

**From:** [Russell Hogan](#)  
**To:** [Susanna Cheng](#); [Pamela Morales](#)  
**Cc:** [Kym Dracopoulos](#); [Bruce Zhang](#)  
**Subject:** SSD-10448-PA38 – Request for extension of time to Condition D7  
**Date:** Friday, 18 November 2022 4:01:40 PM  
**Attachments:** [image006.png](#)  
[image009.png](#)  
[image010.png](#)  
[image002.png](#)  
[image003.png](#)  
[image001.png](#)  
[Aspect Industrial Estate - Post Approval Document Received - \(SSD-10448-PA-38\).msg](#)

Hi @susanna,

**RE: SSD-10448-PA38 – Request for extension of time to Condition D7**

Thank you for your time on the phone just now.

As discussed, SSD-10448 condition D7 (extract below) requires design plans and an arrangement for the delivery of Access Road No.3 North to be provided to the Planning Secretary within 6 months of consent (due 1 December 2022) or as otherwise agreed by the Planning Secretary.

Condition D9 of SSD-10448 requires Mirvac to ensure the portion of the Access Road No.3 North is constructed in accordance with plans under Condition D7.

At present, and as outlined within the emails below, GPT have requested this road to be constructed on a staged approach (half / half) whereas Council have since confirmed they will not accept a staged approach. (@Pamela FYI)

Given the current misalignment regarding staging / design of this road, Mirvac have lodged a extension of time request under SSD-10448-PA38 (refer attached) to enable for an arrangement of timing / staging and design to be jointly agreed upon and developed in consultation with Council and GPT for submission to DPE.

Please advise if the Department requires any further information to assist in their assessment of SSD-10448-PA38.

Key SSD-10448 Condition of consent extracts for ease of reference:

D7.	Within six months of the approval of this consent or as otherwise agreed by the Planning Secretary, the Applicant must prepare and submit the following plans to facilitate the construction and delivery of Access Road 3 – North, in consultation with Council and landowner of 784-786 Mamre Road, Kemps Creek (Lot 59 DP259135), and to the satisfaction of the Planning Secretary:  (a) a Staging Plan for the riparian corridor realignment works and Access Road 3 – North construction, including:  i. details of the scope of works to be undertaken on the site and the adjoining site at 784-786 Mamre Road, Kemps Creek (Lot 59 DP259135) (see <b>Figure 4</b> );  ii. details of how the further riparian corridor realignment and road construction works at the junction between the site and 784-786 Mamre Road, Kemps Creek (Lot 59 DP259135) will be coordinated and delivered;  iii. an arrangement on timing of the works; and  (b) a detailed design plan of Access Road 3 – North prepared in accordance with the design requirements under the MRP DCP.  <i>Note: The detailed design of Access Road 3 - North and any changes to the approved riparian corridor alignment may require modification(s) to SSD-10448 or separate DA(s).</i>
D8.	Prior to issue of an Occupation Certificate for any other buildings or warehouses in the Development, the Applicant must ensure the Stage 1 Phase 2 road works are constructed and operational.
D9.	The Applicant must ensure that the portion of Access Road 3 – North to be located on the site is constructed and operational in accordance with the design plans required under Condition D7.

Kind Regards,  
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**From:** Stephen Masters <stephen.masters@penrith.city>  
**Sent:** Thursday, 17 November 2022 11:07 PM  
**To:** Russell Hogan <russell.hogan@mirvac.com>  
**Cc:** Natalie Stanowski <natalie.stanowski@penrith.city>; John Skaf <John.Skaf@penrith.city>  
**Subject:** Council non-support of half road construction for delivery of collector road along common boundary of GPT/Mirvac - SSD-10448 MDA21/0009

Good Evening Russell,

In response to your query regarding delivery of the proposed collector road between Mirvac and GPT as highlighted in the plan below, one of the objectives of Part 3.4.1 Road Network, Hierarchy and Design of the Mamre Road Precinct DCP is 'to encourage the orderly and economic provision of road and intersection works.' Council also appreciates that the DCP requires 'The centre line for all Local Industrial Roads and Collector Industrial Roads shall be on the common cadastre boundary between adjoining lot plans unless otherwise agreed by adjoining owners.'

