



Our reference: 9045979  
Contact: Tim Smith  
Telephone: 4732 8079

4 March 2020

Ms Gina Metcalfe  
NSW Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2000

Dear Gina

**State Environmental Planning Policy (Western Sydney Employment Area) draft Mamre Road Precinct Amendment – Final Submission**

Thank you for the opportunity to comment on the State Environmental Planning Policy (Western Sydney Employment Area) draft Mamre Road Precinct Amendment.

Please find attached our final submission for your consideration, building on the draft issued to you in December 2019. We look forward to continuing to work with you through the next steps of this process.

If you have any questions or wish to discuss the matters raised in this letter further, please contact 4732 8079 or [tim.smith@penrith.city](mailto:tim.smith@penrith.city).

Yours sincerely

Natasha Borgia  
**City Planning Manager**

- ENGLISH** If you do not understand this, please contact the Telephone Interpreting Service on 131 450 and ask them to contact Penrith City Council on your behalf on (02) 4732 7777. Or come to the Council offices and ask for an interpreter.
- ARABIC** إذا لم يكن بإمكانك قراءة النص أعلاه، الرجاء الاتصال بخدمات الترجمة الفورية الهاتفية (TIS) على الرقم 131 450 والطلب منهم الاتصال بدورهم بمجلس مدينة بنريث نيابة عنك على الرقم 4732 7777 (02). أو يمكنك الحضور إلى المجلس وطلب ترتيب مترجم فوري لك.
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- GREEK** Αν δεν μπορείτε να το διαβάσετε αυτό, τηλεφωνήστε στην Τηλεφωνική Υπηρεσία Διερμηνέων στο 131 450 και ζητήστε τους να επικοινωνήσουν με το Δήμο Penrith (Penrith City Council) για λογαριασμό σας στον αριθμό (02) 4732 7777, ή ελάτε στη Δημαρχία και ζητήστε διερμηνέα.
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- ITALIAN** Se non riuscite a leggere questo, contattate il servizio telefonico di interpretariato al numero 131 450 e chiedetegli di contattare da parte vostra il comune di Penrith City al numero (02) 4732 7777 oppure venite in comune e richiedete un interprete.
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- PERSIAN** اگر نمی توانید این مطلب را بخوانید، لطفاً به خدمات ترجمه تلفنی به شماره 131 450 زنگ بزنید و از آنان بخواهید با شورای شهر پنریت Penrith City Council به شمار ه (02) 4732 7777 از جانب شما تماس بگیرند. یا اینکه به شهرداری Council آمده و مترجم بخواهید.
- SINGHALESE** ඔබට මෙය කියවීමට නොහැකි නම්, කරුණාකර දුරකථන අංක 131 450 ඔස්සේ දුරකථන පරිවර්තන සේවාව (Telephone Interpreting Service) අමතා ඔබ වෙනුවෙන් දුරකථන අංක (02) 4732 7777 අමතා පෙන්රිත් නගර සභාව (Penrith City Council) හා සම්බන්ධ කර දෙන ලෙස ඉල්ලා සිටින්න. නැතිනම් නගර සභාව වෙත පැමිණ භාෂා පරිවර්තකයකු ලබා දෙන ලෙස ඉල්ලා සිටින්න.
- TAMIL** இதை உங்களால் வாசிக்க இயலவில்லை என்றால், 'தொலைபேசி உரைபெயர்ப்பு சேவையை 131 450 எனும் இலக்கத்தில் அழைத்து 'பென்றித் நகரவையுடன் (02) 4732 7777 எனும் இலக்கத்தில் உங்கள் சார்பாக தொடர்பு கொள்ளுமாறு கேளுங்கள். அல்லது நகரவைக்கு விஜயம் செய்து உரைபெயர்ப்பாளர் ஒருவர் வேண்டுமெனக் கேளுங்கள்.
- VIETNAMESE** Nếu quý vị không thể đọc được thông tin này, xin liên lạc Dịch Vụ Thông Dịch Qua Điện Thoại ở số 131 450 và yêu cầu họ thay mặt quý vị liên lạc với Hội Đồng Thành Phố Penrith ở số (02) 4732 7777. Hoặc hãy tới Hội Đồng và yêu cầu có thông dịch viên.

