

**Orchard Hills
Community Consultative Committee**

Meeting No: 9

Date: 1 Nov, 6:30pm – 8 pm

Location: Online, Zoom

| Attendees | |
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| <p>Community members</p> <p>Diane Azzopardi (DA)</p> <p>Ajmair Chauhan (AC)</p> <p>Deborah Cutajar (DC)</p> <p>Tony Napoli (TN)</p> <p>Con Paphatzis (CP)</p> <p>Christine Vella (CV)</p> <p>Bree Wilson (BW)</p> <p>Ed Zussa (EZ)</p> <p>Rodney Cosier (RC) (representing Felicity Grima)</p> <p>Independent Community Commissioner</p> <p>Professor Roberta Ryan, Independent Community Commissioner (RR)</p> | <p>Government representatives</p> <p>Nicola O’Brien, Acting Director, State Rezoning, Department of Planning, Housing and Infrastructure (DPHI) (NO)</p> <p>Ellen McCormack, Acting Manager of Orchard Hills Precinct Planning, DPHI (EM)</p> <p>Elizabeth Irwin, Director Conservation Planning and Implementation, Resilience and Sustainability, DPHI (EI)</p> <p>Stephanie Madonis, Manager, Communications, DPHI (SM)</p> <p>Christine Gough, City Planning Manager, Penrith City Council (CG)</p> <p>Other attendees</p> <p>Kate Robinson, office of the Independent Community Commissioner (KR)</p> |
| Apologies | |
| Don Feltis – community member | |

| Item | Description | Action |
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| 1 | Welcome - RR | |
| | <p>RR welcomes everyone to the meeting and introduces herself.</p> <p>RR invites new attendees to introduce themselves.</p> <p>RC introduces himself; he is the business manager at the Penrith Anglican School and is attending in place of Felicity Grima (FG). All regular community attendees make their introductions for the benefit of new attendees.</p> <p>EM introduces herself. She is from the DPHI, and Acting Manager of the team who is doing the OH Precinct Planning.</p> <p>EI introduces herself; she works on the Cumberland Conservation Plan.</p> <p>CG introduces herself; she is the Head of City Planning at Penrith Council.</p> <p>NO introduces herself; she is the Acting Director, State Rezoning at DPHI, working alongside EM on the State-led rezoning of OH.</p> <p>NO explains that Anthea Sergeant, Executive Director, State Rezoning of the DPHI, is an apology today but will be at the upcoming drop-in information sessions.</p> | |
| 2 | Introduction to the matters of the meeting | |
| | <p>RR begins by acknowledging that the notification of the draft Orchard Hills rezoning plan was delivered yesterday, and that community members both within and outside of this group are likely dealing with questions and concerns related to this news.</p> <p>RR reminds the group that the CCC forum is not for airing concerns about particular properties, but there will be opportunities in future to raise issues with the DPHI in one-on-one meetings.</p> <p>Today's meeting has been called in order for the DPHI to present information and for the community to raise matters, questions and concerns at the general level.</p> | |
| 3 | Presentation of the Draft Rezoning Proposal for Orchard Hills – NO and EM | |
| | <p>NO says that they are now on public exhibition, which will last for 6 weeks until 5pm on 12 December. This exhibition period is for community members and stakeholders to make submissions.</p> <p>Members of the community will have already received an electronic direct mail (EDM), and all landowners will receive a letter in the mail next week.</p> | |