In order to encourage the orderly and economic provision of the collector road network, Council would not support delivery of a two-way half collector road (7.7m wide pavement) with the centreline of the collector road located on the common boundary for the following reasons:

1. Delivery of a half road would require cut and fill earthworks to be undertaken thereby requiring either temporary batters or temporary retaining walls to support the road. To deliver a half road, earthworks would be required upon the adjoining property
2. Temporary retaining walls or temporary batters to support any half road construction within areas of fill would not be supported by Council
3. To ensure a sound uniform compacted platform is delivered for construction of the ultimate width pavement, earthworks up to sub-grade level would be required to be extended out to the future road reserve boundaries
4. Pending timing for delivery of the future second half of the road, any earthworks would be required to be protected from the elements for a period of time
5. Sufficient width of the pavement of the half road would be required to be delivered to ensure the future half road pavement can be keyed into or stepped into the existing pavement
6. Pending batter slopes or drop offs, safety barriers may be required along the edge of the half road, thereby reducing the width of pavement. The pavement would be damaged upon removal of the safety barriers.
7. A half road would not permit safe access to driveways turning from the kerb side lane for the design vehicle (being a 30m Performance Based Standards (PBS) Level 2 Type B vehicle), as turning movements would necessitate crossing of the temporary centreline.
8. A half road would require delivery of a drainage system with capped spur lines across the half road to permit future connection of the ultimate road pavement drainage. The provision of duplicated drainage systems are not economic development and would not be supported by Council due to additional maintenance burdens.
9. Any utility services would be located within the verge of the half road, with connections for future development on the other side of the road capped under the half road. This may not be supported by the relevant utility company. Duplication of utility services is not economic development.
10. Construction of the second half of the road will require partial closure of the existing half road thereby restricting vehicle movements.
11. Council would not accept dedication of a half road
12. Construction of a half collector road in two separate stages (i.e. first half followed by second half) is not economic development.
13. In accordance with Council's adopted Fees and Charges, any bonds for outstanding works are calculated at 200% of the value of the works.

It is Council's preference that the collector road be constructed and delivered as one complete road by one contractor for the reasons outlined above.

Extract from Mamre Road Precinct DCP showing subject section of road:



Regards

**Stephen Masters**  
Development Engineering Coordinator

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**From:** Russell Hogan <[russell.hogan@mirvac.com](mailto:russell.hogan@mirvac.com)>  
**Sent:** Friday, 11 November 2022 2:22 PM  
**To:** Stephen Masters <[stephen.masters@penrith.city](mailto:stephen.masters@penrith.city)>  
**Cc:** Natalie Stanowski <[natalie.stanowski@penrith.city](mailto:natalie.stanowski@penrith.city)>  
**Subject:** RE: GPT/Mirvac - Collector Road delivery discussion

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Hi Steve,

As discussed, could Council please advise the likelihood of Council accepting a half / half road construction without significant bonding / DLP implications?

Please note, Mirvac have a condition of consent (SSD-10448 D7) requiring Mirvac to provide detailed delivery drawings to the Planning Secretary by 1 December 2022 for this road. We have requested an extension of time to the Planning Secretary to this condition of consent to allow for resolution between the parties.

Kind Regards,  
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**From:** Matt Jordan <[Matt.Jordan@gpt.com.au](mailto:Matt.Jordan@gpt.com.au)>  
**Sent:** Tuesday, 25 October 2022 3:16 PM  
**To:** Russell Hogan <[russell.hogan@mirvac.com](mailto:russell.hogan@mirvac.com)>; Natalie Stanowski <[natalie.stanowski@penrith.city](mailto:natalie.stanowski@penrith.city)>; Stephen Masters <[stephen.masters@penrith.city](mailto:stephen.masters@penrith.city)>; Glen Weekley <[Glen.Weekley@penrith.city](mailto:Glen.Weekley@penrith.city)>; Richard Seddon <[richard.seddon@mirvac.com](mailto:richard.seddon@mirvac.com)>  
**Subject:** RE: GPT/Mirvac - Collector Road delivery discussion

