

Statement of Environmental Effects

JORDAN SPRINGS EAST
VILLAGE
25 NOVEMBER 2019



CONTENTS

EXECUTIVE SUMMARY	5
BACKGROUND	8
SITE AND LOCALITY DESCRIPTION	10
VILLAGE CENTRE SITE SUBDIVISION CONSENT	12
BUSHFIRE PRONE LAND	13
DESCRIPTION OF PROPOSAL	14
URBAN DESIGN REVIEW PANEL	36
KEY PLANNING CONTROLS	37
STATUTORY CONTROLS	37
POLICY CONTROLS	37
ASSESSMENT OF PLANNING ISSUES & CONTROLS	38
STATE ENVIRONMENTAL PLANNING POLICY BASIX	38
STATE ENVIRONMENTAL PLANNING POLICY NO.55 – REMEDIATION OF LAND	38
STATE ENVIRONMENTAL PLANNING POLICY – (VEGETATION IN NON-RURAL AREAS) 2017	38
STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE	38
STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007	39
SEPP 65 DESIGN QUALITY OF APARTMENT DEVELOPMENT AND THE APARTMENT DESIGN GUIDE	39
SYDNEY REGIONAL ENVIRONMENTAL PLAN- SYDNEY HARBOUR CATCHMENT	50
STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017	51
CHILD CARE PLANNING GUIDELINE	55
SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 20 – HAWKESBURY NEPEAN RIVER	71

SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 30 – ST MARYS **71**

ST MARYS ENVIRONMENTAL PLANNING STRATEGY 2000 **86**

ST MARYS CENTRAL PRECINCT – PRECINCT PLAN AND DEVELOPMENT CONTROL STRATEGY **87**

PENRITH DEVELOPMENT CONTROL PLAN 204 **98**

CONCLUSION **108**

TABLE OF FIGURES

Figure 1: St Marys Location Plan	8
Figure 2: St Marys Site and Precincts	9
Figure 3: Aerial Photograph Extract (Source: NearMap)	10
Figure 4: Broader Locality Map Extract (Source: Google Maps)	11
Figure 5: Bushfire Prone Land Map Extract (Source: Penrith City Council)	13
Figure 6: Zoning Map Extract (Source: Sydney REP No.30 – St Marys)	72

QUALITY ASSURANCE

Project:	SEE – Jordan Springs East Village
Address:	Lot 1 in DP 1248480 (Approved Lot 1 under DA18/0620)
Lot /DP:	Lot 1 DP 1132380
Council:	Penrith Council
Author:	Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
October 2019	Draft Issue for Comment	Draft	SK/JW	JW
19 November 2019	DA Lodgement Issue	Final	SK/JW	AB

Integrated Development (under S.4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?

Fisheries Management Act 1994	No
Heritage Act 1977	No
Mine Subsidence Act 1992	No
Mining Act 1992	No
National Parks and Wildlife Act 1974	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	Yes
Water Management Act 2000	No

Concurrence

SEPP 1- Development Standards	No
SEPP 64- Advertising and Signage	No
SEPP Coastal Management 2018	No
SEPP (Infrastructure) 2007	Yes- RMS
SEPP (Major Development) 2005	No
SREP (Sydney Harbour Catchment) 2005	No

EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of a Development Application for the development of the Village Centre of Jordan Springs East. This follows the recent development consent issued under DA18/0620 which created Lot 1 for the establishment of the Future Village Centre (Stage 3D). This was granted consent on 24 October 2019.

The current development proposal will deliver the Village Centre in 2 stages as nominated on the architectural plans. The final development outcome includes the following elements:

- Supermarket (930m²),
- Medical centre (400m²),
- Pharmacy (156m²),
- 8 x Retail/Commercial Premises (1022m²),
- Gymnasium (488m²),
- Swim school (350m²),
- Child care facility with 154 child care placements,
- 124 residential units and 11 townhouse style built forms over two storeys (total 135 dwellings),
- A total of 358 car parking spaces within the basement level and at-grade.

The development seeks consent for the development nominated above, including the detailed fit-out and use of the child care centre component. The development consent also seeks to establish nominated uses in the Village Centre and nominate hours of operation for the various nominated land uses so that future applications can simply be lodged for fit-out with matters such as parking and hours of operation being addressed by this consent. This includes the following nominated hours and uses:

- Swim school: 8am to 7:30pm Monday to Friday and 8:30am to 3:30pm Saturday
- Gym 24/7
- Supermarket.- 6am to 10 pm daily.
- Medical- 8am to 7:30pm Monday to Saturday & 8am-5pm Sunday

- Pharmacy- 8am to 7:30pm Monday to Sunday
- Retail Premises- 6am to 10pm Monday to Sunday.

The proposal will provide valuable commercial and housing opportunities within Jordan Springs East and contribute to housing diversity. The design scheme comprises of a mix of commercial, residential and medical land uses on the ground floor, a mix of commercial and residential land uses on the first floor over four distinct towers above, noting the current trend of combining residential and commercial land uses to increase the housing stock that will support the viability of the commercial component of the mixed use development.

It is further noted that the design scheme has been designed/influenced by other similar commercial/mixed use developments located within other new estates within the Penrith Local Government Area, in particular the Glenmore Park Stage 2 – Town Centre.

The development proposal has also been influenced by the 2 x Urban Design Review Panel Meetings held with Council during the design development phase of the proposal to introduce a suitable design scheme that responds appropriate to context and the relationship to adjoining properties- as well as improving the functionality of the Village Centre.

The development proposes to erect a series of 4 x 4 to 6 storey buildings, with Block A situated to the south-western portion of the site, Block B situated to the north-western portion of the site, Block C situated to the north-eastern portion of the site and Block D situated to the south-eastern portion of the site.

The site itself can be best described as a predominantly vacant Greenfield land parcel that will bound future planned road to all of its four frontages and has a total site area of 1.106ha

Situated within the Jordan Springs East Residential Estate, the subject land parcel resides within close proximity to industrial precinct and a short car trip to St Marys Town Centre and Train Station.

The subject site is zoned Urban under the Sydney Regional Environmental Plan No. 30 St Marys. *'Centre-Based Child Care Facilities', 'Housing', 'Local Retail or Commercial Premises', 'Medical Centres', 'Recreation Facilities'* and *'Restaurants'* are permissible with consent within the Urban Zone.

The development site has been earmarked to service the commercial and alternative housing needs of the new estate as well as employment opportunities within the Jordan Springs East Residential Estate.

The development itself adopts a built form and scale in response to future and desired context on this new area of Jordan Springs, adopting a highly sculptural building form composed with splayed balconies to create visual interest within the immediate context. Furthermore, the proposal provides facades with rendered walls with vertical score lines / grooves, textures render and compressed fibre cement cladding; deep balconies and the use of various architectural elements such as dynamic curved recesses and sharp angles to give the buildings a distinct form.

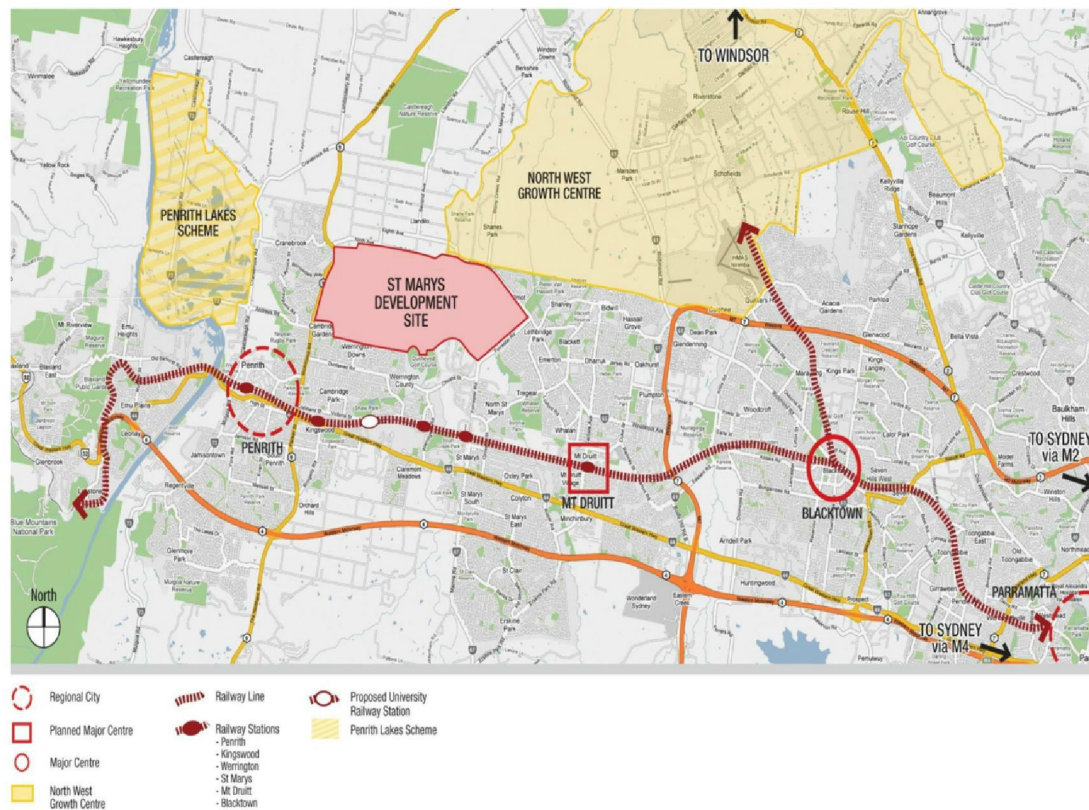
The proposal will assist in providing commercial and housing opportunities that will directly promote pedestrian activity at the street level whilst increasing employment opportunities within the locality both during the construction phase and through an increase of commercial space at the completion of the proposal.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

BACKGROUND

The St Marys site has an area of 1,545 ha and stretched approximately 7km from west to east and 2km from north to south and is bounded by Forrester Road and Palmyra Avenue in the east, The Northern Road in the west, Ninth Avenue and Palmyra Avenue in the north and the Dunheved Industrial Area, Dunheved Golf Club and the suburbs of Cambridge Garden, Werrington Gardens and Werrington County in the south.

Figure 1: St Marys Location Plan



The site is broken into six precinct:

- Western Precinct
- Central Precinct
- North Dunheved Precinct
- South Dunheved Precinct
- Ropers Creek Precinct
- Eastern Precinct

The development site is located within the Central Precinct, which was declared a release area by the Minister for Planning on the 29th September 2006 with the Precinct Plan adopted by Penrith City Council on the 23rd of March 2009.

The Central Precinct

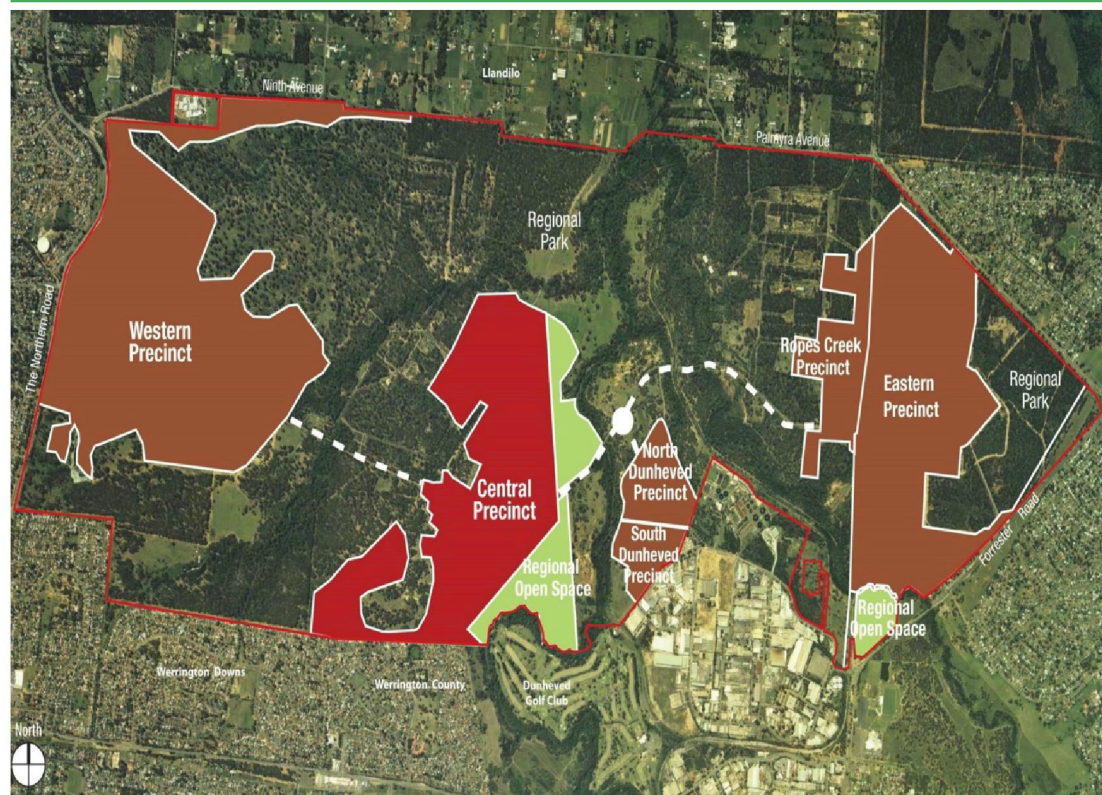
The Central Precinct is bounded by existing residential development in the suburbs of Werrington Country and Werrington Downs to the south, land zoned for Regional Open Space to the east and land zoned for Regional Park to the north and west. There is also an area zoned for Drainage that adjoins the northern boundary of the precinct. The precinct has a total area of 133.1 ha.

The Central Precinct is zoned part Urban (94.1 ha) and part Employment (38.4ha). Land zoned Urban is intended to accommodate primarily residential uses ,with limited non-residential uses such as local retail and commercial uses.

The Central Precinct is to accommodate the following:

- Employment and related uses in the northern part of the precinct;
- A Village Centre Character Area, comprising a mix of retail, commercial, community, open space and residential uses, in the central part of the precinct;
- Predominantly residential development in the remainder of the precinct;
- Construction of roads, including external connections to both the west and east, and stormwater infrastructure; and
- Provision of local open space, riparian corridors, and stormwater basins.

Figure 2: St Marys Site and Precincts





SITE AND LOCALITY DESCRIPTION

Situated within the Central Precinct, the subject site can be best described as a predominantly vacant Greenfield land parcel that will bound future planned road to all of its four frontages and has a total site area of 1.106ha

This is illustrated by an aerial map extract below.

Figure 3: Aerial Photograph Extract (Source: NearMap)



The subject site is zoned Urban under the Sydney Regional Environmental Plan No. 30 St Marys. *'Centre-Based Child Care Facilities', 'Housing', 'Local Retail or Commercial Premises', 'Medical Centres', 'Recreation Facilities' and 'Restaurants'* are permissible with consent within the Urban Zone.

Residing within the Jordan Springs East Residential Estate, the subject land parcel resides within close proximity to industrial precinct and a short car trip to St Marys Town Centre and Train Station.

Aerial map extract illustrated the development site within its broader context is provided in the following page.

Figure 4: Broader Locality Map Extract (Source: Google Maps)



The development site has been earmarked to service the commercial and alternative housing needs of the new estate within the Jordan Springs East Residential Estate, noting that the current application will provide child care placements, recreational, medical, retail and dining opportunities for the new estate.

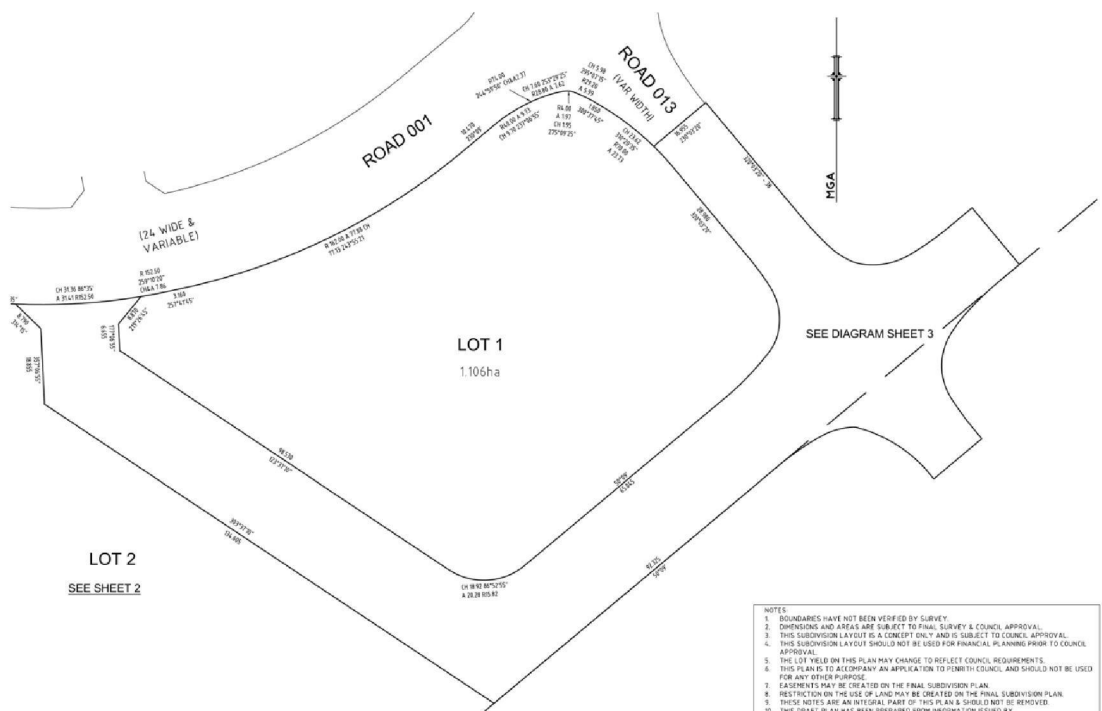
The proposal will assist in providing commercial and housing opportunities that will directly promote pedestrian activity at the street level whilst increasing employment opportunities within the locality both during the construction phase and through an increase of commercial space at the completion of the proposal.