## State Environmental Planning Policy (Western Sydney Employment Area - WSEA) draft Mamre Rd Precinct amendment.

Thank you for the opportunity to comment on the “State Environmental Planning Policy (Western Sydney Employment Area - WSEA) draft Mamre Rd Precinct amendment”. Council congratulates the Department of Planning, Industry and Environment for the community consultation undertaken to date and for keeping council involved in the process.

More broadly, the development of a Precinct wide DCP and Contributions Plan will provide some clarity and address some of the comments outlined in the submission. It is therefore a priority to develop a precinct wide DCP and Contributions Plan prior to the SEPP being made.

Council welcomes the opportunity to also review the planning instrument ahead of the SEPP being made to reassure the intent of our comments has been interpreted in the legal framework.

### Planning:

1. The western boundary of the proposal is designated as a red line that splits properties, leaving an area beside south creek outside the proposed rezoning. This will create properties that are zoned under two different instruments. Consideration should be given to include these properties in any one instrument.
2. A position needs to be taken to ensure Council maintains a stake in the delivery of any proposed development approved by the Department of Planning, Industry and Environment under a State Significant Development Application. Under current legislation for State Significant Development, a Subdivision Works Certificate and related Inspections are undertaken through a private certifier and a Subdivision certificate can be issued by private certification, consequently dedicating public assets to Council with no Council involvement in the assessment and delivery process. This results in development that is inconsistent with Council’s specifications or vision. Infrastructure assets are also dedicated to Council with ongoing maintenance costs but with no funding source.

### Traffic and Transport:

1. Precinct-wide Strategy - A traffic and transport strategy should be completed along with funding commitments for the required infrastructure.
2. Road Classification - The future Southern Link Road (SLR) and Western North South Road networks should provide connection between the State Road Networks and access to the M4 Motorway. Additionally, these future east-west and north-south road networks are to provide access to the future employment lands (WSEA and Western Sydney Aerotropolis) and will be functioning as State Roads, and thus should be classified as State Roads.
3. Future Traffic Generation - Future planning as part WSEA Road Network Strategy and planning for the Western Sydney Aerotropolis will identify additional

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regional transport connections to the precinct. This planning is to include modelling to estimate the traffic generation and distribution of trips to and from the future Western Sydney intermodal terminal.

4. Southern Link Road SLR - The exhibited discussion paper acknowledges that SLR includes a connection to the proposed M9 Outer Sydney Orbital (page 3). This connection should be extended to The Northern Road.
5. Mamre Road - Mamre Road strategic corridor planning needs to be considered in this context including connections (e.g. intersection spacing and adjoining local road connections). The width of the Mamre Road corridor should be able to accommodate at least 3 lanes in each direction. There should also be a potential for public transport options, such as dedicated bus lanes or light rail to be accommodated in the design of the Mamre Road.
6. Aldington Road - Currently Aldington Road is a local rural road. It is predicted that with the Mamre Road Precinct structure plan, Aldington Road is to provide access to the future employment lands and will be functioning as a sub-arterial, thus should be classified as a state road. In addition, it is recommended that Aldington Road should provide a direct connection between SLR and Mamre Road near Kemps Creek.
7. Other Roads - Mamre Road Precinct structure plan should identify necessary north-south and east-west local roads pattern to service this new precinct. These road patterns need to clearly identify the future connections to Mamre Road and must be designed to accommodate heavy vehicles whilst ensuring that access to regional and arterial roads is achieved in a controlled and efficient manner.
8. School Community – With reference to the ‘Draft Mamre Road Structure Plan’, potential road access (shown in blue) northern connection from SLR provides access to the two school communities along Bakers Lane. This new connection to the Bakers Lane should allow for school buses to drop off and pick up students safely along the northern side of Bakers Lane fronting the school. However, as this is a local connection, it should not be shown in the structure plan map. Furthermore, any road connection between intermodal terminal and SLR at this location is not supported on road safety grounds as this junction will provide regular access to the schools.
9. Intermodal Terminal Access - Mamre Road Precinct structure plan shows that the Intermodal Terminal will be accessed by Mamre Road at traffic signals. It is worth considering that a free flow access arrangement could reduce the potential traffic congestion at this location, and hence support the RMS Mamre Road upgrade objectives.
10. Public Bus Network - The Structure Plan must identify the future public bus network. Any required infrastructure and bus services are to be provided at the early stages of development. Given buses are the only form of available public transport option in the areas, provision needs to be made for availability and intensification of public transport and also for future public transport opportunities.
11. Shared Pathway - The Structure Plan must identify placement of shared pathways along the existing and future roadways.

