



Our reference: ECM Ref: 9551473
Contact: Gavin Cherry
Telephone: (02) 4732 8125

20 April 2021

Kathryn Moreira
Email: kathryn.moreira@dpie.nsw.gov.au

Dear Ms Moreira,

Response to Notification of Request for SEAR's: SSD17647189 – Access Logistics Park Subdivision and Industrial Development – 884 – 928 Mamre Road, Kemps Creek

I refer to the Department's request to provide comments in relation to the above development proposal. Thank you for providing Council with the opportunity to comment.

Council met with the developer for this proposal last week via Council's development engagement service (Pre-lodgement Meeting). The proposal subject of that meeting is the same proposal which is the subject of the referred request for SEAR's.

Please find attached a copy of the advice issued to the applicant which outlines key issues and considerations identified by Council that should be captured in the SEAR's, and addressed within the progression of the proposed State Significant Development Application.

Should you wish to discuss any aspect of Council's comments further, please do not hesitate to contact me on (02) 4732 8125.

Yours sincerely

Gavin Cherry
Development Assessment Coordinator

Attachment: Pre-Lodgement Advice from Penrith City Council dated 16 April 2021



Our Ref: PL21/0023
Contact: Gavin Cherry
Telephone: (02) 4732 8125

16 April 2021

Altis Property Partners
Level 14
60 Castlereagh Street
SYDNEY NSW 2000

Attention: Fiona Beaverson

Dear Ms Beaverson,

Pre-lodgement Advice

Proposed Development State Significant Development - Warehouse and Logistics Hub including Bulk Earthworks, x13 Lot Torrens Title Subdivision and Distribution Centre with New Roads

Lot 52 & 53 DP 259135, Address: 884-902 Mamre Road KEMPS CREEK NSW 2178

Thank you for taking part in Council's pre-lodgement meeting on 15 April 2021. The meeting was useful for Council in gaining an understanding of your proposal.

The matters outlined during the pre-lodgement meeting and detailed within these notes are recommendations to be addressed in the progression of the development proposal.

It is also noted that a number of matters identified in these notes relate to the timing of the proposal ahead of the finalisation and adoption of the Precinct Wide DCP and associated traffic modelling to inform the structure plan of the precinct. These relate primarily to overarching concerns that early advancement of such a proposal may impact on the orderly development of the precinct. This is ultimately a matter for the NSW Government to address in the assessment of the application when lodged, however the principles of orderly development and potential impacts and precedence of early advancement should be addressed in the application if lodged before the Mamre Road Precinct DCP is adopted.

If we can help you any further regarding the attached advice, please feel free to contact me on (02) 4732 8125.

Yours sincerely

Gavin Cherry
Development Assessment Coordinator

PRE-LODGE MENT ADVICE

Proposal State Significant Development - Warehouse and Logistics Hub including Bulk Earthworks, x13 Lot Torrens Title Subdivision and Distribution Centre with New Roads

Address Lot 52 & 53 DP 259135
884-902 Mamre Road KEMPS CREEK NSW 2178

Attendees

Proponent

Andrew Cowan – Willowtree Planning
Stephanie Wu – Willowtree Planning
Stephen O'Connor – Altis Property
Fiona Beaverson – Altis Property
Stewart Johnson
Nick Bouziotis
Mark Wilson

Penrith City Council

Gavin Cherry – Development Assessment Coordinator
Abby Younan – Planning Administration Officer
Stephen Masters – Senior Development Engineer
Graham Green – Senior Traffic Engineer

RELEVANT EPIs POLICIES AND GUIDELINES

KEY ISSUES AND OUTCOMES

PLANNING:

- It is noted that the proposed development is advancing ahead of the finalisation of the recently exhibited Draft Development Control Plan for the Precinct. This is concerning as the strategic planning controls and objectives for the Precinct are not yet confirmed and early advancement of development proposals ahead of this process, has the potential to undermine orderly development within the Precinct. It is appreciated that this is ultimately a matter for the NSW Government to address in the consideration of any SSD application lodged, however Council will maintain that there is a need to consider the appropriateness of site specific DCP advancing independently, and how such a DCP is contextually responsive to existing land attributes and the strategic planning vision for the broader precinct.
- As also discussed during the meeting, the suggested landscape setbacks between the front property boundary (primary street and secondary street setbacks) as detailed in the draft DCP are not supported by Council and are considered inadequate to achieve necessary streetscape outcomes given the abundance of hard stand parking areas proposed within the front

setback. The current concept plans indicate a 4m setback which exceeds the minimum 3.75m in the Draft DCP, however in the absence of a topographic analysis and detail of finished ground levels, it cannot be confirmed if 4m is sufficient to achieve a landscape screening outcome that meets the objectives of the Draft DCP provisions. Please note that Council has continuously advocated for 6m minimum landscape setbacks where extensive car parking is proposed forward of a building line and this position has been put to the NSW Government in response to the exhibition of the Draft DCP. If the indicated setback zone is not increased to 6m, then the layering of street tree plantings in combination with setback plantings will be of critical importance as will finished ground levels relative to the finished levels of the public domain. Opportunities to mound the landscaping must be explored however this may be challenging in a 4.0m setback zones.