VILLAGE CENTRE SITE SUBDIVISION CONSENT

The village centre site was established under DA18/0620 which was granted consent on 24 October 2019 for:

Subdivision of Land to Create One (1) x Residue Lot for Future Village Centre (Stage 3D), 1x Residue Lot for Future Village Park, 1x Residue Lot for Future Residential Subdivision (Stage 3C), Construction of Public Road, Landscaping Works & Associated Infrastructure

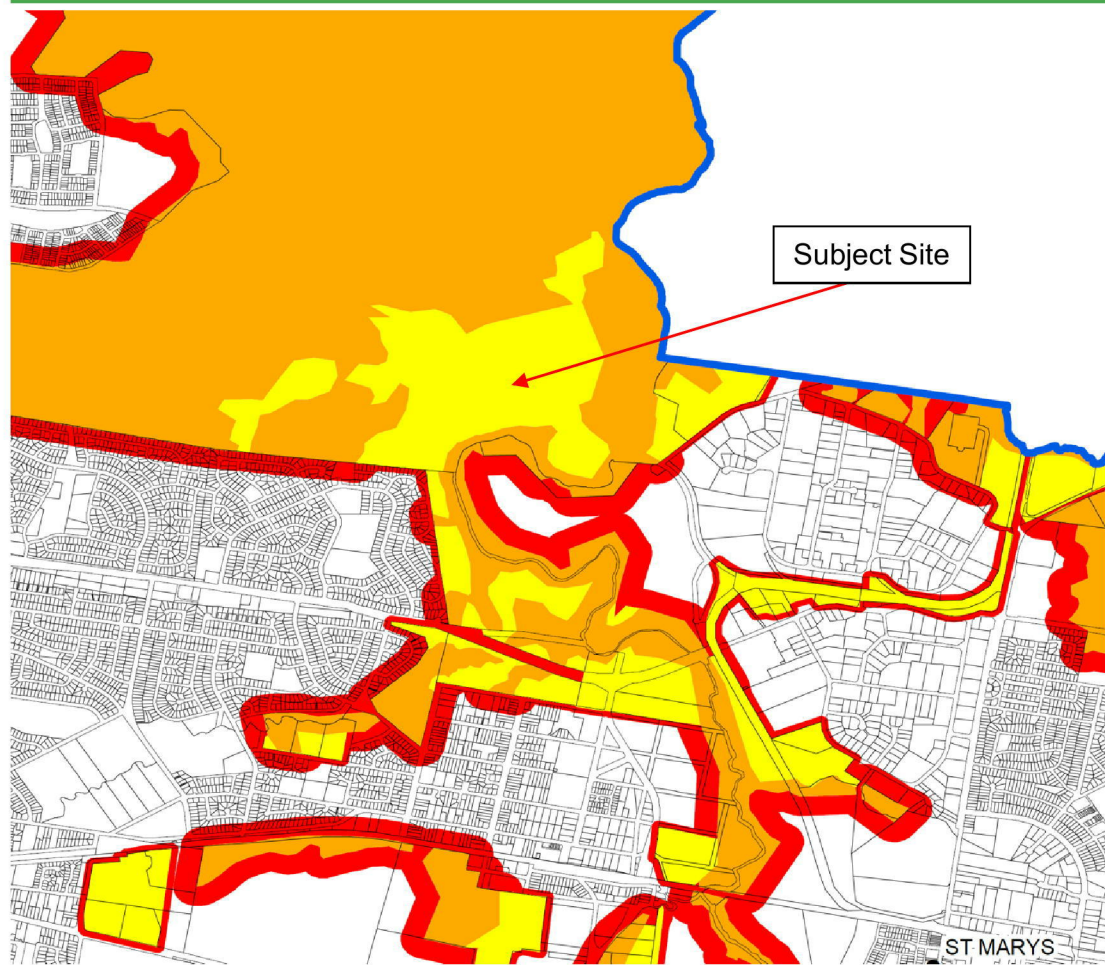
The submitted and approved subdivision plan is reflected below:



BUSHFIRE PRONE LAND

Council's Bushfire Prone Land Map indicates that the development site is affected by bushfire, as illustrated by a map extract below. Therefore the development is Integrated Development as the development requires a Section 100B BFSA owing to the nature of the development proposed.

Figure 5: Bushfire Prone Land Map Extract (Source: Penrith City Council)



The bushfire assessment, prepared by Ecological Australia, carried out for Stage 3D confirms the bushfire affectation post development.

That assessment confirms that the site is some 296m from the nearest hazard and the report confirms that there are no BAL ratings for Stage 3d (which includes the Village Centre). On that basis whilst a BFSA is required from the RFS it is not envisaged that any requirements beyond the recommendations of the Ecological report will be necessary.

DESCRIPTION OF PROPOSAL

This Development Application is for the development of the Village Centre of Jordan Springs East. This follows the recent development consent issued under DA18/0620 which created Lot 1 for the establishment of the Future Village Centre (Stage 3D). This was granted consent on 24 October 2019.

The current development proposal will deliver the Village Centre in 2 stages as nominated on the architectural plans. The final development outcome includes the following elements:

- Supermarket (930m²),
- Medical centre (400m²),
- Pharmacy (156m²),
- 8 x Retail/Commercial Premises (1022m²),
- Gymnasium (488m²),
- Swim school (350m²),
- Child care facility with 154 child care placements,
- 124 residential units and 11 townhouse style built forms over two storeys (total 135 dwellings),
- A total of 358 car parking spaces within the basement level and at-grade.

The development seeks consent for the development nominated above, including the detailed fit-out and use of the child care centre component. The development consent also seeks to establish nominated uses in the Village Centre and nominate hours of operation for the various nominated land uses so that future applications can simply be lodged for fit-out with matters such as parking and hours of operation being addressed by this consent. This includes the following nominated hours and uses:

- Saturday
- Gym 24/7
- Supermarket.- 6am to 10 pm daily.
- Medical- 8am to 7:30pm Monday to Saturday & 8am-5pm Sunday
- Pharmacy- 8am to 7:30pm Monday to Sunday

- Retail Premises- 6am to 10pm Monday to Sunday.

Due to the size and scale of the application, the development is to be undertaken in 2 distinct stages:

- **Stage 1:**
 - Basement Level:
 - Southern half of the basement level which includes a total of 127 car parking space
 - Ground Floor:
 - Southern half of the at-grade carparking area which includes a total of 42 car parking space
 - Vehicle cross-over and driveway to the site from Road 1
 - Supermarket
 - All 8 retail premises
 - Swim school
 - Gymnasium
 - Child care facility
 - Remaining Levels:
 - Residential units within Block A & B
- **Stage 2:**
 - Basement Level:
 - Northern half of the basement level which includes a total of 134 car parking space
 - Ground Floor:
 - Southern half of the at-grade carparking area which includes a total of 51 car parking space
 - Medical centre
 - Pharmacy
 - 11 x multi-unit housing
 - 1 x residential unit

- Remaining Levels:
 - Residential units within Block C & D

A summary of the various elements of the proposal is provided below.

Commercial Tenancies

The proposal incorporates a supermarket and ancillary stock room, a car wash and 9 retail tenancies including a pharmacy with a total of 2,036m² of commercial floor space with the following breakdown:

- Basement Level: Total commercial floor space – 38m² comprising of a car wash
- Block A: Total commercial floor space – 725m² over 7 retail premises
- Block B: Total commercial floor space – 1,027m² comprising of a supermarket (930m²), stock room associated with the supermarket (90m²) and a retail tenancy (97m²)
- Block C: Total commercial floor space – 156m² comprising of a pharmacy
- Block C: Commercial floor space- 200m² at L4.

At present the development is only seeking consent for the use and hours of the commercial tenancies with fit out works and operation details associated with each individual commercial premises to be subject to future DAs.

Car Wash

A car wash including 4 dedicated carwash bays seating area and toilet to be located within the basement level.

At present the development is only seeking consent for the car wash with fit out works and operation details associated with the carwash to be subject to future DAs.

Medical Centre

A medical centre with a total floor area of 400m² to be located within the ground floor associated with Block C.

At present the development is only seeking consent for the medical centre with fit out works and operation details associated with the centre to be subject to future DAs.

Gymnasium

An indoor recreation facility (gymnasium) with a total floor area of 488m² to be located within the first floor associated with Block A.

At present the development is only seeking consent for the gymnasium with fit out works and operation details associated with the indoor recreational facility to be subject to future applications however consent is sought for the hours of operation nominated previously.

Swim School

A swim school with a total floor area of 4350² to be located within the ground floor associated with Block D.

At present the development is only seeking consent for the swim school with fit out works and operation details associated with the school to be subject to future applications however consent is sought for the hours of operation nominated previously.

Child Care Facility

A 152 place child care facility with a total indoor floor area of 1,080m² and a total outdoor floor area of 1,142m² to be located within the first floor associated with Block A.

The development seeks consent for the construction, fit-out and operation of the child care centre which will operate 7am to 7pm Monday to Friday. A detailed assessment against the provisions of the CCPG is provided further in this statement to confirm that the proposal has been designed to comply with the relevant provisions of the CCPG.

Terrace Housing Forms

Located within Block C & D, the development proposes a total of 7 x 3 bedroom townhouses and 4 x 4 bedroom terraces with the more active areas including living area, dining area, kitchen and courtyard provided in the ground floor. These are still designed as apartments but in a terrace typology.

A bedroom, front porch, laundry, W.C and internal stairwell also located within the ground floor. Townhouses fronting the site's eastern boundary are only provided with a front courtyard whereas townhouses fronting the site's north-eastern boundary provided with both the front and rear courtyard.

The first floor contains the more passive areas with the majority of townhouses provided with a master bedroom with ensuite.

Apartment Forms

The apartment component comprises of the following unit breakdown:

- 14 x 1 bedroom unit
- 91 x 2 bedroom unit
- 19 x 3 bedroom unit

A summary of the unit configuration associated with the proposed residential flat building is provided below:

Ground Floor

Block D

Unit	Bedroom	Floor Area	POS	Total Storage
B.G01	2 Bed	84m ²	35m ²	10.5m ³

First Floor

Block B

Unit	Bedroom	Floor Area	POS	Total Storage
B.G01	2 Bed	84m ²	35m ²	10.5m ³
B.101 – Livable	2 Bed	87m ²	64m ²	11.9m ³
B.102	1 Bed	54m ²	70m ²	10.4m ³
B.103	2 Bed	81m ²	97m ²	13.1m ³
B.104 – Adaptable	3 Bed	129m ²	105m ²	12.6m ³
B.105	2 Bed	80m ²	17m ²	10.7m ³
B.106	2 Bed	80m ²	17m ²	10.7m ³
B.107	2 Bed	89m ²	83m ²	10.4m ³
B.108	2 Bed	81m ²	94m ²	13.1m ³
B.109 – Livable	2 Bed	87m ²	66m ²	11.5m ³

Block C

Unit	Bedroom	Floor Area	POS	Total Storage
C.101 – Livable	2 Bed	85m ²	20m ²	12.4m ³
C.102	2 Bed	81m ²	22m ²	13.1m ³
C.103	2 Bed	80m ²	26m ²	10.9m ³

C.104	2 Bed	82m ²	21m ²	17.6m ³
C.105	2 Bed	80m ²	18m ²	11.1m ³
C.106 – Adaptable	3 Bed	129m ²	26m ²	12.6m ³
C.107	1 Bed	54m ²	15m ²	10.4m ³
C.108 – Livable	2 Bed	87m ²	19m ²	11.9m ³
C.101 – Livable	2 Bed	85m ²	20m ²	12.4m ³

Block D

Unit	Bedroom	Floor Area	POS	Total Storage
D.101	2 Bed	80m ²	17m ²	10.7m ³
D.102	2 Bed	84m ²	21m ²	12.5m ³
D.103	1 Bed	58m ²	17m ²	11.8m ³
D.104	2 Bed	80m ²	17m ²	10.7m ³
D.105	2 Bed	80m ²	11m ²	10.9m ³

Level 2

Block A

Unit	Bedroom	Floor Area	POS	Total Storage
A.201	2 Bed	82m ²	16m ²	10.5m ³
A.202 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
A.203	2 Bed	81m ²	24m ²	13.1m ³
A.204 – Livable	2 Bed	87m ²	32m ²	11.9m ³
A.205 – Livable	2 Bed	87m ²	35m ²	11.5m ³
A.206 – Livable	3 Bed	120m ²	42m ²	12.7m ³
A.207 – Adaptable	1 Bed	58m ²	44m ²	11.0m ³
A.208	2 Bed	82m ²	43m ²	11.9m ³
A.209	2 Bed	82m ²	16m ²	10.7m ³

Block B

Unit	Bedroom	Floor Area	POS	Total Storage
B.201 – Livable	2 Bed	87m ²	10m ²	11.9m ³
B.202	1 Bed	54m ²	14m ²	10.4m ³
B.203	2 Bed	81m ²	20m ²	13.1m ³

B.204 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
B.205	2 Bed	80m ²	17m ²	10.7m ³
B.206	2 Bed	80m ²	17m ²	10.7m ³
B.207	2 Bed	89m ²	13m ²	10.4m ³
B.208	2 Bed	81m ²	22m ²	13.1m ³
B.209 – Livable	2 Bed	87m ²	10m ²	11.5m ³

Block C

Unit	Bedroom	Floor Area	POS	Total Storage
C.201 – Livable	2 Bed	85m ²	17m ²	12.4m ³
C.202	2 Bed	81m ²	22m ²	13.1m ³
C.203	2 Bed	80m ²	12m ²	10.9m ³
C.204	2 Bed	82m ²	18m ²	17.9m ³
C.205	2 Bed	80m ²	18m ²	10.7m ³
C.206 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
C.207	2 Bed	81m ²	21m ²	13.1m ³
C.208	1 Bed	54m ²	15m ²	10.4m ³
C.209 – Livable	2 Bed	87m ²	16m ²	11.9m ³

Block D

Unit	Bedroom	Floor Area	POS	Total Storage
D.201	2 Bed	80m ²	17m ²	10.7m ³
D.202 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
D.203	2 Bed	81m ²	21m ²	13.1m ³
D.204	1 Bed	54m ²	14m ²	10.4m ³
D.205 – Livable	2 Bed	87m ²	16m ²	11.9m ³
D.206 – Livable	2 Bed	87m ²	16m ²	11.5m ³
D.207	2 Bed	81m ²	22m ²	13.1m ³
D.208	2 Bed	80m ²	12m ²	10.9m ³
D.209	2 Bed	80m ²	17m ²	10.7m ³

Level 3

Block A

Unit	Bedroom	Floor Area	POS	Total Storage
A.301	2 Bed	82m ²	16m ²	10.5m ³
A.302 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
A.303	2 Bed	81m ²	24m ²	13.1m ³
A.304 – Livable	2 Bed	87m ²	10m ²	11.9m ³
A.305 – Livable	2 Bed	87m ²	10m ²	11.5m ³
A.306 – Livable	3 Bed	120m ²	14m ²	12.7m ³
A.307 – Adaptable	1 Bed	58m ²	15m ²	11.0m ³
A.308	2 Bed	82m ²	13m ²	11.9m ³
A.309	2 Bed	82m ²	16m ²	10.7m ³

Block B

Unit	Bedroom	Floor Area	POS	Total Storage
B.301 – Livable	2 Bed	87m ²	10m ²	11.9m ³
B.302	1 Bed	54m ²	14m ²	10.4m ³
B.303	2 Bed	81m ²	20m ²	13.1m ³
B.304 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
B.305	2 Bed	80m ²	17m ²	10.7m ³
B.306	2 Bed	80m ²	17m ²	10.7m ³
B.307	2 Bed	89m ²	13m ²	10.4m ³
B.308	2 Bed	81m ²	22m ²	13.1m ³
B.309 – Livable	2 Bed	87m ²	10m ²	11.5m ³

Block C

Unit	Bedroom	Floor Area	POS	Total Storage
C.301 – Livable	2 Bed	85m ²	17m ²	13.1m ³
C.302	2 Bed	81m ²	22m ²	10.9m ³
C.303	2 Bed	80m ²	12m ²	10.9m ³
C.304	2 Bed	82m ²	18m ²	17.9m ³
C.305	2 Bed	80m ²	18m ²	10.7m ³
C.306 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³

C.307	2 Bed	81m ²	21m ²	13.1m ³
C.308	1 Bed	54m ²	15m ²	10.4m ³
C.309 – Livable	2 Bed	87m ²	16m ²	11.9m ³

Block D

Unit	Bedroom	Floor Area	POS	Total Storage
D.301	2 Bed	80m ²	17m ²	10.7m ³
D.302 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
D.303	2 Bed	81m ²	21m ²	13.1m ³
D.304	1 Bed	54m ²	14m ²	10.4m ³
D.305 – Livable	2 Bed	87m ²	16m ²	11.9m ³
D.306 – Livable	2 Bed	87m ²	17m ²	11.5m ³
D.307	2 Bed	81m ²	22m ²	13.1m ³
D.308	2 Bed	80m ²	12m ²	10.9m ³
D.309	2 Bed	80m ²	17m ²	10.7m ³

Level 4

Block A

Unit	Bedroom	Floor Area	POS	Total Storage
A.401	2 Bed	82m ²	16m ²	10.5m ³
A.402 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
A.403	2 Bed	81m ²	24m ²	13.1m ³
A.404 – Livable	2 Bed	87m ²	10m ²	11.9m ³
A.405 – Livable	2 Bed	87m ²	10m ²	11.5m ³
A.406 – Livable	3 Bed	120m ²	14m ²	12.7m ³
A.407 – Adaptable	1 Bed	58m ²	15m ²	11.0m ³
A.408	2 Bed	82m ²	13m ²	11.9m ³
A.409	2 Bed	82m ²	16m ²	10.7m ³

Block B

Unit	Bedroom	Floor Area	POS	Total Storage
B.401 – Livable	2 Bed	87m ²	10m ²	11.9m ³
B.402	1 Bed	54m ²	14m ²	10.4m ³
B.403	2 Bed	81m ²	20m ²	13.1m ³
B.404 – Adaptable	3 Bed	129m ²	27m ²	12.6m ³
B.405	2 Bed	80m ²	17m ²	10.7m ³
B.406	2 Bed	80m ²	17m ²	10.7m ³
B.407	2 Bed	89m ²	13m ²	10.4m ³
B.408	2 Bed	81m ²	22m ²	13.1m ³
B.409 – Livable	2 Bed	87m ²	10m ²	11.5m ³

Level 5

Block A

Unit	Bedroom	Floor Area	POS	Total Storage
A.501	2 Bed	82m ²	16m ²	10.7m ³
A.502	3 Bed	129m ²	27m ²	12.6m ³
A.503	2 Bed	81m ²	24m ²	22.3m ³
A.504	3 Bed	123m ²	20m ²	12.3m ³
A.505	2 Bed	95m ²	28m ²	12.8m ³

Block B

Unit	Bedroom	Floor Area	POS	Total Storage
A.501	2 Bed	82m ²	16m ²	10.7m ³
A.502	3 Bed	129m ²	27m ²	12.6m ³
A.503	2 Bed	81m ²	24m ²	22.3m ³
A.504	3 Bed	123m ²	20m ²	12.3m ³
A.505	2 Bed	95m ²	28m ²	12.8m ³
B.506	2 Bed	80m ²	17m ²	10.7m ³

Parking

The proposal includes a total of 358 car parking spaces within a basement level and at-grade.

The parking breakdown is as follows:

Basement Level (265 car parking spaces): comprising of

- **Stage 1:**
 - 90 x residential car parking spaces
 - 36 x commercial car parking spaces including 2 x accessible car parking spaces
 - 1 x visitor carparking space
- **Stage 2:**
 - 84 x residential car parking spaces
 - 24 x commercial car parking spaces including 2 x accessible car parking spaces
 - 26 x visitor carparking space
 - 4 x car wash bay

At-Grade (94 car parking spaces): comprising of

- **Stage 1:**
 - 42 x commercial car parking spaces.
- **Stage 2:**
 - 52 x commercial car parking spaces

The extent of parking has been informed by a detailed traffic and parking study by McLaren Traffic Engineering that takes into account the propensity for multi-trip generation- i.e. patrons attending the site and using multiple components of the Village Centre at the same time. The methodology and approach taken is detailed in the traffic report submitted with the application.

Waste Collection

An enclosed loading area including an HRV loading dock and roller shutter is provided within Block B (Stage 1).

Description of the Proposal

A brief description of the various aspects of the development is provided below.