Hi all

Thank you for the meeting, please see below;

Meeting minutes

1. Overview provided on background, current and desired outcome
2. Plans reviewed;
  - a. GPT SSD master plan
  - b. Mirvac Stage 1 Development Road Works Phasing Plan
  - c. GPT detailed design plan for Access Road 3 North.
3. Draft arrangement between GPT & Mirvac presented, **Subject to approval between parties** see high level steps below
  - a. GPT & Mirvac agree on pathway and upon agreement email sent by Mirvac to DPE acknowledging agreement with GPT and request for extension to respond to D7
  - b. The appointed engineer, jointly appointed by GPT & Mirvac commence detail design of Access Road 3 North setting out scope of work, specifications as per Penrith City Council, staged delivery strategy, drainage connection & coordination and program.
  - c. Parties prepare and agree on a Schedule or Deed which sets out design, timing, payments, delivery and coordination.
  - d. GPT SSDA approval

- e. Mirvac lodge modification for Access Road 3 North and connection to drainage corridor as per detailed design
- f. Each party enter into a WIKA which relates to their DA and requires the construction and dedication of their half of the land.
- g. GPT build its half road and allow access to warehouse 1 and access is via temp access private driveway from Mamre Road until the ultimate connection is complete
- h. Mirvac modification approval
- i. Mirvac build its 50% road and connect to the drainage corridor as per detailed design
- j. Once ultimate road and drainage connection construction to Penrith City Councils satisfaction accepted and dedicated by Council.

Next steps;

- 1. Appointed engineer prepares conceptual design for Council feedback prior to commissioning detail design
  - a. Timing of this to be circulated to the group so council can advise on timing on consent to the pathway
- 2. GPT & Mirvac and agree on steps moving forward including program
- 3. GPT & Mirvac commence negotiations on the Schedule or Deed
- 4. Both parties separately discuss VPA's / WIKA's with Penrith City Council.

If I have missed anything please respond to this email or happy to answer any questions.

Thanks

Matt

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**From:** Russell Hogan <[russell.hogan@mirvac.com](mailto:russell.hogan@mirvac.com)>  
**Sent:** Tuesday, 25 October 2022 2:39 PM  
**To:** Natalie Stanowski <[natalie.stanowski@penrith.city](mailto:natalie.stanowski@penrith.city)>; Matt Jordan <[Matt.Jordan@gpt.com.au](mailto:Matt.Jordan@gpt.com.au)>; Stephen Masters <[stephen.masters@penrith.city](mailto:stephen.masters@penrith.city)>; Glen Weekley <[Glen.Weekley@penrith.city](mailto:Glen.Weekley@penrith.city)>; Richard Seddon <[richard.seddon@mirvac.com](mailto:richard.seddon@mirvac.com)>  
**Subject:** RE: GPT/Mirvac - Collector Road delivery discussion

Thank you for setting up the meeting @Natalie.

@Matt – will you draft meeting minutes for record of discussion / next steps?

Kind Regards,  
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-----Original Appointment-----

**From:** Natalie Stanowski <[natalie.stanowski@penrith.city](mailto:natalie.stanowski@penrith.city)>  
**Sent:** Thursday, 6 October 2022 9:35 PM  
**To:** Natalie Stanowski; Matt Jordan; Russell Hogan; Stephen Masters  
**Cc:** Glen Weekley  
**Subject:** GPT/Mirvac - Collector Road delivery discussion  
**When:** Tuesday, 25 October 2022 2:00 PM-2:30 PM (UTC+10:00) Canberra, Melbourne, Sydney.  
**Where:** Microsoft Teams Meeting

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Hi All,

Meeting requested by GPT to discuss delivery and agreement arrangements for the proposed collector road that is split between GPT and Mirvac properties in Mamre Rd Precinct.

I would appreciate for the meeting if you could share a proposed delivery mechanism and associate agreement arrangement in order to have the road delivered by one contract in whole.

Thank you

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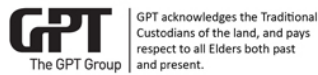
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