- Of positive note, was the suggestion that benching of lots will occur within the subdivision arrangement, without the roadway being the point of level transition. This is critical as retaining walls in the front setback zone will necessitate wider landscape setbacks and potentially tiering to achieve a suitable streetscape outcome.
- Due to limited detail being available for the meeting (beyond the concept subdivision arrangement and built form indication on Proposed Lot 1), the following aspects were identified for continued consideration and address:-
 - The residue land (919sqm) adjoining the southern boundary is not identified as road reserve and its form and function is not yet explained. The residue stems from road alignment non compliance with the Draft DCP and further consideration is required on what this land can be used for, if it can be amalgamated with the southern allotment for redevelopment or as a last resort, dedicated as road reserve (which is unlikely to be accepted by Council); and
 - Lot 5 does not comply with the frontage requirements in the Draft DCP that excludes the cul-de-sac head from the 40m frontage calculation. While this is not a specific concern to Council, the reason for this standard should be discussed with DPIE. Narrow access handle frontages off a cul-de-sac head will not be supported by Council due to driveway abundance and nil street tree capability however the proposed arrangement of Lot 5 is not presenting this outcome.
 - Address of environmental considerations such as noise, air quality, contamination and waste management as well as parking compliance, detailed landscape design and architectural detail (including demonstration of design quality) will need to be further explored and addressed as the proposed develops.

ENGINEERING CONSIDERATIONS:

General

- The development should comply with all requirements of the Draft Mamre Road Precinct DCP or pursue a site specific DCP in accordance with the provisions contained within the SEPP.

Stormwater Management

- Stormwater drainage for the site must be in accordance with the following:
 - Draft Mamre Road Precinct Development Control Plan
- A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application.
- The stormwater concept plan shall demonstrate how the development complies with the overarching DCP Trunk Drainage Infrastructure (Figure 6) along with the DCP water quality and water quantity controls for any interim and ultimate developments.
- As the site catchment is split by a ridge line, and pending the timing for adjoining development, drainage of the northern portion of the site may require an easement to drain water over downstream properties. Evidence of owner's consent shall be provided with the application for the provision of the easement. The easement to drain water must be registered prior to the issue of an operational consent. Drainage easement widths shall be in accordance with Council's Stormwater Drainage Specification for Building Developments policy.
- Please note that Penrith City Council will not accept the dedication of any estate water quantity or water quality basins. Any estate drainage basins are to be maintained in perpetuity by the estate. It is Council's preference that all water quantity and water quality treatment be provided on the individual lots. Any on-site detention system or water quality system must be within common property and accessible from the street.
- A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.
- The application shall include MUSIC modelling (*.sqz file) demonstrating compliance with Council's adopted *Water Sensitive Urban Design Policy* and *Technical Guidelines*.

Local Overland Flow Flooding

- The site flood affected by local overland flow flooding from the local catchment at the north-east corner of the site.
- The application must be accompanied by an Overland Flow Flood Report prepared by a suitably qualified person to assess the developments impacts upon overland flows. Overland flows shall be managed through the site in a safe manner.

- Further information regarding Council's Flood Studies is available from Council's website at the following address:

<https://www.penrithcity.nsw.gov.au/services/other-services/floodplain-management>