Level	Inclusion
Basement Level	<p><u>Vehicular Access</u></p> <p>Vehicular access to the basement level is provided via an internal graded access ramp from the ground floor.</p> <p>Roller shutter separates the residential parking area from the commercial/general parking area.</p> <p>The basement level includes internal circulation areas with turning areas to allow vehicles to enter and exit the basement in a forward direction.</p> <p><u>Pedestrian Access</u></p> <p>Internal stairs provide direct access to the basement level from some of the townhouses.</p> <p><u>Parking</u></p> <p>A total of 265 car parking spaces with the following breakdown:</p> <ul style="list-style-type: none"> - 174 residential carparking spaces - 27 residential visitor carparking spaces - 60 commercial carparking spaces - 4 x commercial car wash bays <p>The development also provides bicycle parking spaces.</p> <p>Residential storage space.</p> <p><u>Car Wash</u></p> <p>A car wash including 4 dedicated parking spaces for the carwash, seating area and toilet.</p> <p><u>Service Rooms</u></p> <ul style="list-style-type: none"> - MSB room - Fire pump room - Comms room - 4 x Car park exhaust fan room - 2 x Cold water pump room

- 2 x Grease arrestor
- Retail/house electrical room
- Electrical room
- Service room

Waste Rooms

- A total of 9 garbage rooms including a garbage room with bin hoist and bin tug parking space
- Bin holding room
- Bulky waste room

Caretakers WC.

Deep soil planting.

2 x lift core per block or a total of 8 lift cores plus service lifts.

Development also provides fire escape stairwells.

Ground Floor

Vehicular Access

Direct vehicular access to the site is via a vehicular crossing and driveway from Road 1, with access to the basement provided with graded ramp from the at-grade carparking area.

The basement level includes internal circulation areas with turning areas to allow vehicles to enter and exit the basement in a forward direction.

Pedestrian Access

Direct access to the retail premises, pharmacy and medical centre from the site's frontages.

Direct access to all 11 townhouses also from the site's frontages.

Multiple access to the site is provided with internal pedestrian walkways from the site's frontages, which also provides access to the supermarket, swim school, medical centre, pharmacy, toilet facilities and at-car parking area.

Parking

A total of 94 commercial car parking spaces.

Commercial Premises

The proposal incorporates a supermarket, pharmacy and 8 retail tenancies with a total floor area of 2,036m² of commercial floor space, including a supermarket with ancillary stock room.

Medical Centre

The proposal incorporates a medical centre with 400m² of floor area and includes reception desk, storage area, nurse station, 7 consulting room, treatment room, pathology, staff room, archive room with direct access to Pharmacy.

Swim School

The proposal incorporates a swim school with a with a total floor area of 350m².

Child Care Facility

Reception area, stairwell and lift core associated with the child care facility located on the ground floor.

Townhouse

All 11 townhouse are provided with a kitchen, laundry, living area, dining area and courtyards that are generally accessed from living areas.

Some of the townhouses also include a bedroom.

Residential Flat Building

A 2 bedroom unit is provided on the ground floor, noting it is provided with a kitchen, laundry, living area, dining area and courtyard that are accessed from living areas.

Service Rooms

- Chamber substation
- Booster assembly
- VBM & Gas regulator
- Service rooms

- Cleaner room

Waste Rooms

- Loading area including HRV loading dock and commercial bin holding area. Also includes bin hoist, compactor with direct access to supermarket.
- Townhouse garbage room

Centre management room.

Toilet facilities.

Planter boxes.

Residential lobby area per block.

2 x lift core per block or a total of 8 lift cores plus service lifts.

Development also provides fire escape stairwells from the basement level.

Level 1

Recreational Facility (Indoor)

The proposal incorporates a gymnasium with a total floor area of 488m² and includes gym floor, reception desk, managers office, toilet facilities, lift core and stairwell.

The gymnasium is located within Block A.

Child Care Facility

The proposal incorporates a child care facility with a total indoor floor area of 1,080m² and 1,142m² of outdoor floor area with lift core and stairwell to the ground floor.

Townhouse

The upper level associated with the 11 x townhouses are located within Level 1.

Residential Flat Building

All residential units are provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living area. Some of the units are provided with dual balconies.

Development provides a total of 22 residential units within Level 1 with the following breakdown:

- 3 x 1 bedroom unit;
- 17 x 2 bedroom unit; and
- 2 x 3 bedroom unit.

A more detailed breakdown of unit mix per block is provided below:

- Block B provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 7 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.
- Block C provide a total of 8 units with the following mix:
 - 1 x 1 bedroom unit;
 - 6 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.
- Block D provide a total of 5 units with the following mix:
 - 1 x 1 bedroom unit; and
 - 4 x 2 bedroom unit; and

Landscaping and planter boxes.

1 x communal room within Block C and 1 x communal room within Block D.

Internal lobby area per Block:

- Block A – separate lobby area for the gymnasium and child care facility and includes a lift core and stairwell each.
- Block B – two separate lobby area, each providing a lift core and stairwell and includes service

cupboards and a waste bin chute each. A metering cupboard is provided within one of the lobby area.

- Block C – two separate lobby area, each providing a lift core and stairwell and includes service cupboards and a waste bin chute each. A metering cupboard is provided within one of the lobby area. Block C is also provided with a service lift within one of the lobby area.
- Block D – one continuous lobby area providing 2 x lift core and stairwells and includes electrical/communication cupboard, 2 x metering cupboard and 2 x and 2 x waste bin chute.

Level 2

Recreational Facility (Indoor)

Located within Block A, the gym service area is located within Level 2.

Residential Flat Building

All residential units are provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living area. Some of the units are provided with dual balconies.

Development provides a total of 36 residential units within Level 2 with the following breakdown:

- 4 x 1 bedroom unit;
- 27 x 2 bedroom unit; and
- 5 x 3 bedroom unit.

A more detailed breakdown of unit mix per block is provided below:

- Block A provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 6 x 2 bedroom unit; and
 - 2 x 3 bedroom unit.
- Block B provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 7 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.

- Block C provide a total of 9 units with the following mix:
 - 7 x 1 bedroom unit;
 - 1 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.
- Block D provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 7 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.

Internal lobby area per Block:

- Block A – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block B – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block C – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block D – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.

Level 3

Residential Flat Building

All residential units are provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living area.

Some of the units are provided with dual balconies.

Development provides a total of 36 residential units within Level 3 with the following breakdown:

- 4 x 1 bedroom unit;
- 27 x 2 bedroom unit; and
- 5 x 3 bedroom unit.

A more detailed breakdown of unit mix per block is provided below:

- Block A provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 6 x 2 bedroom unit; and
 - 2 x 3 bedroom unit.
- Block B provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 7 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.
- Block C provide a total of 9 units with the following mix:
 - 7 x 1 bedroom unit;
 - 1 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.
- Block D provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 7 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.

Internal lobby area per Block:

- Block A – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block B – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block C – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block D – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.

Level 4

Residential Flat Building

All residential units are provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living area. Some of the units are provided with dual balconies.

Development provides a total of 18 residential units within Level 4 with the following breakdown:

- 2 x 1 bedroom unit;
- 13 x 2 bedroom unit; and
- 3 x 3 bedroom unit.

A more detailed breakdown of unit mix per block is provided below:

- Block A provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 6 x 2 bedroom unit; and
 - 2 x 3 bedroom unit.
- Block B provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 7 x 2 bedroom unit; and
 - 1 x 3 bedroom unit.

Commercial/Learning Centre (210m²) with 270m² of outdoor area and planter boxes.

Internal lobby area per Block:

- Block A – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block B – two separate lobby area, each providing a lift core, stairwell, waste bin chute, metering cupboard and electrical/communication cupboard.
- Block C – service lift.

Level 5

Residential Flat Building

All residential units are provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living area.

Development provides a total of 11 residential units within Level 5 with the following breakdown:

- 1 x 1 bedroom unit;
- 6 x 2 bedroom unit; and
- 4 x 3 bedroom unit.

A more detailed breakdown of unit mix per block is provided below:

- Block A provide a total of 5 units with the following mix:
 - 3 x 2 bedroom unit; and
 - 2 x 3 bedroom unit.
- Block B provide a total of 9 units with the following mix:
 - 1 x 1 bedroom unit;
 - 3 x 2 bedroom unit; and
 - 2 x 3 bedroom unit.

Internal lobby area per Block:

- Block A – one continuous lobby area providing 2 x lift core and stairwells and includes electrical/communication cupboard, a metering cupboard and a waste bin chute.
- Block B – one continuous lobby area providing 2 x lift core and stairwells and includes electrical/communication cupboard, a metering cupboard and a waste bin chute.

The relevant architectural plans for the proposal have been prepared by PBD Architects while supporting reports have been prepared by relevant sub consultants.

The development itself adopts a built form and scale in response to future and desired context on this new area of Jordan Springs, adopting a highly sculptural building form composed with splayed balconies to create visual interest within the immediate context.

Furthermore, the proposal provides facades with rendered walls with vertical score lines / grooves, textures render and compressed fibre cement cladding; deep balconies and the use of various architectural elements such as dynamic curved recesses and sharp angles to give the buildings a distinct form.

Design consideration has also been given to residential amenity including aspects such as privacy and solar access for both future residents of the proposal and those of surrounding properties.

The proposal complies with key planning requirements as discussed further and addressed in this report.

URBAN DESIGN REVIEW PANEL

The development proposal has undergone a series of Urban Design Review Panel meetings with Councils Urban Designer, under UDRP 18/004.01 & 18/004.02. Given the absence of any specific planning 'numerical' controls for the site these design evolutions for the site were considered to be fundamental to ensure a suitable development outcome on the site.

The initial UDRP on 29 May 2019 indicated a number of key concerns with the scheme as it relates to the functionality and layout of the ground floor, the distribution of building mass, the prominence and design of a forecourt space on the corner and other matters relating to circulation and spatial planning.

A comprehensive amendment to the scheme was carried out in response and presented to the UDRP on 31 July 2019 which was broadly supportive of the significant amendments to the scheme- noting there was commentary that the final detail needed to be established and some further commentary around the circulation and functionality of the ground floor plane of the development. These comments and suggestions have been incorporated as far as possible.

A further matter raised with regard to building heights and the shadow impacts to the neighbouring open space under DA18/0587 and this has been carefully modelled by the scheme to ensure suitable solar access to the park is maintained.

Another key matter discussed was the issue of communal open space with recognition given to the proximity to the public open space areas planned for Jordan Springs East. It was identified that quality common open spaces should be provided, but that they would not be required to satisfy ADG numeric (i.e. 25% of site area). In response the revised scheme has adopted a series of common areas at the upper levels of the buildings.

KEY PLANNING CONTROLS

STATUTORY CONTROLS

The relevant Statutory Planning Controls include: -

- State Environmental Planning Policy BASIX;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No.64 – Advertising and Signage;
- State Environmental Planning Policy – (Vegetation in Non-Rural Areas) 2017;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development; and
- Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River; and
- Sydney Regional Environmental Plan No.30 – St Marys.

POLICY CONTROLS

The applicable policy control documents are: -

- Penrith Development Control Plan 2014;
- St Marys Environmental Planning Strategy 2000;
- St Marys Central Precinct – Precinct Plan and Development Control Strategy;
- Childcare Planning Guidelines; and
- Education and Care Service National Regulations 2012.

ASSESSMENT OF PLANNING ISSUES & CONTROLS

The following summarise the relevant planning controls in relation to the proposal and the compliance of each.

STATE ENVIRONMENTAL PLANNING POLICY BASIX

The development application is accompanied by a complying BASIX certificate.

STATE ENVIRONMENTAL PLANNING POLICY NO.55 – REMEDIATION OF LAND

The St Marys Development Site has been the subject of extensive investigations and remediation. Site Audit Statement have been issued for the Central Precinct, enabling redevelopment.

Having regard to the above investigations and more recent series of earthworks on the subject site and the creation of nearby and adjoining roads, it is considered that adequate investigations have occurred and that no further investigations or remediation of the subject site is required.

STATE ENVIRONMENTAL PLANNING POLICY – (VEGETATION IN NON-RURAL AREAS) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) was introduced in August 2017. This SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The development site is within a new residential precinct, noting that the subject land parcel is earmarked for future commercial uses and has been cleared of all vegetation.

Development proposes appropriate landscape embellishment works within a commercial context, noting that the development is to provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care outdoor area. The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level, in accordance with the attached Landscape Plan.

STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE

The development proposal does not include signage at this stage. Signage will be subject to future DAs.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The development site is not located within proximity to a classified road and as a result it is not necessary to consider the provisions of Clause 102 of the SEPP that requires a consent authority to consider the impact of arterial roads on buildings used for residential purposes.

Clause 104 identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as 'traffic generating development'.

The current proposal is identified as traffic generating development by Schedule 3 of the SEPP. Accordingly, the proposal is required to be referred to the RMS for comment.

SEPP 65 DESIGN QUALITY OF APARTMENT DEVELOPMENT AND THE APARTMENT DESIGN GUIDE

A description of compliance with the applicable development controls such as setbacks, building depth, separation, height, etc is provided in the local planning controls discussion and tables below.

The table below provides a detailed discussion against the relevant provisions of the Apartment Design Guide, noting that a number of these provisions are embodied within the Sydney Regional Environmental Plan 30 and supporting documents.

An assessment against the relevant objectives and design guidelines contained in parts 3 and 4 of the Architectural Design Guide can be found below.

Clause 6A of the amended SEPP states that development control plans cannot be inconsistent with the Apartment Design Guide for the following matters set out in parts 3 and 4 of the guide:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation,
- (h) storage.

The SEPP states that if a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which clause 6A applies, those provisions are of no effect.

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
Part 3 Siting the Development			
3A Site Analysis	Appendix 1 of the ADG	Provided	Yes
3B Orientation	Building to define the street, by facing it and incorporating direct access from the street	The development comprises of a large mixed use building consisting of a series of 4 x 4 to 6 storey buildings designed to address the site's frontages.	Yes
	Where an adjoining building does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by >20%	Not applicable.	N/A
	4 hours of solar access should be retained to solar collectors on neighbouring buildings	Not applicable.	N/A
3C Public Domain Interface	Terraces, balconies should have direct street entry, where appropriate	Development proposes a mixed use building with commercial tenancies and residential development on the ground floor, mixed uses on the first floor and residential units above. The proposed commercial tenancies and the ground floor associated with the two storey town house development are to directly address internal driveways and pedestrian pathway with the medium density residential development to provide direct street entry to planned future roads to the site's eastern and southern boundaries.	Yes
	Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided	Mail boxes are appropriately located within the residential mail boxes.	Yes
	Substation, pump room, garbage storage rooms and other service rooms should be located in the basement carpark or out	Substation is to be enclosed and as such will not be visible from the street level, with a roller shutter door to screen the	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	of view	loading area from the public domain. Finally, garbage areas for all proposed land uses are to be located within the basement level.	
3D Communal and Public Open Space	<u>Design Criteria:</u> Communal open space has a minimum area equal to 25% of the site	Site specific controls within the Jordan Springs East Village Stage 2 DCP prescribes a minimum communal open space of 10% of the site area. The proposal provides 272m ² of COS that varies the control. However as discussed in the UDRP the site is immediately adjacent the District Open Space and the Community Park hence there is opportunity for use of those areas and on that basis the extent of common areas is considered acceptable.	Variation
	50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm	Complies.	Yes
	<u>Design Criteria:</u> Minimum dimension of 3m	Proposal ensures that direct, equitable access in line with relevant Australian Standard is provide to communal open space areas with lift cores provide direct access from common circulation areas, entries and lobbies on the ground floor and also from every residential level.	Yes
	Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies	It is noted that a communal room is provided within level 1 associated with Building D and common open space areas are provided within level 5 associated with Building A and Building B.	Yes
	Where communal open space cannot be provided at ground level, it should be provided on a podium or roof	Complies.	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	<p>Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements:</p> <ul style="list-style-type: none"> • seating for individual or groups • barbecue areas • play equipment or play area • swimming pools, gyms, tennis courts or common rooms <p>Communal open space and the public domain should be readily visible from habitable room and private open space areas while maintaining privacy</p> <p>Public open space should be well connected with public street along at least one edge</p>	<p>The residential component of the mixed use building has been designed with the orientation of balconies and windows to maximise passive surveillance to the communal open space areas on the ground floor and to the public domain.</p> <p>Multiple access to the proposal is provided. Refer to attached architectural plans for detail.</p>	<p>Yes</p> <p>Yes</p>
3E Deep Soil Zones	<p><u>Design Criteria:</u></p> <p>A deep soil zone equivalent to 7% of the site must be provided</p>	<p>Not applicable, considering the commercial context of the site, however the development does provide 298m² or 2.3% of the site as deep soil area.</p>	N/A
3F Visual Privacy			
Buildings separation up to 4 storeys (up to 12m)	<p>12m between habitable rooms (6m)</p> <p>6m between non-habitable rooms (3m)</p>	<p>The development will sit on its own island once all future planned road are completed and as such building separation controls does not technically apply to the subject site .</p>	Yes
Building separation between 5-8 storey (up to 25m)	<p>18m between habitable rooms (9m)</p> <p>9m between non-habitable rooms (4.5m)</p>	<p>The development does however provide a minimum building separation of 12m up to 4 stories between the 4 buildings.</p>	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
		Between the 4 th level, the development experiences a minor encroachment to the 18m separation between Block A and B, however balconies associated with Unit A408 do not directly face the opposing units.	
3G Pedestrian Access and Entries	Buildings entries should be clearly identified, and communal entries should be clearly distinguished from private areas	The proposal provides appropriate access to the residential flat building via designated residential lobby areas on the ground floor.	Yes
3H Vehicle Access	Car park access should be integrated with the building's overall façade	Vehicle access point to the basement levels from Road 1 is integrated with the proposal building's overall façade	Yes
	Car park entry and access should be located on secondary streets or lanes where available	Vehicle access to both the at-grade carparking area and the basement level is to be via future planned Road 1.	Yes
	Garbage collection, loading and service areas are screened	Enclosed loading dock will permit the collection of garbage, loading and other requirements internally, with a roller door ensuring that these activities are sufficiently screened from the public domain.	Yes
	Clear sight lines should be provided at pedestrian and vehicle crossing	Clear sight lines are provided at pedestrian and vehicle crossing to ensure safety of pedestrians.	Yes
3J Carparking	<u>Design Criteria:</u> Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of: >20 units <u>Metropolitan Sub-Regional Centres:</u> 0.6 spaces per 1 bed unit 0.9 spaces per 2 bed unit 1.40 spaces per 3 bed unit 1 space per 5 units (visitor parking)	N/A as the site is not within 800m of railway station – therefore proposal designed to comply with Penrith Citywide DCP 2014.	N/A