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| | <p>All landowners identified for acquisition will receive a tailored letter explaining that their property is proposed for acquisition and outlining key information on acquisitions.</p> <p>There will be three drop-in sessions for community information at the St Mary's Band Club on November 13, 18 and 26 from 4-7pm.</p> <p>NO explains that each of these drop-in sessions will effectively be the same, so community members are encouraged to come to just one. There will be opportunities to answer specific questions, have direct discussions with representatives and raise concerns.</p> <p>RR notes that there will not be presentations at the sessions, but rather there will be information and planners available for people to approach and ask questions. There is no need to come at 4pm on the dot, as there will be no scheduled presentation 'event'.</p> <p>NO shares the DPHI landing page for the Orchard Hills rezoning, which has key information, a summary of the draft rezoning proposal and a recorded webinar.</p> <p>NO encourages community members to read the FAQ page on the website.</p> <p>The webpage also includes a link to the 'Have Your Say' page on the planning portal where the community can access key documents of the proposal and make their own submissions.</p> <p>NO explains that Document 1 and Document 2 are very important pieces to read.</p> <p>Documents 3 and 4 are also highly informative on infrastructure required to service the area.</p> <p>Documents 5-23 are supporting documents containing technical studies and evidence.</p> <p>RR thanks NO for her explanation.</p> <p>DC says that she has registered for one of the community sessions, and notes that there is an option on the registration page to specify a question ahead of time to direct information-sharing on the night.</p> <p>CP asks whether the drop-in sessions will focus only on Stage 1 of the rezoning.</p> <p>RR says that people will be able to assist with questions beyond</p> | |
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| | <p>Stage 1.</p> <p>CP asks what the response time for individual submissions will be.</p> <p>NO says that it is not standard to respond to individual submissions, but rather to read through and produce a 'Response to Submissions' document.</p> <p>CP expresses that this kind of high-level response is inadequate for addressing the humanity of this situation, wherein vulnerable and highly affected people will be seeking resolutions to highly-charged concerns.</p> <p>AC says that the 6-week submission period is not adequate, particularly at this time of year leading up to the Christmas period. He explains that many landowners are not developers or practiced in discussing the issues at hand. These people need assistance from consultants and other representatives. They are not likely to be able to adequately understand their circumstances and represent them through submissions alone in a 6-week period. Many consultants do not have availability to assist landowners at this time of year, and with this urgency. The submission period ought to be extended to account for these issues.</p> <p>NO says that typically, State-led rezonings provide 4 weeks for exhibition and submission. This has been extended to 6 weeks here given an acknowledgement that it is a complex and scenario where there have been various delays.</p> <p>NO appreciates AC's perspective. She says that extension requests can be considered on a case-by-case basis. She also notes that extensions of the submission period will hold up the process of responding to submissions and future planning.</p> <p>NO says that they are under legislative obligations to receive submissions via the planning portal within a given timeframe.</p> <p>AC says that there seem to be issues with the viability of the plan. In any scenario that he has projected, the developers will be making losses due to contributions, taxes, etc. For this reason, AC feels that the development timeline will not be propelled forward.</p> <p>AC notes that the plans outline the idea that the lower-density areas will be developed first, which will build the population to a level that can support retail and business. However, in Stages 1 and 2 there is not much low-density zoning. How is this expected to work?</p> <p>NO says that "Lower Density" in the plans refers to R3 Medium-Density residential, as opposed to R4 High-Density residential</p> | |
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| | <p>zoning. There is some R3 Zoning in Stage 1, and these are the areas expected to move first.</p> <p>AC asks about lot sizes. Average lot sizes in the are 300-350 sqm. In the plans, there is a lot size minimum of approximately 550 sqm. Why is this? Larger lot sizes are less desirable than smaller ones for developers.</p> <p>AC thinks that there will be parcel land rezoned for which land tax will be paid without high development potential.</p> <p>AC adds that there are height limits and floor spaces specified in the plans that are not adequate for higher-density residential development.</p> <p>AC adds that in many instances, pieces of land will become undevelopable due to roads being positioned through them.</p> <p>DA asks about the distributor road planned in 1B and 1C of the plans. Will this road development be staged, given 1A, 1B and 1C will be developed in that order?</p> <p>NO says that the <i>Transport Management and Access Plan (TMAP)</i> plan on the planning portal provides more detailed information on this. DA will view this document for clarification.</p> <p>DA asks about the planned school. Will it be a primary or secondary school?</p> <p>NO understands that it will be a K-12 school.</p> <p>DA asks about the planned recreation areas. Some of the big green spaces planned seem to be located very closely to the new Gipps Street recreational facility. Why are they so close?</p> <p>NO says that the Gipps Street facility is not adequate to cater to the relevant needs, considering the expected incoming population with the rezoning (as per the <i>Social Infrastructure and Open Space Needs Assessment</i> on the portal). She confirms that this new recreational area is in 1C.</p> <p>CV asks whether people unable to attend the information sessions can arrange their own meeting with someone.</p> <p>NO says yes. Community members can either call the DPHI or email the DPHI Orchard Hills mailbox address to request a meeting.</p> <p>RR says these one-on-one conversations can be helpful for people to formulate their submissions.</p> <p>CV asks about the maps provided in the notification. She has noticed that Wentworth Road seems to be marked with a key</p> | |
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| | <p>for 'main road'. She would like the map keys to be a bit clearer about road plans.</p> <p>NO says that the <i>Transport Management and Access Plan</i> and the <i>Development Control Plan</i> each provide very detailed information about road plans. These are the best references.</p> <p>CV asks if the distributor roads are constructed under Council planning.</p> <p>NO says yes, the draft plan anticipates Council will be responsible for the distributor road. Local roads can be constructed by Council and/or developers.</p> <p>CV asks if there are any timeframes/indicated beginning dates for the acquisition period.</p> <p>NO says that acquisition is not likely to occur right away. Rather, acquisition will occur when acquiring bodies have a clear need for the land and are ready to initiate the process.</p> <p>CV says that this is not particularly clarifying for people who have been slated for acquisition. Those people will remain stagnant and unable to sell their land until it is required/acquired.</p> <p>NO understands this. She directs the community members to the hardship provisions that may be applicable to landowners in distress.</p> <p>CV notes that hardship provisions may not be approved, and when the application is made, landowners lose compensation for their property. This is a challenging position for many landowners.</p> <p>CP says that he has found some issues with the colouring of both the Stage 1 map and the broader map provided in the community notification. He, some of his family members and other community members have had difficulty distinguishing between shades of color and therefore between zoning/map keys.</p> <p>NO and EM will follow this up.</p> <p>DC asks if infrastructure contributions are paid by developers and essentially passed on to landowners.</p> <p>NO says yes they are paid by the developer, who will factor in the cost of contributions in the purchase price</p> <p>DC asks if there is any expectation of a timeline between when the submission period closes and landowners need to consider leaving their properties.</p> | <p>NO and EM to follow up the colour issue with the maps, wherein some community members are struggling to discern details and distinctions between shades of colour.</p> |