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12. Connections – There should be provision for connections of the corridor to the M4 and M7 Motorways, as well as a potential connection to the M9 OSO corridor in the future.

**Engineering Matters:**

3. The proposal needs to address the relationship to topography. (i.e. proposed cut and fill to the site to create the proposed development. This includes the proposed height of retaining walls
4. A stormwater drainage strategy is required to identify possible locations for water quality and quantity basins. Future basins shall be located on land above the 1% AEP and not below the flood level.
5. The proposal does not recognise the full extent of tributaries from Ropes Creek, South Creek and Kemps Creek. Additional detail is required with regard to riparian corridor widths E2 and RE1 zonings around the identified tributaries and other non-identified tributaries. Similarly, the stream orders need to be identified and addressed.
6. The proposal should address the existing IN1 zoning to the north of the site adjacent to the pipeline. It should consider how the E2 zone continues within the adjoining land for biodiversity corridors and how stormwater drainage will connect.

**Water Management:**

1. The draft structure plan identifies a number of areas for drainage, open space as well as for riparian corridors. Limited information is provided in relation the proposed approach to the water management within the precinct.
2. This risk-based framework is identified as a key approach to achieving healthy waterways in the Western City District Plan. This is an appropriate approach. Once the approach to water management is determined, Council should have an opportunity to review the presented options.
3. With regards to the riparian corridors, any changes to existing drainage lines and streams on the site will need to be in accordance with the requirements of the NSW Natural Resource Access Regulator. However, a focus on the retention of existing drainage lines should be preferred.

**Biodiversity:**

1. Upon release of the Cumberland Plain Conservation Plan (the Plan), the Plan needs to be incorporated in a final determination of the development impacts and associated conservation measures, with potential for further amendments to the WSEA SEPP.
2. The ownership and maintenance of environmental conservation areas should be detailed, including longer term intended acquisition and maintenance funding.

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- An opportunity exists to enhance east-west connectivity of proposed E2 zoned land along a riparian watercourse with other proposed E2 and RE2 zoned land within the Precinct. Potential connectivity points are indicated in the following marked up (black arrows) version of the DRAFT Land Zoning Map within the Draft WSEA SEPP amendment Maps Part 1. This connectivity may serve to connect vegetation between South Creek and Ropes Creek.



- Final zoning should incorporate outcomes of the application of the Biodiversity Assessment Method and subsequent Biodiversity Development Assessment Report.
- The discussion paper refers to the management of the interface with South Creek-Wianamatta Precinct, including appropriate setbacks and separation to biodiversity areas, and the management of air quality, noise, odour and waste to minimise environmental impact. Management of these factors is appropriate within the precinct, not just at the interface with other Precincts. For example, at the interface of IN1 zoned land and E2, RE1 and RE2 zoned land within the Precinct.
- The mitigation of the impact of artificial light on wildlife needs to be incorporated in management plans.