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
<i>Design Guidelines:</i>			
	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	Appropriate bicycle parking spaces is provided within the basement level	Yes
Part 4 – Designing the Building			
4A Solar Access	<i>Design Criteria:</i>		
	Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter	77% of dwellings (104 units which also includes townhouses) achieve the required 2 hours of solar access at mid-winter	Yes
	A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid-Winter	<15% of units receive no direct sunlight between 9am and 3pm Mid-Winter	Yes
4B Naturally Ventilation	<i>Design Criteria:</i>		
	60% of units are cross ventilated in a building up to 9 storeys	65% of dwellings (88 units which also includes townhouses) achieve cross ventilation.	Yes
	Overall width of cross over or cross through apartments is < 18m	Complies	Yes
	<i>Design Guidelines:</i>		
	The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths	Development has a mix of dual aspect apartments and corner apartments. See attached architectural plans for detail.	Yes
4C Ceiling Height	<i>Design Criteria:</i>		
	3.3m at the ground and first floor 2.7m for habitable and 2.4m for non-habitable	Comply.	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
4D Unit Sizes	<u>Design Criteria:</u>		
1 bed	50m ²	All units comply with many unit exceeding. Where additional bathrooms have been provided, sizes have been increased by at least 5m ² .	Yes
2 bed	70m ²		
3 bed	90m ²		
+5m² for each unit with more than 1 bathroom			
	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10%	Every habitable room is provided with a window.	Yes
Habitable Room Depths	<u>Design Criteria:</u>		
	Limited to 2.5m x Ceiling Heights	Despite the noncompliance with object 4D-2, Figure 4D.3 indicates that an 8.1m depth (3 x ceiling height) is ok for open plan apartments.	Yes
Bedroom sizes			
Master	10m ²	Comply	Yes
Normal	9m ²	Comply	Yes
Living room/dining areas have a minimum width of:			
3.6m	Studio/ 1 br	Comply	Yes
4m	2br / 3br	Comply	Yes
Open plan layouts that include a living, dining room and kitchen	8m to a window	Complies given unit depths and design layouts	Yes
4E Private Open Space	<u>Design Criteria:</u>		
Balcony Sizes			
1 bed	8m ² & 2m depth	Comply	Yes
2 bed	10m ² & 2m depth	Comply	Yes
3 bed	12m ² & 2.4m depth	Comply	Yes
	15m ² & 3m depth	N/A	N/A

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
Ground level / podium apartments		Not applicable – the residential flat building component of the mixed use development does not contain any units on the ground floor.	
4F Common circulation and space	<u>Design Criteria:</u>		
Common circulation units per plate	8 – 12 unit per plate	Complies, noting each Block is serviced by 2 lift core per level per plate, noting a maximum of 9 units per plate.	Yes
Corridors > 12m	Are articulated	N/A	N/A
4G Storage	<u>Design Criteria:</u>		
		The proposal provides:	Yes
	1 bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³	1 bed: >6m ³ 2 bed: >8m ³ 3 bed: >10m ³	
	Minimum 50% of required storage is within the apartment	This is provided within the basement and within the units themselves, and where appropriate a minimum of 50% of storage is to be provided within each individual unit. The proposed development is considered to offer storage space that aligns with the provision of the ADG.	Yes
4H Acoustic Privacy	<u>Design Criteria:</u>		
	Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses	Development has provided adequate separation from neighbouring buildings/properties in-line with 3F Visual Privacy – design criteria above.	Yes
	Windows and door openings are generally orientated away from noise source	Where appropriate windows and door openings are orientated away from noise sources.	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	Noisy areas within buildings including building enters and corridors should be located next to or above each other and quieter areas next to or above quieter areas.	The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy and also take advantage of the lot orientation.	Yes
4K Apartment Mix	<p><u>Design Guidelines:</u></p> <p>A variety of apartment types is provided</p>	<p>A diversity of apartments are proposed, as follows:</p> <ul style="list-style-type: none"> ▪ 14 x 1 bedroom unit ▪ 91 x 2 bedroom unit ▪ 19 x 3 bedroom unit <p>The proposed unit mix will offer a variety of housing choice.</p> <p>The proposal is designed with a mix of units to provide a variety of housing choices that responds to market demand, noting that the bedroom numbers and size of units are varied that will provide for a range of sizes to meet the needs of occupants and also provide different pricing points for the alternative sizes which will contribute to affordability.</p>	Yes
4M Facades	<p><u>Design Guidelines:</u></p> <p>Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale</p>	<p>The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies and framed elements.</p> <p>The development itself adopts a built form and scale in response to future and desired context on this new area of Jordan Springs, adopting a highly sculptural building form composed with splayed balconies to create visual interest within the immediate context. Furthermore, the proposal provides facades with rendered walls with vertical score lines / grooves, textures</p>	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
		<p>render and compressed fibre cement cladding; deep balconies and the use of various architectural elements such as dynamic curved recesses and sharp angles to give the buildings a distinct form.</p> <p>Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern mixed use development within the locality and within the wider local government area.</p>	
4O Landscape design		<p>Appropriate landscaping is provided within a mixed use context, noting that the development is to provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care out door area. The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level.</p> <p>Refer to landscaping plan for detail.</p>	Yes
4Q Universal design	Achieve Liveable Housing Guidelines silver level universal design features	Development provides a total of 27 livable units and 15 adaptable units or a total of 42 units, with 20% of the total apartment achieving silver level universal design features	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
4S Mixed Use	<u>Design Guidelines:</u> Mixed use development positively contribute to the public domain. Design solution may include:	The development proposes to construct a large mixed use development with a mix of commercial and residential land uses on the ground and first floor with 4 x towers, noting that the ground floor commercial uses will activate the streetscape.	Yes
	<ul style="list-style-type: none"> - Development addresses the street - Active frontage are provided - Diverse activities and uses - Avoiding blank walls at the ground level 	The proposal is to be articulated with various opening to avoid blank walls at the ground floor.	
	Residential circulation areas should be clearly defined	The residential entry point is clearly separated from commercial entries.	Yes
	Landscaped communal open spaces should be provided at podium or roof level	Appropriate communal open space area are provided.	Yes
4T Awning and Signage	<u>Design Guidelines:</u> Awnings should be located along street with high pedestrian activity the active frontage	Appropriate awning is to be provide. See attached plans for detail.	Yes
	Signage should be integrated into the building design and response to the scale, proportion and detailing of the development	Signage is to be provided as part of future DAs.	N/A
4Q Energy efficiency		The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
4V Water management and conservation	<u>Design Guidelines:</u> Reduce mains consumption, and reduce the quantity of stormwater runoff	The residential development has been provided with BASIX certificate indicating energy efficiency for each residential unit and townhouse is provided.	Yes
4W Waste Management	<u>Design Guidelines:</u> Supply WMP Allocate storage area	Provided. Appropriate waste storage areas are provided.	Yes Yes
4X Building Maintenance	To ensure long life and ease of maintenance of the development	The proposed material is considered durable which may be easily cleaned.	Yes

SYDNEY REGIONAL ENVIRONMENTAL PLAN- SYDNEY HARBOUR CATCHMENT

The subject site is subject to the broad planning principles contained within the SREP.

The Sydney Harbour Catchment Planning Principles must be considered and achieved, where possible, in the carrying out of development within the catchment.

The relevant principles include:

- Protect and improve hydrological, ecological and geomorphologic processes;
- Consider cumulative impacts of development within the catchment;
- Improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
- Protect and rehabilitate riparian corridors and remnant vegetation.

The proposed development will not detract from the above listed principles given the nature of the development and the environmental safeguards proposed, including the detailed drainage concept and erosion and sediment controls that will be in place throughout the construction phase of the development.

STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

The SEPP Educational Establishments and Child Care Facilities and associated Child Care Planning Guidelines were gazetted on the 1st of September 2017.

The SEPP has been introduced to facilitate the effective delivery of educational establishments and early education and care facilities across the State of NSW.

The table below provides discussions against the relevant provisions of the SEPP- noting consent is sought for the fit-out and use of the child care centre proposal.

SEPP	Comment
3 Aims of Policy The aims of this Policy are as follows: (a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and (b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impacts as exempt development), and, (c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivery and to minimise impacts on surrounding areas, and (d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and (e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and (f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services,	<p>The proposal will result in an addition of valuable child care places within the Jordan Springs East Village.</p>

(g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and

(h) encouraging proponent of new development or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.

5 Interpretation

centre-based child care facility means:
a building or place used for the education and care of children that provides any one or more of the following:
long day care,
occasional child care,
out-of-school-hours care (including vacation care)
preschool care, or
an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW),

The proposed centre-based child care facility is consistent with the definition contained within the SEPP.

but does not include:

- a building or place used for home-based child care or school-based child care, or
an office of a family day care services (within the meanings of the Children (Education and Care Services) National Law (NSW), or

- a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

- a child-minding service that is provided in connection with - a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or

- a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or

- a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

Part 3 Early education and care facilities – specific development controls

23 Centre-based child care facility – matters for consideration by consent authorities

Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the *Child Care Planning Guidelines*, in relation to the proposed development.

The current application is only seeking approval for a child care facility within Level 1 associated with Building A, with future development application will be sought for the fitout and operation of the child care facility. However, the proposed child care facility has been designed in accordance with the Child Care Planning Guidelines.

25 Centre-based child care facility – non-discretionary development standards

The objective of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevents the consent authority from requiring more onerous standards for those matters.

The following are non-discretionary development standards for the purpose of section 79C (2) and (3) of the Act in relation to the carrying out of development for the purpose of a centre-based child care facility:

location

the development may be located at any distance from an existing or proposed early education and care facility,

There are no restrictions relevant to the proposed development.

indoor or outdoor space

for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies – the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies – the development complies with the indoor space requirements or

The centre-based child care facility has been designed to comply with the prescribed unencumbered indoor and outdoor play space under the Education and Care Service National Regulations, with final children placement and detail information regarding the internal fitout and operation of the facility to be provided as per future DAs.

the useable outdoor play space requirements in that clause,

Indoor play space required = 3.25m² for each child

Outdoor place space required = 7m² for each child

site area and site dimensions – the development may be located on a site of any size and have any length of street frontage or any allotment depth,

colour of building materials or shade structures – the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.

26 Centre-based child care facility – development control plans

A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to age, age ratios, grouping, numbers of the like, of children) does not apply to development for the purpose of a centre-based child care facility:

operational or management plans or arrangements (including hours of operation), demonstrated need or demand for child care services,

proximity of facility to other early childhood education and care facilities,

any matter relating to development for the purpose of a centre-based child care facility contained in:

the design principles set out in Part 2 of the *Child Care Planning Guidelines*, or

the matters for consideration set out in Part 2 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).

There are no restrictions relevant to the proposed development.

The DCP requires child care facilities in excess of 40 children to demonstrate that services are to be provided to meet demand of the community.

Clause 26(b) of the Education Establishment and Child Care Facilities SEPP 2017 stipulates that nay provision of a development control plan that needs to demonstrate needs or demand for child care services does not apply to the development for the purpose of a centre-based child care facility.

CHILD CARE PLANNING GUIDELINE

Under the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, the *Child Care Planning Guideline* is to be taken into consideration when undertaking a development for a centre-based child care facility.

The planning guideline also takes precedence over a *Development Control Plan*, with some exceptions, where the two overlap in relation to a child care facility.

The proposal seeks consent for the fit-out and use of the child care facility which has been designed to be consistent with the Child Care Planning Guidelines and will operate 7am to 7pm Monday to Friday.

The table below provides detail on the relevant development standards relevant to the current proposal under the Child Care Planning Guidelines.

Child Care Planning Guideline	Comment
Objectives The planning objectives of this Guidelines are to: - Promote high quality planning and design of child care facilities in accordance with the physical requirements of the National Regulations - Ensure that child care facilities are compatible with the existing streetscape, context and neighbouring land uses - Minimise any adverse impacts of development on adjoining properties and the neighbourhood, including the natural and built environment	The development results in a high quality centre-based child care facility designed to comply with the requirements of the National Regulations. The child care facility is to be located within a new mixed use building that is to function as the smaller secondary commercial centre for the new Jordan Springs East residential estate. The child care facility is to be located within a large land parcel earmarked to be the secondary commercial centre within the emerging estate, with the mixed use development designed to minimise adverse impacts to surrounding properties in terms of privacy, acoustic and overshadowing.
Part 3 Matters for consideration	
3.1 Site selection and location	
C1 – For proposed development in or adjacent to a residential zone, consider; - The acoustic and privacy impacts of the proposed development on the residential properties	At present the development is only seeking consent for a child care facility within a part of the first floor associated with Block A with fitout works and occupation to be subject to future DAs, however the design scheme associated with the child care facility has been designed to minimise potential acoustic and privacy impacts. Refer to attached Acoustic Report for detail.

<p>- The setback and siting of buildings within the residential context</p> <p>- Traffic and parking impacts of the proposal on residential amenity</p>	<p>N/A as the development is to be located within a large mixed use building earmarked as a new commercial and residential focal point of an emerging new residential estate, however it is noted that Block A has been designed to be compliant with the relevant setback requirements.</p> <p>Parking is provided within a basement level and at-grade. Refer to attached Traffic and Parking Impact Assessment for detail.</p>
<p>C2 – When selecting a site, ensure that;</p> <p>- The location and surrounding uses are compatible with the proposed development or use</p> <p>- The site is environmentally safe including risk such as flooding, land slip, bushfires, coastal hazards</p> <p>- There are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous material remediation is needed</p> <p>- The characteristics of the site are suitable for the scale and type of development proposed having regards to</p> <ul style="list-style-type: none"> • size of street frontage, lot configuration, dimensions and overall size • Number of shared boundaries with residential properties will have no adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas <p>- There are suitable drop off and pick up areas, and off and on street parking</p> <p>- The type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use</p>	<p>Centre-based child care facilities are a permissible and compatible land use within the urban zone under SREP 30 – St Marys.</p> <p>Site is not identified as being affected by flooding, land slop, coastal hazards and other environmental hazards. The site is identified as being bushfire prone, noting appropriate bushfire assessment was carried out as part of the broader subdivision assessment that confirms there is no bushfire threat to the site.</p> <p>Potential contamination has been addressed via previous DAs.</p> <p>The first floor associated with Block A is of sufficient size to accommodate the proposed child care facility (1,080m²).</p> <p>The development site is not located within a sensitive environmental or cultural area and will not result in adverse environmental impacts on surrounding areas.</p> <p>Development provides car parking spaces in accordance with the DCP, noting appropriate drop off and pick up areas are provided within the basement level and at-grade.</p> <p>The subject site does not front a classified or arterial road, noting planned future roads are considered appropriate and safe for the proposed use.</p>

<ul style="list-style-type: none"> - Not located closely to incompatible social activities and uses such as restricted premises, injection rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises 	<p>Subject site not located closely to incompatible social activities and uses.</p>
<p>C3 – A child care facility should be located;</p> <ul style="list-style-type: none"> - Near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship - Near or within employment areas, town centres, business centres, shops - With access to public transport including rail, buses, ferries - In areas with pedestrian connectivity to the local community, businesses, shops, services and the like 	<p>Located within a proposed large mixed use building, the development site is located opposite land parcel earmarked as future parks/sportsground.</p> <p>Proposed child care facility is to be located within a new mixed use development within an emerging residential estate.</p>
<p>C4 – A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from proximity to;</p> <ul style="list-style-type: none"> - Heavy or hazardous industry, waste transfer depots or landfill sites LPG tanks or service stations - Water cooling and water warming systems - Odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses - Extractive industries, intensive agriculture, agricultural spraying activities - Any other identified environmental hazard or risk relevant to the site and/or existing buildings within the site 	<p>The subject site is not located within proximity to any identified environmental hazard.</p> <p>Potential contamination has been addressed via previous DAs.</p>

3.2 Local character, streetscape and the public domain interface

C5 – The proposed development should;

- Contribute to the local area by being designed in character with the locality and existing streetscape
- Reflect the predominant form of surrounding land uses, particularly in low density residential areas
- Recognise predominant streetscape qualities, such as building form, scale, materials and colours
- Include design and architectural treatments that responds to and integrate with the existing streetscape
- Use landscaping to positively contribute to the streetscape and neighbouring amenity
- Integrate car parking into the building and site landscaping design in residential areas

Residing within a large mixed use building earmarked as the new focal point within Jordan Springs, the proposed child care facility is to be located within a portion of the first floor associated with Block A.

Appropriate landscaping within a mixed use development context is to be provided, noting that the development is to provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care out door area. The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level.

C6 – Create a threshold with a clear transition between public and private realms, including;

- Fencing to ensure safety for children entering and leaving the facility
- Windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community
- Integrating existing and proposed landscaping with fencing

Appropriate entry points to the mixed use building including access to the first floor child care facility is to be provided.

The overall development incorporates active facades that will permit casual surveillance to its frontages whilst ground floor commercial tenancies will activate the street level.

Development is to provide appropriate landscape works within a mixed use development context.

C7 – On sites with multiple buildings and /or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitor and children by changes in materials, plant species and colours

The primary entry point is the child care facility component of the mixed use development is via a lift cores A 1 & A2 at the ground floor associated with Building A.

C9 – Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions;

- Clearly defined street access, pedestrian paths and building entries

The subject site adjoins a public park, open space or bushland; however the development continues to provide clearly defined street access, pedestrian paths and building entries. Refer to attached plans for detail.

<ul style="list-style-type: none"> - Low fences and planting which delineate communal/private open space from adjoining public open space 	<p>Designed to comply.</p>
<ul style="list-style-type: none"> - Minimal use of blank walls and high fences 	<p>The mixed use building incorporates architectural features and articulation to provide an attractive bulk form that adequately addresses its frontage whilst also being designed to minimise blank walls and high fences.</p>
<p>C9 – Front fences and walls within the front setback should be constructed of visually permeable materials and treatments.</p>	<p>No front fences proposed.</p>
<p>Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.</p>	<p>The site is not identified as a heritage item or is it located within a heritage conservation area, nor are there any local heritage item located near the subject site.</p> <p>Potential heritage has been addressed via previous DAs.</p>
<p>C10 – High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.</p>	<p>Outdoor play areas will be provided with appropriate fencing.</p>
<p>3.3 Building orientation, envelope and design</p>	
<p>C11 – Orient a development on a site and design the building layout to;</p> <ul style="list-style-type: none"> - Ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by; <ul style="list-style-type: none"> - Facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties - Placing play equipment away from common boundaries within residential properties - Locating outdoor play areas away from residential dwellings and other sensitive uses 	<p>The proposed child care facility, which is to be located within the first floor associated with Building A has been designed to minimise privacy and noise impacts to neighbouring properties, noting its commercial context and separation from residential land uses.</p> <p>Where possible play equipment are located away from common boundaries, noting Operational Management Plan which is to manage outdoor play times and the number of children assessing outdoor at the one time will contribute towards minimise acoustic impacts.</p>
<ul style="list-style-type: none"> - Optimise solar access to internal and external play areas 	<p>The centre-based child care facility has been designed to maximum solar access to the external play area.</p>
<ul style="list-style-type: none"> - Avoid overshadowing of adjoining residential properties 	<p>The subject site resides within its own island, bounded by road network to all boundaries, noting the overall development will not overshadow surrounding residential properties.</p>

<ul style="list-style-type: none"> - Ensure buildings along the street frontage define the street by facing it - Ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climate conditions 	<p>Proposed mixed use building designed to address its frontages.</p> <p>Outdoor play area designed to protect children from wind and other climate conditions.</p>
<p>C12 – The following matters may be considered to minimise the impacts of the proposal on local character;</p> <ul style="list-style-type: none"> - Building height should be consistent with other buildings in the locality - Building height should respond to the scale and character of the street - Setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility - Setbacks should provide adequate access for building maintenance - Setbacks to the street should be consistent with the existing character 	<p>Development proposes a large mixed use building comprising of commercial and residential land use on the ground floor and a mix of commercial and residential uses within the first floor with residential units above, noting that the proposed child care facility is to be located within the first floor associated with Block A.</p> <p>The overall development has been designed to comply with key height and setback provisions.</p>
<p>C13 – Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres.</p>	<p>The site does not front a classified road, noting that the overall development has been designed to comply with relevant setback under the Penrith DCP.</p>
<p>C14 – On land in a residential zone, side and rear boundary setbacks should observe the prevailing setback required for a dwelling house</p>	<p>Not applicable, development proposes to undertake the development of a large mixed use development.</p>
<p>C15 – The built form of the development should contribute to the character of the local area, including how it;</p> <ul style="list-style-type: none"> - Respect and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage - Contributes to the identity of the place retains and reinforces existing built form and vegetation where significant - Considers heritage within the local neighbourhood including identified heritage items and conservation areas 	<p>The purpose mixed use development comprises of commercial land uses and townhouses on the ground floor with four towers above, noting that the proposed child care facility is to be located within the first floor associated with Block A.</p> <p>Subject site is not listed as a heritage item or is it within a conservation area, nor are there any heritage items within close proximity to the development site.</p>

- Retains and responds to its natural environment including local landscape setting and climate contributes to the identify of place
- Considers heritage within the local neighbourhood including identified heritage items and conservation areas

C16 – Entry to the facility should be limited to one secure point which is;

- Located to allow ease of access, particularly for pedestrians
- Directly accessible from the street where possible
- Directly visible from the street frontage easily monitored through natural or camera surveillance
- Not accessible through an outdoor play area

Appropriate access to the child care facility via lobby provided from the ground floor associated with Building A.