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| | <p>EM says that it is very dependent on the market. The community may expect to see initial movement of land around the metro station within the first 12-24 months. This expectation is indicative and based on previous trends. This process is not led by the DPHI, but by the private developer market.</p> <p>RR clarifies that landowners are not required to either develop or sell their property. They are not required to participate in the development process simply because they have been rezoned.</p> <p>DC would like to confirm that landowners will have to pay the rates of their new zoning.</p> <p>RR recalls that rates are set for 3 years and are based on the value of the property.</p> <p>NO notes that rates are based on land valuations, which are predominantly based on sales of properties.</p> <p>RR suggests expert advice is needed to assist landowners with these issues.</p> <p>DC asks: if a road is put through somebody's property, is only that portion of a land block claimed, even if they leave the property in a condition that is difficult to live on or use.</p> <p>EM says that the DPHI is not an acquiring authority. Acquiring authorities may just take the portion of land use for their purpose (e.g. a road), but under the Just Terms Act a landowner in this position may receive compensation for the loss of land use and amenity.</p> <p>DC asks if landowners whose land is acquired will given NDAs.</p> <p>KR says that the NDAs have been removed from the acquisition process as a result of the enquiry onto Sydney Metro.</p> <p>DA asks which parties are responsible for the infrastructure for stormwater and sewers.</p> <p>EM says that: drinking water and wastewater are the responsibility of Sydney Water; stormwater is the responsibility of the Council; and electricity is the responsibility of Endeavour Energy.</p> <p>DA understands that the installment of water infrastructure takes 1-2 years. How long is Stage 1 development expected to take?</p> <p>EM says there is existing capacity within the water and electricity networks to develop Stage 1A, and additional servicing will be required to enable the rest of Stage 1 (1B and 1C) to be developed. At the moment, DPHI is waiting on further</p> | |
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| <p>information from Sydney Water about the augmentation of their network to meet these further infrastructure needs.</p> <p>AC notes that the report described Stage 1 as a 20-year project. Based on the contributions plan, he feels that the development phase will be stalled significantly and it is likely to take more than 20 years.</p> <p>AC refers to the feasibility report which discusses the Stage 1A Metro land. The metro area is not indicative of the whole area, given it was acquired years ago for lower prices.</p> <p>EM confirms that the report takes this into account and is based on the entirety of the Stage 1 area.</p> <p>EZ asks KR about the removal of NDAs in the acquisition process. Is this to be applied going forward or is it retroactive? If it is retroactive, this would be helpful for the community to create a full picture of impact.</p> <p>KR will this follow up.</p> <p>EZ asks whether submissions should contain multiple points or if it is more effective to submit multiple concerns separately.</p> <p>EM says that either option is welcome, but for the sake of analysis it will be useful to have multiple points contained in one document.</p> <p>EZ asks about rates. When Orchard Hills resident had their rates reviewed, it was prior to the announcement that Orchard Hills would be a staged development. Therefore all properties across all stages were increased at the same time. This means that properties in Stages 2-4 will be penalized by the staging process. Can this be reviewed?</p> <p>RR says that this should be raised with Penrith City Council.</p> <p>DC asks if the information and plans are only available online, or available on printed copies for people who cannot easily access information online.</p> <p>EM says that there are printed copies of the planning package documents at:</p> <ul style="list-style-type: none"> • The Penrith Library • Penrith Council • St Mary's Library • St Mary's Council Office <p>This package does not contain all documents that are available on the portal, but these can be requested.</p> <p>If people would like a printed copy of the planning package</p> | <p>KR to clarify whether the removal of NDAs from the acquisition process has a retroactive effect (i.e. for owners of previously-acquired land).</p> <p>Penrith Council to respond to EZ's request regarding rates for Stages 2-4.</p> |
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| | <p>documents, library and Council staff have offered to assist.</p> <p>DC asks if there are versions in foreign languages.</p> <p>EM says there are no printed copies in foreign languages. There have been advertisements in some printed media publications in some foreign languages.</p> <p>If individual documents need to be translated, either online or in print, community members are encouraged to reach out to the DPHI through their email or phone contacts to request this.</p> <p>EM and NO reinforce that all community members are welcome to approach DPHI with any questions or concerns at all.</p> | |
| 4 | Community discussion – RR, KR and community members only | |
| | <p>RR says that she and KR can be available to assist with community submissions and provide support through the process.</p> <p>KR says that for people who are not computer literate, she is able to assist people to navigate the process of uploading.</p> <p>RR also suggests community members address their Council members directly if they have concerns to share.</p> <p>KR adds that CG will bring forward the key community issues raised tonight for the Council meeting on Monday 11 November.</p> <p>AC asks if the CCC will have an opportunity to meet before the end of the submission period.</p> <p>RR says yes. She welcomes community representatives to send through key items to be addressed and raised at the next meeting, which will likely be held in the next few weeks.</p> <p>AC would like the next meeting to include an explanation of land value.</p> <p>RR says that this information will come predominantly from Council. She and KR will aim to organise for this topic to be addressed.</p> <p>EZ says that earlier this year, all landowners had the opportunity to request a review of the avoided land space. Those who were successful received notice of this but this outcome is not reflected in this plan.</p> <p>KR says that there is a modification process going through the system currently. The Department of Planning’s CPCP team conducted independent ecological investigations where some were found to contradict the original mapping. A modification process to correct the mapping is underway and has involved</p> | <p>Penrith Council to discuss land value as it is impacted by this new phase.</p> |