#### Infrastructure Certainty:

- A timeframe for the delivery of the freight corridor at the site should be indicated.
- Timeframe for finalisation of intermodal, so that the land is not withheld from economic purposes unreasonably. The State government should acquire the lands needed for the freight corridor and intermodal as soon as they are identified.
- The land shown as "Transport Infrastructure Investigation Area" is substantially large. This should not include any landholding beyond requirements of the intermodal.

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4. The availability and capacity of utility servicing need to be undertaken. The utility services should be sequenced ahead of development to make sure that it does not hinder their delivery.
5. There should be a commitment to the funding and timing of major infrastructure to be in place prior to first Development Application.

**Funding Mechanisms:**

1. Council supports the investigations for innovative methods of covering capital costs.
2. It should be ensured that the DCP and infrastructure contributions plan are in place by the finalisation of the SEPP amendment for both Local and State contributions.
3. The ownership and delivery timeframe of future water treatment facilities needs to be clarified.
4. The discussion paper did not elaborate on ownership and maintenance responsibilities of the riparian corridors, drainage reserves or open space. As such, details on the clarification of the longer term intended acquisition and ownership of these areas should be provided. The acquisition should be included in the proposed amendment to the SEPP.
5. If Council is the acquisition authority and owner of the riparian corridors and open spaces, then the ongoing maintenance cost implications need to be considered and a funding source identified.

**Potential Interface:**

1. More details need to be provided on the residential interface with dwellings that have been approved to the east in Capitol Hill and interface with Twin Creeks.
2. Savings provisions need to be considered should the owner of 19-105 Capitol Hill Drive, Mount Vernon elect to make use of existing use rights of the development and use it for a residential purpose.
3. The Noise, Air quality, visual impacts on school and retirement village and surrounding residential areas need to be considered.
4. The views from major transport corridors need to be identified and preserved.

**Employment / Jobs delivery:**

1. Clarification is sought on the number of jobs delivered on the site, and the number of jobs that will contribute to the surrounding region.
2. Further details need to be provided on the types of jobs that would be delivered on site and off site, as well as where those jobs would be delivered.

**Open space:**

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1. Clarification is sought regarding ownership and funding (land acquisition, embellishment, ongoing maintenance). This is particularly relevant in relation to the distinction between E2, RE1 and RE2 lands, which are imposed entirely over some sites, leaving no development opportunity for landowners.
2. Some sites are shown with a split zoning of RE1 and E2. Further clarification is required as to why they have been zoned this way.
3. What is the relationship of the precinct to the South Creek corridor, including the RE1 zoned land at the western extent of the precinct?

### Excluded Lands:

1. Exclusion of the lands in Capitol Hill (Lot 1672 DP855001 - 'Area A') is supported. However, for land closest to the residential interface, DCP controls will be key to ensuring that an appropriate use transition is provided.
2. Exclusion of the lands in Capitol Hill (Part Lot 4132 DP857093 - 'Area A') is supported. This will provide an appropriate buffer to the residential land to the south-east and allow for the development of a future sensitive interface. However, strong DCP controls will need to be in place to manage the future interface appropriately.
3. Lands near the intersection of Mamre Road and Elizabeth Drive, Kemps Creek ('Kemps Creek Triangle - Area B) should be retained within the WSEA SEPP, although with a less intensive zone such as IN2 Light Industrial. This is a zone which would be appropriate for the industrial nature of the lands, and with the M12 Motorway detailed design progressing, there is now sufficient certainty to progress with a rezoning.
4. Lands near Mandalong Close (Area C) should be included in the WSEA SEPP. The Land above the 1:100 flood planning area should be zoned for employment purposes and the lands below the 1:100 flood planning area should be zoned consistent with the other similar areas in this amendment and the Aerotropolis Plan.
5. Exclusion of the lands along South Creek and Warragamba Pipeline (Area D, E and F) are supported as these are only minor boundary adjustments.