C17 – Accessible design can be achieved by;

- Providing accessibility to and within the building in accordance with all relevant legislation
- Linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry

Development has been designed to be accessible to and within the mix-use building in accordance with all relevant legislation. Furthermore, lift core provides access to all levels.

- Providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath.

Development provides appropriate continuous path of travel to and within the building, including access between the street entry and main building entrance

3.4 Landscaping

C18 – Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space.

Use the existing landscape where feasible to provide a high quality landscaped area by:

- reflecting and reinforcing the local context
- incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping

Development provides appropriate landscape works within a mixed use development context, noting that the development is to provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care out door area. The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level

Refer to attached Landscaping Plan for detail.

C19 – Appropriate car parking into the landscape design of the site by

- Planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings
- Taking into account streetscape, local character and context when siting car parking areas within the front setback
- Using low level landscaping to soften and screen parking areas

Development provides appropriate landscape works within a mixed use development context. Refer to attached Landscaping Plan for detail.

3.5 Visual and acoustic privacy

C20 – Open balconies in mixed use development should not overlook facilities nor overhang outdoor play spaces.

Balconies associated with the residential component of the development designed to minimise overlooking outdoor play spaces.

C21 – Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through;

- Appropriate site and building layout suitable locating pathways, windows and doors

Development has been designed to minimise direct overlooking of indoor rooms and outdoor play spaces from public area via appropriate site and building layout, noting the facility is to be enclosed and not visible from the street level.

- Permanent screening and landscape design

C22 – Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through;

- Appropriate site and building layout suitable locating pathways, windows and doors

Complies, the centre-based child care facility is designed to minimise direct overlooking of adjoining developments.

- Permanent screening and landscape design

C23 – A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:

Refer to attached Acoustic Report for detail.

- Provide an acoustic fence along any boundary where the adjoining property contains a residential use (An acoustic fence is one that is a solid, gap free fence)
- Ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure

3.6 Noise and air pollution

Child care facilities located near major roads, rail lines, and beneath flight paths are likely to be subject to noise impacts. Other noisy environments such as industrial areas and substations may impact on the amenity and well-being of the children and staff. The location of child care facilities should be selected to avoid or minimise the potential impact of external sources of significant noise.

C25 – Adopt design solution to minimise the impacts of noise, such as;

- Creating physical separation between buildings and the noise source
- Orienting the facility perpendicular to the noise source and where possible buffered by other uses
- Using landscaping to reduce the perception of noise
- Limiting the number and size of opening facing noise sources
- Using double or acoustic glazing, acoustic louvers or enclosed balconies (wintergardens)
- Using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits
- Locating cot rooms, sleeping areas and play areas away from external noise sources

The subject site is not located near major roads, rail lines, beneath flight paths or other noisy environments. It is noted that appropriate design/ measures have been undertaken to minimise acoustic impacts to neighbouring properties.

Refer to attached Acoustic Report for detail.

C26 – An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations;

- On industrial zoned land where an ANEF contours is between 20 and 25, consistent with AS 2021 - 2000
 - Along a railway or mass transit corridor, as defined by *State Environmental Planning Policy (Infrastructure) 2007*
 - On a major or busy road
- other land that is impacted by substantial external noise

The subject site is not located on industrial land, where an ANEF contours is between 20 and 25, along a railway or mass transit corridor, on a major or busy road or other land that is impacted by substantial external noise. It is noted that appropriate design measures have been undertaken to minimise acoustic impacts to neighbouring properties.

Refer to attached Acoustic Report for detail that confirms the impact to surrounding receivers including nearby units that confirms the extent of mitigation required to the units in proximity to the premises and the units will meet the required internal noise criteria.

C27 – Locate child care facilities on sites which avoid or minimise the potential impact of external source of air pollution such as major roads and industrial development.

Complies.

C28 – A suitable qualified air quality professional should prepare an air quality assessment report to demonstrate that the proposed child care facilities close to major roads or industrial development can meet air quality standards in accordance with relevant legislation and guidelines.	The subject site is not located near a major road or industrial development. Not applicable.
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3.7 Hours of operation

C29 – Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays.	The hours of operation are 7am to 7pm which meets the CCPG.
C30 – Within mixed use areas or predominantly commercial areas, the hours of operation of each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	Noted.

3.8 Traffic, parking and pedestrian circulation

<p>C31 – Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.</p> <p>Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rate: Within 400m of a metropolitan train station:</p> <p>1 space per 10 children 1 space per 2 staff. Staff parking may be stacked or tandem parking with no more than 2 spaces in each tandem space.</p> <p>In other areas: 1 space per 4 children</p>	<p>The development has regard with the relevant car parking requirements.</p>
C32 – In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicular movement or potential conflicts with truck and large vehicles.	Noted.
<p>C33 – A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised and demonstrate that;</p> <ul style="list-style-type: none"> - The amenity of the surrounding area will not be affected - There will be no impacts on the safe operation of the surrounding road network 	<p>A Traffic and Parking Impact Assessment has been prepared.</p> <p>Refer to the Traffic and Parking Impact Assessment for detail.</p>

<p>C34 – Alternate vehicular access should be provided where child care facilities are on site fronting;</p> <ul style="list-style-type: none"> - A classified road - Roads which carry freight traffic or transport dangerous goods or hazardous materials <p>The alternate access must have regard to the prevailing traffic conditions pedestrian and vehicle safety including bicycle movements the likely impact of the development on traffic</p>	<p>No applicable as the site does not front a classified road or a road which carries freight traffic or transport dangerous goods or hazardous materials.</p>
<p>C35 – Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the sider locality in times of emergency.</p>	<p>Development site is not within a cul-de-sac or narrow lanes or road. Not applicable.</p>
<p>C36 – The following design solutions may be incorporated into a development to help provide a safe pedestrian environment;</p> <ul style="list-style-type: none"> - Separate pedestrian access from the car park to the facility - Defined pedestrian crossings including within large car parking areas - Separate pedestrian and vehicle entries from the street for parents, children and visitors - Pedestrian paths that enable two prams to pass each other - Delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities - Vehicles can enter and leave the site in a forward direction 	<p>Development provide separate pedestrian access from the car park to the mixed use building.</p> <p>Vehicles can enter and exit the site in a forward direction.</p>
<p>C38 – Car parking design should;</p> <ul style="list-style-type: none"> - Include a child safe fence to separate car parking areas from the building entrance to play areas - Provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards include wheelchair and pram accessible parking 	<p>Car parking area is sufficiently separated from the building entrance and outdoor play area.</p> <p>Accessible car parking spaces designed in accordance with Australian Standard is clearly marked and situated near the lift core.</p>

4. Applying the National Regulations to development proposals

4.1 Indoor space requirements

Regulation 107

Education and Care Services National Regulations

Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space.

The proposal designed to provide unencumbered indoor play space in accordance with the national regulations.

Design Guidance

Verandas as indoor space

For a veranda to be included as unencumbered indoor space, any opening must be able to be fully closed during inclement weather. It can only be counted once and therefore cannot be counted as outdoor space as well as indoor space.

No veranda is to be included as unencumbered indoor space. Not applicable.

Design Guidance

Storage

It is recommended that a child care facility provide;

- A minimum of 0.3m³ per child of external storage space

Designed to comply with storage areas nominated on the plans.

- A minimum of 0.2m³ per child of internal storage space

4.2 Laundry and hygiene facilities

Regulation 106

Education and Care Services National Regulations

There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering.

On site laundry facilities will be provided

Laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.

Child care facilities must also comply with the requirements for laundry facilities that are contained in the *National Construction Code*.

4.3 Toilet and hygiene facilities

Regulation 109

Education and Care Services National Regulations

Adequate, developmentally and age-appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.

Toilet facilities for both the children and staff are to be provided to each of the rooms.

Child care facilities must comply with the requirements for sanitary facilities that are contained in the *National Construction Code*.

Sanitary facilities designed to comply with relevant requirements under the National Construction Code.

4.4 Ventilation and natural light

Regulation 110

Education and Care Services National Regulations

Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.

The proposed facility has been designed to achieve cross ventilation, receive and have adequate natural light and be temperature controlled to avoid extremes in temperature.

Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the *National Construction Code*. Ceiling height requirements may be affected by the capacity of the facility.

Light and ventilation and minimum ceiling heights designed to comply with relevant requirements under the National Construction Code.

Design Guidance

Natural light

When designing child care facilities consideration should be given to;

- Providing windows facing different orientations
- Using skylights as appropriate ceiling heights

Development provides windows facing different orientation with the proposed ceiling heights are proportional to the room size to ensure natural lighting is available to activity spaces.

4.5 Administrative space

Regulation 111

Education and Care Services National Regulations

Services must provide adequate area or areas for the purpose of conducting the administrative functions of the services, consulting with parents of children and conducting private consultations.

Adequate space for administrative tasks being conducted on site are proposed within the office, staff and meeting rooms.

4.6 Nappy change facilities

Regulation 112

Education and Care Services National Regulations

Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing.

Nappy change facilities are provided for the facility for kids aged between 0-2.

All nappy changing facilities should be designed and located in an area that prevents unsupervised access to children.

Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the *National Construction Code*.

Nappy changing, and bathing facilities designed to comply with relevant requirements under the National Construction Code.

Design Guidance

In circumstances where nappy change facilities must be provided, design considerations could include;

- Properly constructed nappy changing bench or benches
- A bench type baby bath within one metre form the nappy change bench
- The provision of hand cleansing facilities for adults in the immediate vicinity of the nappy change area
- A space to store steps positioning to enable supervision of the activity and play areas

Designed to comply.

4.7 Premises designed to facilitate supervision

Regulation 115

Education and Care Services National Regulations

Centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regards to the needs to maintain their right and dignity.

The proposed layout ensure that hidden corners are avoided and that supervision views are maximised throughout the development, with full details to be provided with future DAs.

Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the *National Construction Code*.

Comply.

4.8 Emergency and evacuation procedures

Regulations 97 and 168

Education and Care Services National Regulations

Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation.

Regulation 97 sets out the detail for what those procedures must cover including;

- Instructions for what must be done in the event of an emergency
- An emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit
- A risk assessment to identify potential emergencies that are relevant to the service

The proposed child care facility has been designed and incorporate features that provide for the safe and managed evacuation of children and staff from the facility in the event of a fire or other emergency.

An Emergency and Evacuation Plan will be prepared as part of future DAs.

4.9 Outdoor space requirements

Regulations 108

Education and Care Services National Regulations

Every child being educated and cared for within a facility must have a minimum of 7.0m² of unencumbered outdoor space.

The proposal designed to provide unencumbered outdoor play space in accordance with the national regulations.

The play space has been calculated in accordance with the unencumbered guidelines of this Guideline. Exploration and learning within the outdoor play area will be maximised with the use of facilities such as the outdoor play equipment. A total of 1142m² is provided that equates to sufficient space for 163 children.

A veranda that is included within indoor space cannot be included when calculating outdoor space and vice versa.

Not applicable.

Design Guidance

Calculating unencumbered space for outdoor areas should not include areas of dense hedges or planting along boundaries which are designed for landscaping purpose and not for children's play.

Complies, no areas of dense hedges or planting along boundaries are used to calculate unencumbered space for outdoor areas.

4.10 Natural environment

Regulations 113

Education and Care Services National Regulations

The approved provider of a centre-based service must ensure that the outdoor space allow children to explore and experience the natural environment

Exploration and learning within the outdoor play area will be maximised with the use of facilities such as the outdoor play equipment.

Design Guidance

Shrubs and trees selected for the play space must be safe for children. Avoid plant species that risk the health, safety and welfare of the facility's occupants, such as those which;

- Are known to be poisonous, produce toxins or have toxic leave or berries
- Have seed pods or stone fruit, attract bees, have thrones, spikes or prickly foliage or drop branches

The outdoor space should be designed to;

- Provide a variety of experience that facilitate the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment
- Assist supervision and minimise opportunities for bullying and antisocial behaviour
- Enhance outdoor learning, socialisation and recreation by positioning outdoor urban furniture and play equipment in configurations that facilitates interaction.
- Sand pits and water play areas
- Furniture made of logs and stepped logs
- Dense indoor planting and green vegetated walls
- Climbing frames, walking and/or bike tracks
- Vegetable gardens and gardening tubs.

Noted, refer to attached landscape plan for detail.

The outdoor space has been designed to provide a variety of experience that facilitate the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment.

4.11 Shade

Regulations 114

Education and Care Services National Regulations

The approved provider of a centre-based service must ensure that the outdoor space includes adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.

Appropriate natural and built shade structures are incorporated into the design of the child care facility that will contribute towards protecting children from overexposure to ultraviolet radiation from the sun.

Regulations 104

Education and Care Services National Regulations

Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.

Development proposes appropriate fencing, with full details to be provided as part of future DAs.

This regulation does not apply to a centre-based service that primarily provides education and care to children over preschool age, including a family day care venue where all children are over preschool age.

Designed to comply.

Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the *National Construction Code*.

4.13 Soil assessment

Regulations 25

Education and Care Services National Regulations Has been addressed as per previous DAs.

Subclause(d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purpose as part of an application for serviced approval.

SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 20 – HAWKESBURY NEPEAN RIVER

The development proposal incorporates a drainage concept that demonstrates that stormwater can be adequately conveyed to the existing street network

Appropriate erosion and sediment controls can be implemented throughout construction and it is anticipated that conditions of consent will reinforce this.

It is noted that the proposal meets the recently adopted WSUB measures required to achieve appropriate water quality for stormwater discharge.

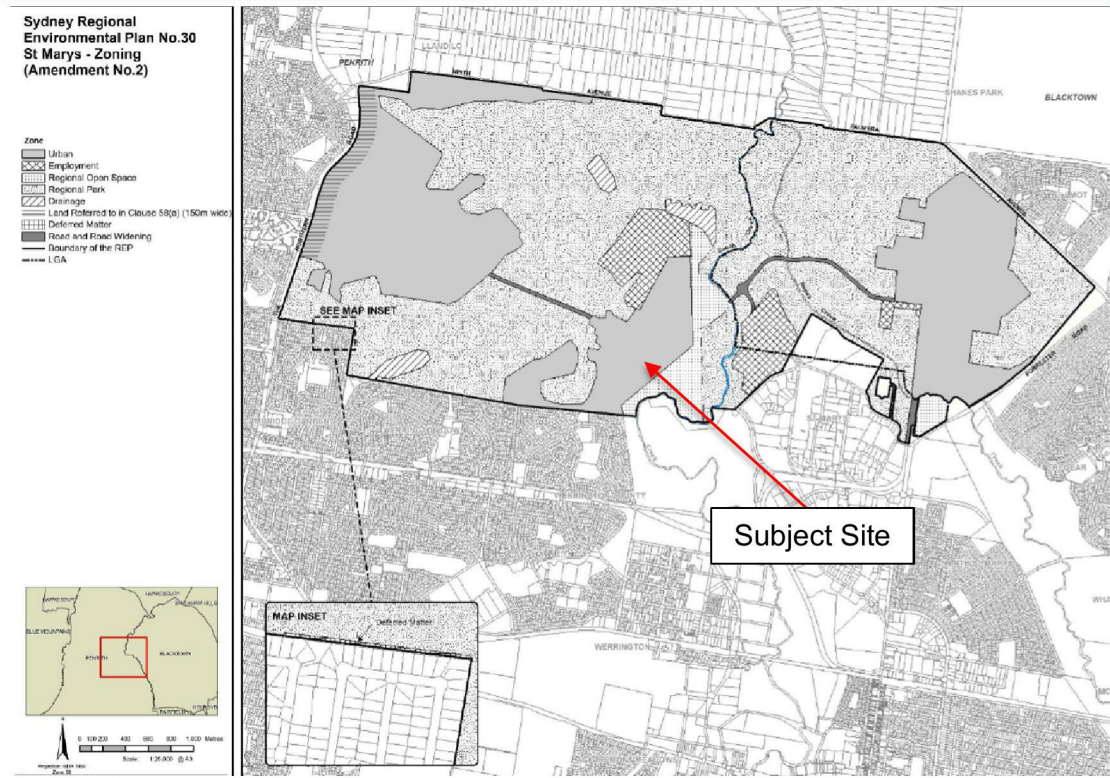
SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 30 – ST MARYS

Sydney Regional Environmental Plan 30 zones the subject site “urban”, as illustrated via zoning map extract provided overleaf.

The following uses are permissible with the consent of Council on land zoned “urban” (emphasis added) –

*advertisements, amusement centres, backpackers’ hostels, bed and breakfast establishments, boarding houses, bush fire hazard reduction, **centre-based child care facilities**, clubs, community facilities, drains, educational establishments, essential community services, exhibition homes, exhibition villages, family day-care, fast food take-away restaurants, flood mitigation works, general stores, guesthouses, home activities, home businesses, hospitals, hotels, **housing**, **local retail or commercial premises**, **medical centres**, motels, nursing homes, parks, places of assembly, places of worship, professional consulting rooms, public buildings, recreation establishments, **recreation facilities**, regeneration activities, **restaurants**, retail plant nurseries, roads, service stations, shops.*

Figure 6: Zoning Map Extract (Source: Sydney REP No.30 – St Marys)



'Centre-Based Child Care Facilities', 'Housing', 'Local Retail or Commercial Premises', 'Medical Centres', 'Recreation Facilities' and 'Restaurants' are permissible with consent within the subject site and the proposal is consistent with the definition contained within the REP No 30 – St Marys:

centre-based child care facilities means:

- (a) *a building or place used for the education and care of children that provides any one or more of the following:*
 - (i) *long day care,*
 - (ii) *occasional child care,*
 - (iii) *Out-of-school-hours care (including vacation care),*
 - (iv) *Preschool care, or*
- (b) *an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW),*

but does not include

- (c) a building or place used for home-based child care or school-based child care, or

- (d) *an office of a family day care services (within the meaning of the Children (Education and Care Services) National Law (NSW), or*
- (e) *a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or*
- (f) *a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or*
- (g) *a service that is concerned primarily with providing lesson or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or*
- (h) *a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.*

housing mean development of a nature intended to create one or more dwellings, including dwelling houses, dual occupancies, multi-unit housing, housing for older people or people with disabilities, or any combination of these.

local retail or commercial premises mean retail or commercial buildings of a scale and nature appropriate to service the needs of people living or working on the land to which this plan applies, and may include but is not limited to things such as supermarkets, newsagencies, butchers', fruit and vegetable or hairdressers' shops, real estate agents' premises, and banks.

medical centre mean a building or place used for the purpose of providing professional health services (including preventative care diagnosis, medical or surgical treatment and counselling) to out-patients only.

recreational facility mean a building or place used for sporting, recreational or leisure activities, an information or visitor centre or a shop selling take-away food or tourist related items, whether or not operated for the purpose of gain, and may consist of or include:

- (a) *a swimming pool, golf course, tennis court, bowling green or playing field, and*
- (b) *a paint ball park or gun club, and*
- (c) *a go-kart track, skating rink, skateboard and rollerblade ramp or mini-golf course, and*
- (d) *a bowling alley, pinball a video parlour or pool hall*

restaurant mean a building or place (such as a café, tearoom or the like) the purpose of which is to provide food and drink to people for consumption only in that building or place, but does not include a building or place specifically defined elsewhere in this Schedule

A review of SREP 30 has been undertaken in the preparation of the application and the various elements of the SREP that have been reviewed are noted below, clarifying that the proposed development is consistent with the SREP.

