrial Estate.

Waterway health and stormwater management

The majority of CPHR's waterway health and stormwater management comments has been addressed with an appropriate level of detail. However, two outstanding matters remain which should be addressed prior to determination of the application:

1. Wianamatta South stormwater management targets

Table 19 in the updated WSMP shows that flow targets are not met for the interim strategy (Eastern catchment only). An interim solution that does not meet the Wianamatta South Creek stormwater management targets should not be accepted. While it is noted the 50th percentile flow of 3.5 L/Ha/day is close to the target range of 5 – 100 L/Ha/day, CPHR recommends that DPHI does not accept the interim strategy until both the water quality and flow targets are met.

2. Self-watering street tree design

The self-watering street tree design do not seem to account for the dispersive soil risk. Drawing C1021 provides cross section details of the capture pits for the passively integrated street trees. The pit seems to be pervious allowing captured water into the surrounding soil. This poses an erosion risk as this catchment has sodic soils. While it is noted that the proponent is following direct design advice provided by Penrith City Council, CPHR recommends that DPHI raises this concern with Council so that the standard engineering design can be updated.

End of Submission