Proposed Road Alignments and Construction

- The layout and design of the proposed road network, Mamre Road intersection and Freight Road should comply with Figure 14 of the Draft Mamre Road Precinct DCP. It is noted that deviations from the DCP road patterns are proposed which are not minor and have potential for impact outside the boundaries of the subject site. No evidence accompanies the concept plans that confirms acceptance of these deviations by NSW DPIE and Transport for NSW which is critical if compliance with the DCP is not demonstrated. Appreciating that traffic modelling is yet to be finalised, and the Draft DCP has been exhibited without adoption, a precinct wide position on road deviations will be required to the satisfaction of the consent authority if the DCP alignments are not reflected within the proposed plans. It will continue to be Council's position that DCP compliance will be required unless a better precinct wide planning outcome is demonstrated.
- The design of the internal estate road (cul-de-sac) shall comply with a Local Industrial Road (Type 1) as defined in Table 9 and Figure 12 of the Draft Mamre Road Precinct DCP.
- The design of the southern perimeter road from Mamre Road heading east and the north-south road shall have a minimum of 26.4m wide road reserve and comply with a Distributer / Collector Road (Type 2) as defined in Table 9 and Figure 13 of the Draft Mamre Road Precinct DCP.
- Vehicular access to Lot 10 should be from an internal estate road rather than the southern perimeter distributer road. The DCP shows the distributer road (blue road) with a central median limiting access to left-in / left-out type arrangement.
- The vehicular access to the car park for Lot 1 shall be from an internal estate road. Direct access to the southern perimeter distributer road is not supported.
- It is suggested that an overlay of the DCP road layout be included with the estate road plans. Any proposed staging of works is also to be shown.
- The estate road plans shall make provision for connection of the southern local industrial road (DCP brown road) into the southern perimeter distributer road. Separation of distances between intersections shall comply with Austroads Guidelines.
- A Stage 2 Road Safety Audit is to be submitted with the application.

Earthworks

- No retaining walls or filling is permitted for this development which will impede, divert or concentrate stormwater runoff passing through the site.

- The application is to be supported by a geotechnical report prepared by a suitably qualified person and shall address, but not be limited to ground water movement, salinity, contamination and potential damage to adjoining public and private infrastructure during construction.

Subdivision Works

- The application is to be accompanied by a subdivision concept plan that details any proposed easements or restrictions that will apply to the proposed allotments.

Certification of Works

- Penrith City Council is able to undertake the role of Principal Certifier and offers a competitive certification service to issue Subdivision Works Certificates, undertake Compliance Inspections and issue a Subdivision Certificate for any stage of the development. Council's highly skilled and practical Engineering Inspectors will be available on-site twice a day to ensure no delays are incurred during the construction phase. As the Principal Certifier, any discrepancies during construction are generally able to be resolved on-site, leading to a seamless transition at Subdivision Certificate stage.

TRAFFIC MODELLING AND ROAD DESIGN:

- The SSD should be supported by a precinct Transport Management and Accessory Plan (TMAP) as set out in the Draft Mamre Road Precinct DCP. The TMAP should address the fit of the SSD with staged / ultimate road network, pedestrian and bicycle networks and staged/ultimate bus / public transport network.
- The Draft DCP Road Network includes:
 - Freight Road running north south near the SSD lot's eastern boundary
 - High Order Road (which has a Distributor Road function) running from a signalised cross intersection on Mamre Road and along / near the SSD lot's southern boundary with a Local Industrial Road running south from an intersection half way along
 - High Order Road running north south through the SSD lot's northern section
 - All three of these roads meeting at a Distributor Road type - High Order intersection near the SSD lot's eastern section
 - There is also an Optional Alternative Road Access (to be investigated) that runs east west through the centre of the SSD lots and connects at a signalised cross intersection with Mamre Road

The SSD proposes a Local Industrial Road type cross section (rather than a Distributor Type – High Order Road that is appropriate for connection to Mamre Road). This road is proposed from a signalled intersection at Mamre Road running along the lot's southern boundary to a roundabout part way along the northern section of the proposed lots, then a Distributor Type – High Order Road running north through the northern section of the proposed lots. In addition to this, there is an internal cul-de-sac. The SSD, TMAP and Traffic Report must detail and justify how the proposed road design and arrangement fits with a the staged / ultimate Road Network / Transport Network including adjoining local industrial road connections and road

network links to Mamre Road, Higher Order Roads, Freight Road and Distributor Roads. It is Council's view that the proposed roundabout at the High Order Road intersection should be a Traffic Control Signalised intersection in order to provide safe pedestrian, bicycle and accessible crossing of these higher traffic roads and accessible connections through the precinct and to bus stops either side of roads.

The above analysis will also require precinct wide intersection traffic modelling and agreement from any affected persons or state government departments when the works proposed deviate from the DCP road arrangements as drafted. This is because deviations will likely have off site impacts that may jeopardise orderly development outcomes.

The intersection connection from the proposed development to Mamre Rd must be informed by the ultimate adopted TMAP / road network strategy, road network design plans / estimates and delivery plan. This includes DPIE/TfNSW confirming acceptance of the proposed Mamre Road / High Order Road intersection location noting there is an alternative location shown on the Draft Mamre Road Precinct DCP. The proposal as tabled will impede the delivery of the alternate intersection being delivered.