It is noted that a thorough review of the SREP has been undertaken to address the issues identified under the SREP of relevance to this proposal.

Sydney Regional Environmental Plan No 30 – St Marys – Compliance Table			
Clause	Control	Specific Controls	Discussion
Part 1 Introduction			
3	Aims of this Plan	<p>The aim of this plan are to support the St Marys Environmental Planning Strategy, 2000 of the Department of Urban Affairs and Planning by providing a framework for the sustainable development and management of the land to which this plan applies, and</p> <p>(b) rezone certain land for urban and employment-generating development, and</p> <p>(c) rezone land for conservation purpose and conserve the significant heritage values of the land to which this plan applies, and</p> <p>(d) ensure that urban development on the land achieves desirable environmental, social and economic outcomes, and</p> <p>(e) provide opportunities for recreation facilities that meet the needs of the regional and local community, and</p> <p>(f) ensure that development of the land to which this plan applies is integrated with established surrounding areas</p>	The development site has been earmarked to accommodate future commercial and housing opportunities for the emerging community of Jordan Springs East.
6	Development Structure	The general pattern of development proposed for the land to which this plan applies is shown on the Structural Plan	The proposal aligns with the Structure Plan.

Part 3 Precinct Plans

8-18	<i>Precinct Plans Requirements for Precinct Plan.</i>	<p>The Central Precinct Plan has been prepared for the site. Proposal is consistent with the provision of the SREP as well as the DCS.</p> <p>The Precinct Plan has been taken into account and is addressed further in this SEE.</p>
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Part 4 Development Applications

19	<i>Consent Authority Penrith Council or Blacktown Council</i>	The subject site is located within the Penrith LGA and as such Penrith City Council is the consent authority.
20	<p><i>Development Consent Restrictions</i></p> <p><i>(1) Development consent must not be granted with respect to any development on land to which this plan applies unless the consent authority:</i></p> <p><i>(a) is satisfied that the proposed development will not be inconsistent with achievement of the performance objectives, and the zone objectives and other requirements prescribed by this plan,</i></p> <p><i>And</i></p> <p><i>(b) has considered the development control strategies contained in the environmental planning strategy, in so far as they relate to the proposed development.</i></p> <p><i>(2) Consent must not be granted for development within a precinct unless:</i></p> <p><i>(a) there is a precinct plan for the precinct and the consent authority has taken that precinct plan into account, and</i></p> <p><i>(b) the consent authority has taken into account whether the proposed development is consistent with the terms of any relevant development agreement.</i></p> <p><i>(3) However, consent may be granted for the following development, whether or not the land concerned is within a release area declared under Part 2 or there is a precinct plan relating to the land:</i></p>	<p>The development is consistent with the performance objectives, zone objectives and other requirements contained within the REP.</p> <p>The development has been designed to align with the information within the DCS and EPS.</p> <p>The Precinct Plan is in force and the proposal aligns with the ongoing evolution of the Precinct Plan.</p> <p>The development aligns with the ongoing evolution of the precinct.</p>

(a) on or within respect to land identified by the words “educational establishment” on the Structural Plan – development for the purpose of an educational establishment, including a subdivision to create a separate allotment for the educational establishment, and development for the purpose of related servicing infrastructure, such as roads, drainage and sewerage works, or
(b) on or with respect to any land – development that, in the opinion of the consent authority, is of a minor nature.

(4) Consent may also be granted for carrying out development for the purpose of any servicing infrastructure, such as roads, drainage and sewerage works, required to enable development of land in any precinct for which there is a precinct plan, whether or not the land concerned is within a release area declared under Part 2.

Part 5 Performance Objectives

21	Required outcomes for any Development	The performance objectives set out in this Part describe the desired environmental, social and economic outcomes for development on the land.	Noted.
22	Ecologically Sustainable Development	Development on the land to which this plan applies is to be planned and carried out so that it supports the goal of ecologically sustainable development within the region declared under the Act and known as the Sydney Region.	The development proposal is designed to align with ESD principles in that the proposal aligns with the Structural Plan and DCS.
23	Air Quality	<p>(1) Adverse impact on the air quality of the Blacktown City and Penrith City local government areas is to be minimised through the implementation of appropriate measures as part of any development.</p> <p>(2) Development on the land to which this plan applies should contribute to improved regional air quality by containing growth in vehicle kilometres travelled, by achieving higher than normal public transport use, encouraging</p>	This is more of a matter for the broader Precinct Planning.

walking and cycling, and promoting energy-efficient businesses and homes.

24	Conservation	(1) A representative and significant proportion of the natural values of the land are to be conserved within a regional park in order to protect the variety of Western Sydney vegetation.	Consideration of the flora and fauna impacts have been undertaken at Pre-consultation Planning Stage and subsequent DA's for subdivision and earthworks.
			The site is predominantly cleared to facilitate future urban development.
		(2) Urban design and site planning in the Employment and Urban zones are to have regard to significant stands of tree and, where practicable, retain those trees.	The development doesn't have any discernible effect on natural habitats, noting it has been cleared of all vegetation to facilitate future urban development as per the structural plan.
		(3) Adverse impacts on the vegetation and fauna habitats within the Regional Park and Regional Open Space zones resulting from the development of areas zoned Employment or Urban area to be minimised.	Not applicable to the current proposal.
		(4) Infrastructure is to be designed and located to minimise potential adverse impacts on the conservation values of the land.	Not applicable to the current proposal.
		(5) Infrastructure and recreational facilities within the regional park are to be sited and constructed to minimise adverse impact on the park's natural values.	
25	Heritage	(1) Regard for, and education and understanding of, the identified items of environmental heritage on the land to which this plan applies are to be promoted.	The issue of Aboriginal Archaeological Heritage has been resolved as part of previous development applications on the site and the site itself is now disturbed by virtue of the bulk and earthworks.
		(2) Development is not to adversely affect the heritage significance of items of environmental heritage and their settings.	
		(3) The Aboriginal community is to be given the opportunity to comment regarding any potential impacts of	

development on, and proposal for mechanisms for the management of, items of Aboriginal heritage significance.

26	Community Services	<p><i>(1) Development of the land to which this plan applies is to integrate community services with land use planning.</i></p> <p><i>(2) The full range of human services and community facilities infrastructure appropriate to the changing needs of the community is to be provided in a timely manner, including the provision of basic or core services and facilities in the early stages of the development of each precinct.</i></p> <p><i>(3) The amenity of the Blacktown City and Penrith City local government areas is to be promoted through the provision of on-site services and facilities, and through complementing or augmenting existing service networks.</i></p> <p><i>(4) Equitable access to services and facilities is to be promoted for all groups and individuals in the community .</i></p> <p><i>(5) Community participation is to be encouraged in the identification of community services and facility needs.</i></p>	Not relevant to the current proposal.
27	Open Space and Recreation	<p><i>(1) A range of open space and recreation areas and facilities for passive and active recreation is to be provided, including local playgrounds and neighboring parks.</i></p> <p><i>(2) The accessibility and utility of open space areas are to be maximise dot allow use by the community.</i></p> <p><i>(3) Recreational activities and facilities within each precinct are to be located and designed to maximise conservation of the cultural and natural environmental values of buildings, works and places within the precinct.</i></p>	Not relevant to the current proposal.

28	Watercycle	<p>(1) During and following construction, impacts upon water quality are to be minimised, through the utilization of effective erosion and sediment control measures in accordance with industry standards.</p> <p>(2) The use of the land to which this plan applies is to incorporate stormwater management measures that ensure there is no net adverse impact upon the water quality (nutrients and suspended solids) in South Creek and Hawkesbury-Nepean catchments.</p> <p>(3) Water usage on the importation of portable water on the land to which this plan applies are to be minimised.</p> <p>(4) Development is to be designed and carried out as to ensure that there is no significant increase in the water table level and that adverse salinity impacts will not result.</p> <p>(5) There is to be only minimal impact upon flood levels upstream or downstream of the land to which this plan applies as a consequence of its development</p> <p>(6) Drainage lines are to be constructed and vegetated so that they approximately as natural a state as possible.</p> <p>Where it is necessary to modify existing drainage lines to accommodate increased stormwater runoff from urban areas, this should be done in a manner which maximise the conservation of indigenous flora in and around the drainage lines.</p> <p>(7) Development is to be carried out in a manner that minimise flood risk to both people and property.</p> <p>(8) Changes in local flow regimes due to development are to be minimised for rainfall events up to the 50% EP rainfall event.</p> <p>(9) Gross pollutant are to be collected at, or as close as possible to, their source or</p>	<p>The proposal provides for OSD and is consistent with the stormwater management system that integrates with the remainder of the release area.</p> <p>During construction erosion and sediment control measures will be provided to ensure downstream impacts are minimised.</p> <p>Refer to attached Stormwater Management Plan for detail.</p>
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		<i>at all stormwater outlets, or at both of those places, so that there is no increase in sediment/litter entering the creek as a result on development.</i>	
29	Soils	<i>Development is to have regard to soil constraints to ensure that the risk of adverse environmental and economic impacts is minimised</i>	Appropriate measures will be put in place to mitigate salinity impacts (slab treatments etc).
30	Transport	<p><i>(1) Development should support creating of effective public transport and bicycle links to the dominant centres and major transport nodes in the Blacktown City and Penrith City local government areas.</i></p> <p><i>(2) Public transport is to be provided early in the development of the land to which the plan applies to established use patterns.</i></p> <p><i>(3) Development of the land to which this plan applies is to maximise accessibility to services and facilities for people who do not have access to a private car.</i></p> <p><i>(4) Development of the land to which this plan applies is to effectively link the land into the surrounding road network and traffic generated by the development is to be catered for at a satisfactory level of services.</i></p> <p><i>(5) Provision of transport infrastructure and services is to be coordinated with the staging of development on the land.</i></p> <p><i>(6) Urban form is to maximise the potential for public transport, walking and cycling to replace car travel, with an overall net neighbourhood density target of at least 15 dwellings per hectare.</i></p> <p><i>(7) High trip-generating uses such as employment development, retailing and multi-unit housing are to be concentrated adjacent to major public transport routes and nodes.</i></p> <p><i>(8) The overall development of land to which this plan applies is to include a range of land uses sufficient to minimise demand for travel outside the land to which this plan applies.</i></p> <p><i>(9) Public transport infrastructure and services are to be provided to a level sufficient to achieve a significantly higher</i></p>	<p>As addressed the proposal is to provide the focal point of the emerging community of Jordan Springs East.</p> <p>It is assumed that the development will encourage walking and cycling to the mixed use development from within the estate.</p>

		<i>use of public transport compared to other similar development in the Blacktown City and Penrith City local government areas.</i>	
31	Urban Form	<p><i>(1) Development of the land to which this plan applies is to result in an attractive and safe built environment which satisfies a diverse range of community needs.</i></p> <p><i>(2) Development is to integrate the new community with existing adjoining communities.</i></p> <p><i>(3) Development on the land to which this plan applies is to include:</i></p> <p><i>(a) a diverse range of building types and designs, and</i></p> <p><i>(b) residences in close proximity (that is, a comfortable walking distance) to public transport, human services and retail, community and recreation facilities, and</i></p> <p><i>(c) clearly distinguished public and private spaces, and</i></p> <p><i>(d) a legible street layout.</i></p> <p><i>(4) The overall development of the land to which this plan applies is to incorporate urban design measures to discourage crime and facilitate safety and access for disabled persons.</i></p>	<p>The development proposal has been designed after a thorough site analysis noting it is to be the primary focal point within the new estate.</p> <p>The development proposal provides for a legible street layout and clearly defines the public/private interface at the street frontages.</p> <p>Development incorporates active façade that will permit casual surveillance of each street frontage, as well as the common areas of the proposal.</p> <p>The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders.</p> <p>Proposal has been designed to provide access to and from the site for people with mobility issues.</p>
32	Employment and Business Development	<p><i>(1) The total number of jobs generated by development on land to which this plan applies (including jobs generated on the surrounding land) is to approximately the number of workers who will be resident on the land to which this plan applies after the development has been carried out.</i></p> <p><i>(2) Retail And commercial development on the land to which this plan applies is not to undermine the regional and district retail and commercial center hierarchy.</i></p> <p><i>(3) Local retail services are to be provided in the early stages of the development of each precinct.</i></p>	<p>Development is to provide the key commercial focal point within the new estate.</p> <p>An Acoustic Report accompanies this report.</p>

		<i>(4) Noise conflict between employment or business-related development and nearby residential development is to be minimised.</i>	
33	Housing	<p><i>(1) Residential development on the land to which this plan applies will provide for a choice of housing and allotment types and sizes, including multi-unit housing, attached housing and detached housing.</i></p> <p><i>(2) The residential buildings in each precinct are to contain a range of housing styles and densities.</i></p>	Proposed mixed use building provides multi-unit housing and a residential flat building with a mix of 1, 2 and 3 bedroom residential units of varying sizes.
34	Energy Efficiency	<i>Development on the land to which this plan applies is to incorporate best practice energy management and implement energy efficient principles wherever possible.</i>	<p>The residential component of the development has been designed to be cognizant of key energy efficiency principles of natural ventilation and sola orientation.</p> <p>The proposal is accompanied by a BASIX Certificate.</p>
35	Waste Management	<p><i>(1) Buildings are to be designed and constructed in a way that minimise the production of unnecessary waste.</i></p> <p><i>(2) Development is to facilitate appropriately designed and scaled local activities which reuse, recycle and reprocess wastes.</i></p>	Development will be designed and constructed to minimise extent of waste generated during construction.
Part 6 Zoning			
40	Urban Zone	<p><i>(1) The objectives of the Urban zone are:</i></p> <p><i>(a) to ensure that buildings and works within the zone are primarily used for residential purposes and associated facilities, and</i></p> <p><i>(b) to limit the range and scale of non-residential uses to ensure that they are compatible with residential amenity and primarily serve local residents, and</i></p> <p><i>(c) to provide for local retailing and related services, including supermarkets, which will complement established centres in the Blacktown City and Penrith City local government areas and not have a significant adverse effect on the viability of established retail centres, and</i></p> <p><i>(d) to provide for medium density residential development in locations which provide optimum access to employment, public transport and services, while ensuring residential amenity, and</i></p>	<p>The development proposal provides for a diverse range of housing forms and commercial land uses to align with the objectives of the Urban Zone.</p> <p>The proposal provides for a high density scale of development located in close proximity to public transport, employment opportunities, and local services and provide additional patronage that will support the local center.</p>

(e) to promote home based industries where such activities are unlikely to adversely affect the living environment of neighbours, and
(f) to ensure that development adjacent to the Regional Park zone does not have a negative impact on biodiversity or conservation within that zone.

Part 7 Development Controls

45	Subdivision	A person may subdivide land to which this plan applies, but only with the consent of the consent authority.	Not relevant to the current development proposal.
47	Demolition	A person may demolish, in part or in whole, a building on land to which this plan applies, but only with the consent of the consent authority.	The development site is a vacant land parcel with no demolition works proposed. Not applicable.
49	Land Below the PMF Level		Not applicable.
50	Filing of Land	(1) Filing of land that is below the level of the PMF before it is filled is prohibited.	Not applicable.
51	Salinity and Highly Erodible Soils	<p>(1) The consent authority must not grant consent to the development of any land unless it has considered:</p> <p>(a) a detailed soil assessment which includes a finding of whether or not the land is at risk from salinity or contains soils which are highly erodible, and</p> <p>(b) whether the proposed development incorporates appropriate building materials, techniques and land management measures to mitigate adverse environmental and economic impacts.</p> <p>(2) The consent authority must not consent to the development of land so found to be at risk or affected, unless it is satisfied that appropriate measures have been incorporated or are able to mitigate the potential impacts.</p>	<p>The Salinity of Soils has been considered previously in the release area and Council is aware that measures are available and have been approved for land in the release area to deal with any saline soils.</p> <p>Measures will be put in place to address saline soils as part of the CC application.</p>
52	Tree Preservation	(1) A person must not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed by any action (including the addition of soil or drainage works around the base of the	The site is cleared, however, a landscape proposal accompanies this submission.

tree), except with the consent of the consent authority.

(2) Despite subclause (1), consent is not required where:

- (a) the tree is dead, or
- (b) the tree is declared a noxious weed under the Noxious Weeds Act 1993, or
- (c) the tree is assessed as dying, in poor condition or potentially dangerous by a qualified arborist, or
- (d) the action to the tree is taken for the purpose of bush fire hazard reduction in accordance with an approved local bush fire management plan referred to in section 52 of the Rural Fires Act 1997, or
- (e) the tree is less than five metres from a building or work for which consent has been granted or which has been approved by the consent authority, or
- (f) the action to the tree is taken in accordance with a permit issued by the consent authority.

(3) before granting a consent or permit referred to in this clause, the consent authority must make an assessment of the importance of the tree or trees concerned in relation to the following:

- (a) soil stability and prevention of land degradation,
- (b) preservation of scenic and environmental amenity,
- (c) maintenance of vegetation systems and natural wildlife habitats and corridors,
- (d) prevention of soil salinity and a rising water table.

(4) This clause does not apply to the lopping of trees in accordance with Part 9 of the Electricity Supply (General) Regulation 1996 or section 48 of the Electricity Supply Act 1995, or to any trees under the control of the National Parks and Wildlife Service.

53	Items of Environmental Heritage	Items of environmental heritage are identified on the Heritage Map	Not applicable and addressed as part of previous development application on the site.
54	General Heritage Considerations	Consent must not be granted for development of, or in the vicinity of, an item of environmental heritage unless the consent authority has made an assessment of the effect the carrying out of that development will have on the heritage significant of the items and its setting.	Not applicable and addressed as part of previous development application on the site.