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| | <p>back and forth between the CPCP team and the Department of Environment, until there is an agreement. This agreement is then supplied to the Minister for Environment to be signed off. This finalization is expected to occur mid-2025 and will be reflected in mapping from that time.</p> <p>KR says that ultimately, landowners will not receive confirmation of modification (and correct mapping) until this is signed off.</p> <p>EZ asks if there is any possibility for the Minister for Planning to have a meeting with some community representatives of this CCC to understand their concerns. It might be helpful for him to understand the human impact of this proposal.</p> <p>RR says that she is happy to suggest it.</p> <p>She meets with the Minister regularly and discusses the circumstances in Orchard Hills with him in great detail. He is very closely aware of the issues.</p> <p>CV asks if all the planned recreational fields are managed under council.</p> <p>RR says that it depends. Sometimes, they are state-managed.</p> <p>CV says that she has been notified by a friend and confirmed on the planning portal (but received no official notifications) that in some cases, the CPCP area seems to have been expanded in the last 90 days. This appears on her land and on others’.</p> <p>KR and RR have not heard anything about this. KR and CV will speak offline about this, and KR will then follow up this change.</p> <p>RR says that she understands that many community members are highly distressed at this time. She asks for any members to be in touch with her and KR for any kind of support, to seek any other support services, and to ensure that community members are not feeling isolated in distress.</p> <p>RR acknowledges the work and service of the CCC community members to their community and to the conversations held in this forum.</p> | <p>RR to suggest that the Minister for Planning meets with a small group of community representatives hear their perspectives on the key issues in the draft Orchard Hills acquisition proposal.</p> <p>KR and CV will confer offline about the CPCP land being expanded on some properties in the last 90 days without landowner notification. KR will follow up accordingly.</p> |
| | Next Meeting | |
| | Date: TBD | |