55	Conservation of Items of Environmental Heritage		Not applicable and addressed as part of previous development applications on the site.
56	Demolition of Items of Environmental Heritage		Not applicable and addressed as part of previous development applications on the site.
57	Access	<p>(1) Development, other than for the purpose of a public road, that would enable vehicular access to The Northern Road, Palmyra Avenue or Forrester Road is prohibited.</p> <p>(1A) The consent authority must not grant development consent for development, other than for the purpose of a public road, that would enable direct vehicular access to Ninth Avenue unless it has considered the following matters:</p> <p>(a) the capacity of Ninth Avenue to accommodate any vehicular traffic resulting from the proposed development,</p> <p>(b) the effect any such vehicular traffic may have on the existing road hierarchy in the vicinity of the proposed development,</p> <p>(c) any adverse impact of the proposed development on the rural character of Ninth Avenue or its surrounds.</p> <p>(2) This clause does not apply to land identified as "educational establishment" on the Structure Plan.</p>	Not applicable as no access to roads referred to in the clause.
58	Certain Development Prohibited	<p>Regardless of any other provision of this plan:</p> <p>(a) development described in Schedule 3 is prohibited on land shown hatched on the Zoning Map, and</p> <p>(b) development for the purpose of housing is prohibited on land that is less than 400 metres from the land in Lot 1 DP 31910, Lot 1 DP 223888 or Lot 1 DP 803832.</p>	Not applicable to current proposal.
59	Retail and Commercial Development Restricted	<p>(1) The consent authority must not grant consent to development described in Schedule 4 on land zoned Urban.</p> <p>(b) the consent authority is satisfied that, if the proposed development is carried out, the total gross floor area of all buildings on land to which this plan applies that may be used for the</p>	Noted and the proposal complies in that the 'shop' element of the proposal is limited to the 2108sqm being the retail, supermarket and pharmacy and therefore does not exceed 2500sqm.

purpose of shops will not exceed 13,000 square metres approximately divided as follows:

(i) Western Precinct—7,500 square metres,

(ii) Central, Dunheved North and Dunheved South Precincts (combined)—2,500 square metres,

(iii) Eastern and Ropes Creek Precincts (combined)—3,000 square metres.

59	Retail and Commercial Development Restricted	(1) The consent authority must not grant consent to development described in Schedule 4 on land zoned Urban.	Noted.
60	Services	Development must not be carried out on any land to which this plan applies unit arrangements have been made for the supply of water, sewerage, drainage and underground power that are satisfactory to the consent authority.	Servicing to the site is available.

ST MARYS ENVIRONMENTAL PLANNING STRATEGY 2000

The St Marys Environmental Planning Strategy 2000 contains specific objectives for future development of the St Marys Release Area. It is noted that Council has adopted a number of Precinct Plan's for the release area, most relevant to this application being the Central Precinct – Precinct Plan and Development Control Strategy. The Central Precinct – Precinct Plan and Development Control Strategy Council has been prepared in accordance with the aims and objectives of the St Marys Environmental Planning Strategy 2000.

It is highlighted that the proposed development has been assessed against the relevant provisions and is consistent with the Central Precinct – Precinct Plan and Development Control Strategy.

As such the proposal is therefore by proxy consistent with the St Marys Environmental Planning Strategy 2000. Specific performance criteria contained within the Environmental Planning Strategy 2000 have been addressed through the relevant attached consultant reports.

ST MARYS CENTRAL PRECINCT – PRECINCT PLAN AND DEVELOPMENT CONTROL STRATEGY

A review of the St Marys Central Precinct Plan has been undertaken in the design development of the proposal. It is noted that Part 5 comprises the Development Control Strategy, and this is the section that is to be used by Penrith City Council as the basis for the assessment of Development Applications.

The elements of the Precinct Plan that set out urban structure, land uses, character areas, access etc have all been considered, and the proposal is consistent with the Framework Plan and Environmental Management Strategies.

Village Centre Character Area:

The Precinct Plan establishes clear parameters for the character of the Village Centre, such as a main street containing a mix of retail, commercial, community and educational facilities servicing the local residential population and workforce.

The ground floor is to accommodate shops, offices, markets, restaurants/cafes and community use with upper level residential, office and community uses housed in 2 to 4 storey (up to 6 storey apartments) building oriented to the street. The residential opportunities within the village will be varied with apartments, attached houses, shop top housing and detached housing.

The subject site is the primary commercial junction within the Jordan Springs East Estate, in that it is proposing a large mixed use building comprising of a mix of retail and commercial facilities within the ground floor including a supermarket that will create a lively pedestrian oriented urban environment, a gymnasium and child care facility within the first floor providing valuable health and child care services, a multi-dwelling housing development and a residential flat building providing a mix of one, two and three bedroom residential units of varying sizes to serve the broad spectrum of the community.

The proposal will encourage a high degree of social interaction and activity whilst permitting outdoor civic opportunities as the focal point of the new estate.

The proposal has responded to this through the orientation of the primary entries and building towards the lake to provide a high quality built form. The proposal aligns with the identified higher densities in this portion of the release area.

An address of the key provisions of the Development Control Strategy are provided in the tables below and the following pages.

Development Control Strategy:

An assessment pursuant to the Development Control Strategy is provided in the following compliance table, however it is noted that there are limited specific controls for the Village Centre.

St Marys Central Precinct – Precinct Plan and Development Control Strategy - Compliance Table			
Clause	Controls	Specific Control for DA	Comment
Part 4 – Framework Plan and Environmental Management Strategies			
4.1	Framework Plan	<p>1. Connecting with nature: the new community will have a strong connection with the Regional Park, drawing on the sense of space and natural beauty;</p> <p>2. Establishing a vibrant village centre: the design will incorporate a Village Centre Character Area at the heart of the community serving residents of precinct and visitors from the local region;</p> <p>3. Delivering parks and wide open spaces: a range of parklands for recreation and play;</p> <p>4. Providing diversity, choice and lifestyle: provide housing choice and options to cater for a range of active and healthy lifestyles;</p> <p>5. Opportunities for business and enterprise: provide for a range of business activities which generate jobs and support the community and surrounding region; and</p> <p>6. Achieving a sustainable future: building social capacity, viable enterprise and environmentally responsive communities.</p>	<p>The proposal aligns with the framework plan and will contribute towards the village centre via providing a large mixed use building that is to service residents and visitors within the new estate.</p> <p>The proposal will also contribute towards providing housing choice and options and employment opportunities.</p>
4.2	Urban Structure and Major Land Uses	Stage 3: 345-435 Dwellings	The proposal will contribute to the delivery of 146 additional dwellings comprising of 11 x terrace forms and 124 x units within Stage 3.

4.3	Future Character Areas	<p>Village Centre</p> <p><i>A concept plan setting out proposals for the development of the Village Centre is required to be lodged with the first subdivision development application relating to the Village Centre. The concept plan shall incorporate the above design principles and shall outline:</i></p> <ul style="list-style-type: none"> - Proposed urban structure and public domain elements, including proposed land uses and proposed relationship with the Employment Zone and the Regional Open Space. - Proposed dwelling yield and types. - Proposed road network and car parking arrangements. - Proposed pedestrian and cycle network. - Proposed staging of development. 	<p>The proposal is consistent with the Concept Plan for the Village Centre, noting the development will deliver a mixed use building comprising of retail, residential and commercial land uses on the ground floor, child care facility and gymnasium on the first floor with residential units within the first floor and above.</p>
4.4	Subdivision Layout Principles	<p><i>Establish a permeable modified grid street system promoting connectivity and ease of movement for pedestrians, bicycles and vehicles;</i></p> <p><i>Overlay a clear and simple hike and bike network for recreation and to provide links throughout the neighbourhoods;</i></p> <p><i>Ensure a safe environment by promoting crime prevention through urban design;</i></p> <p><i>Create a legible street hierarchy through the use of appropriate types of streets responding to intended use and scale, designed to calm traffic and help identify character areas;</i></p> <p><i>Provide views of and links to the Regional Park particularly for pedestrian access, integrated with the Plan of Management for the Regional Park;</i></p>	<p>Proposal is to be surrounded by future planned roads.</p> <p>Proximity of the site will encourage walking and cycling options for future residents.</p> <p>The majority of the ground floor is to be activated via commercial land uses with the ground floor level associated with the townhouses/residential unit to directly address the public with the residential units above to provide opportunities for passive surveillance, and the lobby and entrance spaces being clearly legible while providing territorial reinforcement.</p> <p>Proposal respects the future planned street pattern.</p> <p>Views to the planned future parks and sports and recreation centre will be achieved from apartments with future planned roads to provide appropriate links between the development site and future parks/sports and recreation centre.</p>

		<p><i>Promote connections and permeability between neighbourhoods, to the village centre and other nodes via for a clear and simple trail and path network;</i></p> <p><i>Establish housing diversity and mix within neighbourhoods and provide a variety of block sizes, enhancing permeability</i></p>	<p>Proximity of the site means that walking and cycling options existing for residents.</p> <p>The proposal provides for a dwelling type that reflects the intended housing choice and mix for the area.</p>
4.5	Dwelling Density	<p><i>Accordingly, the applicable target dwelling density of 15 hectares is to be considered in the broader context of all relevant opportunities and initiatives to replace car travel with public transport, walking and cycling. That is, dwelling density is to be considered in conjunction with factors such as:</i></p> <p><i>The appropriate location of land uses within the precinct, such as retail, community and open space, that maximises accessibility through walking, cycling and proximity to public transport routes.</i></p> <p><i>An appropriately designed street network that promotes permeability and accessibility for pedestrians, cyclists and public transport users.</i></p> <p><i>Provision of a safe and useable network of pedestrian and cycle paths.</i></p> <p><i>Developer contributions, through both State and local level agreements, towards public transport initiatives and improvements.</i></p>	<p>The proposal delivers a total of 146 dwellings across 1.106ha which is greater than the minimum density of 15dwgs/HA.</p> <p>It is noted that the site is within the Village Centre which has capacity to accommodate increased densities given walkability to public transport, open space, and local services.</p>
4.6	Phasing of Development		Not directly relevant to current proposal.
4.7	Access and Movement		See discussion against Part 5.
4.8	Conservation of Natural Values		Not directly relevant to current proposal.
4.9	Landscape and Open Space Networks		Not directly relevant to current proposal, noting close proximity to open space and landscaped areas in the release area.

4.10	<i>Bushfire Measures</i>	<i>Western Precinct Bushfire Prone</i>	<p>Appropriate bushfire minimisation measures have been undertaken.</p> <p>See attached Bushfire Hazard Assessment Report for detail.</p>
4.11	<i>Water Cycle and Soils</i>	<p><i>Soil and Water Management</i></p> <p><i>Riparian Corridors</i></p>	<p>The proposal provides for appropriate stormwater measures to link to the existing stormwater network.</p> <p>The proposal also does not impact on the revegetation of the riparian corridor.</p>
4.12	<i>Efficient Resource Use Strategy</i>	<p><i>Building designs are to maximise solar access and minimise overshadowing.</i></p> <p><i>The use of shading devices on windows facing east or west, i.e. the orientations which are most intensely affected by sun.</i></p> <p><i>The use of building materials and construction methods which have low energy inputs into their production, i.e. a low 'embodied' energy.</i></p> <p><i>Integration of land use and transport planning.</i></p> <p><i>The selection of energy and water efficient building services, equipment and appliances, e.g. solar powered water heating.</i></p> <p><i>The use of mechanical and electrical systems that are designed and constructed to achieve the maximum energy efficiency achievable with current technology and best practice.</i></p>	<p>The development is designed to achieve these aims. Refer to the attached shadow diagrams for detail, noting that the proposal has been designed to minimise shadows to Village Park.</p> <p>Shading or careful window location on northern/western orientations are provided.</p> <p>Materials are appropriate noting BASIX Certificate for each dwelling.</p> <p>Site is walkable to local centre, bus routes, and key open space areas.</p> <p>BASIX commitments achieved for each dwelling.</p> <p>Noted.</p>
4.13	<i>Cultural Heritage</i>	<i>Various Cultural Sites.</i>	No cultural sites on subject site.
4.14	<i>Infrastructure and Services</i>	<i>Availability of Services.</i>	Services available and clearances to be obtained with conditions of consent to reinforce this.

4.15	Community Facilities and Services		Not directly relevant to current proposal.
Part 5 – Development Control Strategy			
5A Urban Structure & Subdivision			
5.2	Street Types		The proposal is located in the village centre and the street pattern established and road construction completed.
5.3 Public Domain			
5.3.2	Landscape Presentation	<p><i>The Urban Presentation is proposed in the Parkland, Plazas/Squares, and Open Space Water Landscape Characters, or a combination of these.</i></p> <p><i>The Urban Presentation will apply to those open space areas within the Precinct that lie within the denser development zones, and which serve a higher intensity and recurrence of community use.</i></p> <p><i>The levels of presentation are higher than other spaces to meet the usage demands and to compliment the urban character of their locations. Parks within the Precinct that would fall within the urban presentation category include:</i></p> <p><i>Selected area of Park E at the Village Centre interface.</i></p>	<p>The development is to deliver landscape presentation appropriate within a commercial context and includes the planting of street trees as per the Landscape Plan.</p> <p>The development is to also provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care out door area. The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level</p>
5.3.3	Public Domain Materials and Treatments	<ul style="list-style-type: none"> - <i>Provide street furniture items, including seats, bins, and picnic tables at locations where users are most likely to require them, including open space areas identified in the Western Precinct Open Space Masterplan.</i> - <i>Signage, street furniture and lighting is to be:</i> <ul style="list-style-type: none"> ➤ <i>designed to reinforce the distinct identity of the development;</i> ➤ <i>coordinated in design and style; and</i> ➤ <i>located so as to minimise visual clutter and obstruction of the public domain.</i> - <i>Footpath and cycle path paving should provide a hard wearing, cost effective and maintainable surface. The range of materials should be limited to make maintenance, renewal and extension</i> 	<p>Not applicable to current proposal.</p> <p>Footpath paving will meet Council requirements.</p>

		<p>works cost effective. Potential paving materials include quality stone, asphalt and exposed aggregate.</p> <ul style="list-style-type: none"> - Opportunities for integration of public art into the public domain should be identified through on-going design at the relevant DA stage. 	
5.3.4	Street Tree Planting	<ul style="list-style-type: none"> - Landscape treatment of streets is to: <ul style="list-style-type: none"> ➤ be consistently used to distinguish between public and private spaces and between different street types within the road hierarchy; ➤ minimise risk to utilities and services; ➤ be durable and suited to the road environment and, wherever practicable include endemic native species; and ➤ maintain adequate lines of sight for vehicles and pedestrians, especially around driveways and street corners. - Local streets should incorporate native tree species that are of a height and form that reinforce the lower order of these streets in the hierarchy. - The landscape treatment should provide a continuous street tree canopy located within the road reserve between the footpath and the kerb. - Ground surfaces to verges and medians are to vary from maintained native grasses (adjoining the Regional Park) to maintained garden bed, pavement or turf. Soft landscape treatments, where provided, should be kept simple to reduce recurrent maintenance needs. - 	<p>Street tree plantings are catered for in the road reserve width and it is expected that consent conditions will nominate required species.</p>
5.3.5	Lighting	<ul style="list-style-type: none"> - Vehicular street lighting is to meet relevant RMS and Austroads standards. - Pedestrian lighting should be provided close to footpath lighting, typically 3.5 to 4.5 metres at 20 metre intervals, to provide optimum illumination. - Pedestrian lighting is to be pole mounted to meet relevant Australian Standards. - Major cycle routes and pedestrian access paths are to be lit for night time usage. 	<p>Street lighting will be provided as per Council requirements, noting given scale of proposal it is not expected that significant lighting will be required.</p>
5.4 Character Areas			
5.4	Character Areas: Village Centre -	<p>Character: Urban scale, higher density and diverse built form resulting from pattern of use</p>	<p>The proposal is delivering a large mixed use building that is consistent with the desired urban character with a strong built form to the street edge.</p>

		<p>Predominant Land Uses: Mixed use with residential, commercial, retail, community and education use.</p> <p>Typical Built Form (Typology and Design): Range of attached and detached dwellings, shop-top, warehouse and urban sleeve dwellings, apartments, retail and commercial shops, education and community buildings. Building frontages to address public space and promote passive surveillance and active streets.</p> <p>Typical Building Heights: 2-4 Storeys</p> <p>Public Transport: Generally, within 5-10min walking distance of a bus stop.</p>	<p>The proposal proposes a large mixed use building comprising of residential, commercial, retail and community uses that is to service the emerging community within the new estate.</p> <p>The proposal incorporates a 4-6 storey mixed use building considered by the DRP as being an appropriate form and height for the site having regard to context.</p> <p>The proposal ensures that the development overlooked its frontages to ensure opportunities for passive surveillance.</p> <p>The proposal is between 4-6 storeys in height, noting mixed use are permitted to be up to 6 storeys in height</p> <p>Having regard to the central location of the site, the development site enjoys immediate connection to public transport route and stops noting the bus stop on Road 1 in front of the site and shown on the submitted plans.</p>
5B Built Form Housing			
Table 4		Not applicable – development proposes a mixed use building.	N/A
5.7 General Housing Siting and Design Controls			
5.7.1	<i>External Built Form and Materials – Private Domain</i>	The Design Guidelines to be administered by the developer will address material and finishes for use for such items as fences, walls, garages, paving, planting, roofs and building colour schemes. The Building and Siting Guidelines will be enforced under the developer covenants, and details of external materials and finishes are to be submitted with a DA.	The development proposes a variety of appropriate materials, colours and shading structures.
5.7.2	<i>Landscaping</i>	- A Landscape Plan is to be lodged with all DAs for dwellings, and is to provide the following details: the location of any existing trees on the property, specifying those to be retained and those to be removed; and the position of each shrub and tree species proposed to be planted. Each plant is to be identified by a code referring to a plant schedule on the plan.	Development is to provide appropriate landscape embellishment works within a commercial context, noting that the development is to provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care out door area.

		The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level
5.7.3	Visual and Acoustic Privacy	<p>- Direct overlooking of main habitable areas and private open space should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.</p> <p>- As far as practicable the windows of habitable rooms shall be screened or adequately separated from walkways, footpaths, communal areas, driveways, windows of other dwellings and balconies above. Courtyard walls, walls of the building, screen walls and the like are an acceptable method of screening of windows.</p> <p>- Where overlooking of habitable rooms and private open space cannot be avoided, additional visual privacy may be achieved by:</p> <ul style="list-style-type: none"> ➤ offsetting adjacent windows; ➤ fixed window screening; ➤ providing sill heights of at least 1.5m above floor level; or ➤ providing fixed obscure glazing. <p>- The design of attached dwellings must minimise the opportunity for sound transmission through the building structure, with particular attention given to protecting bedrooms and living areas.</p> <p>- Living areas and service equipment must be located away from bedrooms of neighbouring dwellings.</p> <p>- In attached dwellings, bedrooms of one dwelling are not to share walls with living spaces or garages of adjoining dwellings, unless it is demonstrated that the shared walls and floors meet the noise transmission and insulation requirements of the Building Code of Australia.</p> <p>- Noise sensitive areas are to be located away from noise emitting sources.</p>
		<p>Considering that the development site sits on its own island – being surrounded by road networks to all of its four frontages, the development will not result in visual and acoustic impacts to surrounding residential zoned land parcels. However, the development has been designed to mitigate cross-viewing and potential noise impacts between apartments within the subject site.</p> <p>See discussion in relation to ADG for further analysis.</p>
5.7.4	Fences and Walls	<p>- Front fences and walls should not be higher than 1.5 metres. However, front fences and walls can be built up to 1.8 metres in height in the Northern Road Interface Character Area for noise attenuation.</p> <p>- The design and materials of front fences and walls is to be compatible with the desired character of the streetscape.</p>
		Fencing and walls are consistent with the DCS and it is expected that conditions will address this.

		<ul style="list-style-type: none"> - Side and back fences and walls can be built up to 1.8 metres in height to achieve privacy for the rear yard. 	
5.7.5	Garages	<ul style="list-style-type: none"> - Garages should not take up more than 50 percent of the building frontage for lots 12m wide or less, unless the dwelling is integrated housing. - Materials and colours should blend the garage doors into the main building. - For 2 storey dwellings, rooms with windows or balconies should be built above garages where possible. - Garages are to be limited to a maximum capacity of two cars, with tandem garages permitted. - Garages are to be set back behind the front most element of the house and fully integrated into the front facade. 	Not applicable given basement design.
5.7.6	Safety	<ul style="list-style-type: none"> - Dwellings should be designed to overlook streets and other public or communal areas to provide casual surveillance. - For residential dwellings, roller shutters are not to be used on doors and windows facing the street. Security railings must be designed to complement the architecture of the building. - Pedestrian and communal areas are to have sufficient lighting to ensure a high level of safety. These areas must be designed to minimise opportunities for concealment. - Avoid the creation of areas for concealment and blank walls facing the street. 	<p>As addressed previously the proposal provides for street activation to the road network and pedestrian areas that surround the site.</p> <p>Street networks will be adequately lit and there are limited opportunities for concealment.</p>
5.7.7	Solar Access	<ul style="list-style-type: none"> - Areas of private outdoor space should receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice. - Dwellings should also be designed to avoid overshadowing of adjacent properties and to protect sunlight access to any habitable room or private outdoor living space of adjacent buildings to less than 4 hours between 9am and 3pm at the winter solstice (21 June). - 	The ADG takes priority to this Plan and compliance with the ADG is discussed further in this report.
5.7.8	Energy and Water Efficiency	<ul style="list-style-type: none"> - BASIX Certificate is to accompany DAs for new dwellings. - The design of dwellings should minimise heat loss and the absorption of heat through measures such the use of insulation in walls and roofs. - The design of dwellings should minimise heat loss and the absorption of heat by limiting the size of windows on the western facades of buildings. 	<p>BASIX certificate accompanies the development application.</p> <p>The apartments also designed with balcony projects and other measures to mitigate the harsh summer sun.</p>

5.7.9	Servicing	<ul style="list-style-type: none"> - Development must demonstrate that the design takes into account waste storage and collection without reducing the amenity of the dwelling or neighbouring lots. 	Complies, noting that the site sits on its own island.
5.7.10	Adaptability	<ul style="list-style-type: none"> - Residential dwellings shall be designed with key design features that may achieve: <ul style="list-style-type: none"> ➢ direct access; ➢ spaces for car parking; ➢ adequate access and circulation widths; and ➢ main facilities at ground floor level. 	The proposal incorporates adaptable apartments at the applicable rate.
5C Non Residential Built Form			
5.8	Non Residential Buildings (Village Centre)	<p>Mix of Uses: A range of uses including office, community, educational, residential and recreational uses may be considered within a mixed use building.</p> <p>Street Frontages/Entrances Non-residential uses will be located on the street with ground floor uses and upper floor windows facing the street to activate these edges and provide passive surveillance. Primary entrances will generally be providing from the main street.</p> <p>Building Form Building will be designed to face the street with particular attention paid to the rear of the building and its relationship to accessways and adjacent buildings. Built form should relate to the public domain and its form and scale. Façade treatment should avoid the use of blank walls and should break up excessive bulk and scale. The façade of large buildings will be articulated in terms of volume and surface treatments, to reflect the existing scale of the street and adjacent development.</p> <p>Building Depth Building depth should be adequate in order to maximise natural light, ventilation and circulation unless specific building use requires otherwise. The depth will allow optimum circulation and room layout while minimising artificial lighting at the building core.</p>	<p>The development proposes a large mixed use building that is to provide a focal point and commercial hub of the new estate and includes a range of uses including retail and commercial on the first floor including a supermarket, a child care facility, gymnasium, multi-dwelling housing development and residential units.</p> <p>The ground floor commercial and retail uses are to active the street level, with direct access to be provided from future planned road networks.</p> <p>The development proposes a large mixed use building that is to be appropriately treated with façade works to ensure an attractive built form that will serve as the primary focal point of the Jordan Springs East Estate.</p> <p>The building depth has been designed to maximise natural light, ventilation and circulation.</p>

PENRITH DEVELOPMENT CONTROL PLAN 204

All relevant Council controls have been identified and considered in the following compliance table, noting that a number are not relevant as the site is located within the Jordan Springs Precinct and covered by the SREP and DCS.

Penrith Development Control Plan 2014 Compliance Table			
Clause	Controls	Comments	Complies
C1 Site Planning and Design Principles			
1.1	Site Planning	<u>1.1.1 Site Analysis</u>	
		A Site Analysis has been prepared and is attached as part of this application.	Yes
		The site analysis identifies the relevant considerations required by Council and acknowledges the unique opportunities and constraints of the site that have informed the design of the development proposal.	
		<u>1.1.2 Key Areas with Scenic and Landscape Values</u>	
		The subject site is not located within the Scenic and Landscape Values Map under the Penrith LEP 2010. Not applicable.	N/A
1.2	Design Principles	<u>1.2.2 Built Form – Energy Efficiency and Conservation</u>	
		The proposed development has a northern orientation that maximise solar access to the units and townhouses. A BASIX certificate is attached to this statement.	Yes
		<u>1.2.3 Building Form – Height, Bulk and Scale</u>	
		It is considered that the proposal will result in an appropriate outcome on site that responds to the unique characteristics of the site.	Yes
		The development is to serve as the primary focal point of the Jordan Springs East Estate.	
		<u>1.2.4 Responding to the Site's Topography and Landform</u>	
		Development designed to minimise cut and fill, noting that the current land parcel has been cleared to facilitate future urban development.	Yes

Clause	Controls	Comments	Complies
1.2.5 Safety and Security (Principles of Crime Prevention through Environmental Design)			
		<p>The proposed development incorporates an active façade that will permit casual surveillance to all of its frontages as well as common areas and landscaped areas of the proposal.</p> <p>Ground floor commercial and retail tenancies will contribute towards activating the street level.</p> <p>The proposed landscaping and fencing are appropriate when considering CPTED principles and will not permit easy concealment of intruders.</p> <p>The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p>	Yes
1.2.6 Maximising Access and Adaptability			
		<p>The proposed development incorporates multiple accessible path of travel from the street to the proposed mixed use building.</p>	Yes
C2 Vegetation Management			
2.1	Preservation of Trees and Vegetation	<p>The subject site has been extensively cleared of all vegetation.</p> <p>Appropriate landscape embellishment works within a mixed use context is to be provided, noting that the development is to provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care out door area. The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level</p> <p>Refer to attached landscape plans for detail.</p>	Yes
2.2	Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non-Urban Areas	<p>Subject site is not identified as being within a Natural Resource Sensitive Land under Penrith LEP 2010. Not applicable.</p>	N/A

Clause	Controls	Comments	Complies
2.3	Bushfire Management	The subject site is identified as being within Bushfire Prone Land. Refer to attached Bushfire Report that confirms the site is suitable.	N/A
C3 Water Management			
3.2	Catchment Management and Water Quality	Appropriate management of the site during the demolition and construction phases will contribute towards protecting the water system. A Stormwater Management Plan has been prepared and is attached as part of this application.	Yes
3.3	Watercourses, Wetlands and Riparian Corridors	Subject site is not located within proximity to a watercourse, wetland or riparian corridor.	N/A
3.4	Groundwater	The proposed development is to be for a mixed use building. It is therefore considered that the risk of site contamination occurring during construction and future use of the site is low.	N/A
3.5	Flood Planning	Council's Flood Planning Map indicates that the site is not flood prone.	N/A
3.6	Stormwater Management and Drainage	A Stormwater Management Plan has been prepared and is attached as part of this application	Yes
3.9	Water Sensitive Urban Design	<p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.</p> <p>The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater. See attached Stormwater Management Plan for detail.</p>	Yes
C4 Land Management			
4.1	Site Stability and Earthworks	<p>This application seeks Council consent for the excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation, will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p>	Yes

Clause	Controls	Comments	Complies
		<p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	
4.3	Erosion and Sedimentation	<p>This application seeks Council consent for the excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation, will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>An Erosion and Sediment Control Plan is attached as part of this application.</p>	Yes
4.4	Contaminated Lands	Potential contamination have been addressed via previous DAs.	N/A
4.5	Salinity	Potential salinity have been addressed via previous DAs.	N/A
C5 Waste Management			
		<p>A Waste Management Plan) s attached as part of this application. Notwithstanding it is noted that waste is to be appropriately managed during the demolition and construction stages of the development.</p> <p>Allocated bin rooms for each land uses are provided within the basement level with an enclosed loading area provided at ground level.</p>	Yes
C6 Landscape Design			
		A landscape concept plan accompanies this development application.	Yes

Clause	Controls	Comments	Complies
C7 Cultural and Heritage			
7.1	Heritage	Site is not identified as a heritage item nor is it located within proximity to any heritage items.	N/A
7.2	Aboriginal Cultural and Heritage	Not relevant.	N/A
7.3	Significant Trees and Gardens	Development site is cleared of all vegetation.	N/A
C10 Transport, Access and Parking			
10.2	Traffic Management and Safety	<p>It is considered that the vehicular access and exit points are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and entering and exiting the site.</p> <p>The proposed parking area and ancillary driveway will not contribute to the creation of traffic hazards.</p> <p>The proposal provides for the safe and efficient movement of pedestrian and vehicular traffic within the site and both entering and exiting the site.</p> <p>Vehicle and pedestrian routes are clearly indicated and accessible.</p>	Yes
10.3	Key Transport Corridors	The subject site is not located within a key transport corridor.	N/A
10.5	Parking, Access and Driveways	<p>The development proposes a mixed use development with the following land uses:</p> <p>Parking Rates:</p> <p>Residential</p> <p><u>Multi Dwelling Housing</u></p> <ul style="list-style-type: none"> - 2 car spaces per 3 or more bedrooms <p><u>Residential Flat Buildings</u></p> <ul style="list-style-type: none"> - 1 spaces per 1 or 2 bedrooms - 2 spaces per 3 or more bedrooms - 1 space per 40 units for service vehicles <p>Visitor parking: 1 space per ever 5 dwellings</p> <ul style="list-style-type: none"> - Residential Flat Building with 124 units with the following breakdown: <ul style="list-style-type: none"> ▪ 14 x 1 bedroom unit ▪ 91 x 2 bedroom unit ▪ 19 x 3 bedroom unit - A Multi Dwelling Housing development with 11 townhouses with the following breakdown: <ul style="list-style-type: none"> ▪ 7 x 3 bedroom townhouse ▪ 4 x 4 bedroom townhouse - Speciality Retail Shops with 1,022m² GFA - Supermarket with 930m² of GFA - Medical Centre with 400m² of GFA - Pharmacy with 156m² of GFA 	Variation

Clause	Controls	Comments	Complies
	<p>1 space for car wash for every 50 units, up to a maximum of 4 spaces per building</p>	<ul style="list-style-type: none">- Swim School Centre accommodating up to 14 children over 2 x 30 minute classes and four staff at any one time- Child Care Facility accommodating a total of 154 children and 27 staff with the following breakdown:<ul style="list-style-type: none">▪ 40 children between 0-2 years old with 10 staff▪ 48 children between 2-3 years old with 10 staff▪ 66 children between 3-5 years old with 7 staff.	
	<p>Commercial</p>		
	<p><u>Child Care Facilities</u></p>		
	<ul style="list-style-type: none">- 1 spaces per 10 children plus 1 per employee		
	<p><u>Fitness Centre including Gym</u></p>		
	<ul style="list-style-type: none">- 7 space per 100m² GFA	<ul style="list-style-type: none">- Gymnasium with 488m² GFA	
	<p><u>Health Consulting Rooms/Medical Centres</u></p>	<ul style="list-style-type: none">- Commercial Carwash utilising 4 car parking spaces	
	<ul style="list-style-type: none">- 3 spaces per health care professional practising at any one time plus 1 space per receptionist/support staff	<p>The car parking requirement per land use under the Penrith parking rate is provided below:</p>	
	<p><u>Retail Premises Shop</u></p>		
	<ul style="list-style-type: none">- Supermarkets – 1 space per 10m² of floor area that is to be used for retailing activities		
	<p>Other neighbourhood and specialty shops – 1 space per 30m² GFA</p>		
	<p><u>Other Uses</u></p>	<p>The proposal is required to prove a total of 453 parking spaces based on a strict application of the Penrith City Council Development Control Plan.</p> <p>The development provides a total of 358 car parking spaces with the following breakdown:</p> <ul style="list-style-type: none">- 165 car parking spaces for residential use including 14 accessible spaces.- 27 car parking spaces for residential visitor use- 166 car parking spaces including 4 disable spaces and 4 commercial car wash bay, accessible by all users for all other uses.	
	<p>If there are no parking guidelines for a specific use, then a site specific car parking analysis will be required. This may require the applicant to submit a car parking report from a suitable qualified traffic consultant.</p>		

Land Use	Type	Scale	Rate	Parking Required
Residential	1-bedroom	14 dwellings	1 per dwelling	14
	2-bedroom	91 dwellings	1 per dwelling	91
	3-bedroom	30 dwellings	2 per dwelling	60
SUB-TOTAL				165
Residential	Visitors	135 dwellings	1 per 5 dwellings	27
SUB-TOTAL				27
Retail / Commercial	Specialty Shop	1022m ² GFA	1 per 30m ²	34.07
	Supermarket	930m ² GFA	1 per 10m ²	93.00
	Pharmacy	156m ² GFA	1 per 30m ²	5.20
	Medical Centre	5 professional staff	3 spaces per staff	15
		3 support staff	1 space per staff	3
	Swim School	14 children	2 per child	28.00
		4 staff	1 per staff	4.00
	Gymnasium	488m ² GFA	7 per 100m ²	34.16
	Childcare Centre	154 children	1 per 10 children	15.40
		27 staff	1 per employee	27
	Car Wash	2 staff	1 per staff	2.00
SUB-TOTAL				261
TOTAL				453

As such, the proposal fall short of the parking requirement under the Penrith DCP.

Clause	Controls	Comments	Complies
		<p>Refer to attached Traffic and Parking Assessment for a full assessment against the parking controls, noting that the report concludes the following:</p> <p><i>'Based on an assessment against the requirements of the Penrith DCP and RMS Guide where relevant, the proposal is expected to demand 369 car parking spaces, with 165 for residential use, 27 for residential visitor use and 177 for commercial use. The proposal provides a total of 358 car parking spaces, with 165 for residential use, 27 for residential visitor and 166 for retail/commercial use, including 4 commercial car wash bay.</i></p> <p><i>Although the onsite car parking provision results in a shortfall of 11 car parking spaces, it is expected that the 16 proposed on-street 2 hour time restriction kerbside parking fronting the site on Road 27 can be utilised by commercial visitors. As such, the car parking quantum proposed meets the expected parking demands of the proposal as per the DCP and RMS Guide.</i></p> <p><i>In view of the foregoing, the subject Proposed Mixed Use Development at East Village Centre Site, Jordan Springs is fully supportable in terms of its traffic and parking impacts.</i></p> <p>Refer to attached Traffic and Parking Impact Assessment for detail that confirms the extent of parking provided is suitable as confirmed by that report.</p>	
C11 Subdivision			
		No subdivision is proposed as part of this application and as such the controls that regulate subdivision contained under C11 does not apply to the current development.	N/A
D5 Other Land Uses			
5.2	Child Care Centers	<u>1) Work Based Child Care Centers</u>	
		The proposed child care facility is to be located within the first floor of a large mixed use development, noting that the location of the outdoor play area have been located away from driveways, parking areas and other sources of noise or fumes.	Yes

Clause	Controls	Comments	Complies
		Appropriate separation from the other land uses is to be provided with design measures incorporated to ensure children do not gain access to other parts of the building.	
		Drop off and pick up can be provided within the basement level.	
		<u>2) Location</u>	
		a) The DCP requires proposed child care facilities in excess of 40 children to demonstrate that services to be provided meets an unmet need in the community.	Yes - SEPP
		Clause 26(b) of the Environmental Establishment and Child Care Facility SEPP 2017 stipulates that any provision of a development control plan that needs to demonstrate need or demand for child care services does not apply to the development for the purpose of a center-based child care facility.	
		b) The development proposes a large mixed use building that is to service the emerging community of Jordan Springs East and will be within proximity to future planned parks and schools.	Yes
		c) Vehicle access to the site is to be provided from Road 1.	Yes
		d) Access to the site is not located in a cul-de-sac, at an intersection or on a minor residential road, noting that the facility will not create traffic conflict or have an adverse impact on the amenity of the locality. Refer to attached Traffic Report for detail.	Yes
		e) The development site is not located within an 85m radius of an existing or approved service station, or on land in a specific radius of an existing/approve flammable storage area under the State Environmental Planning Policy No 22 Hazardous and Offensive Development.	Yes
		f) The subject site is not located opposite or adjacent to an existing and lawful sex service premises and/or restricted premises.	Yes
		g) The subject site is not adjacent to an electricity transmission easement, mobile phone tower or similar structures.	Yes
		h) The subject site is not identified as being flood prone land under the Penrite LEP 2010.	Yes

Clause	Controls	Comments	Complies
		<u>3) Design, Scale and Site Frontage</u>	
		a) The development proposes a mixed use building designed to be the focal point of an emerging new residential estate in accordance with the Central Precinct Plan under the SREP 30 – St Marys.	Yes
		b) The design of the proposal has taken into account nearby traffic generations, street design and the existing environment for pedestrians and cyclists.	Yes
		c) The site is of a sufficient area to accommodate the proposed child care facility.	Yes
		e) Safe sight distance is to be provided for all points of access to the site.	Yes
		<u>4) Built Form</u>	
		The child care facility has been designed to satisfy the requirements of all relevant provision including the recently published State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, SREP 30 – St Marys, Penrith Development Control Plan 2014, Child Care Planning Guidelines and Children's (Education and Care Services) Supplementary Care Provisions 2012.	Yes
		b) The child care facility is located within a large mixed use building designed to be the focal point of an emerging new residential estate in accordance with the Central Precinct Plan under the SREP 20 – St Mary's.	Yes
		Drop off and pick up is available via parking area at-grade and within the basement level.	
		Outdoor play area is provided in accordance with the Educational Establishment and Child Care Facility SEPP.	
		<u>5) Vehicle Access, Circulation and Parking</u>	
		The vehicle circulation and car parking areas within the basement level and at-grade parking area have been designed to allow safe drop-off and collection of children as well as the safe movement and parking of staff, parents and visitors.	Yes

Clause	Controls	Comments	Complies
		<p>Appropriate parking is provided. Refer to attached Traffic Report for detail.</p> <p>Driveways, access ways and car parking spaces are to be appropriately dimensioned in accordance with Council controls.</p> <p>Furthermore, the driveway permits the safe movement and parking of vehicles on site and allow vehicles to enter and leave the site in a forward direction.</p> <p>It is also noted that separate vehicle and pedestrian access is provided to the site,.</p> <p><u>6) Noise</u></p> <p>An Acoustic Report accompanies the application that outlines mitigation measures both to the construction of the building and the operation of the facility to minimise the impact of the proposal on adjoining residential properties including the apartments that will achieve internal noise criteria subject to glazing requirements being followed.</p> <p><u>7) Shade</u></p> <p>Appropriate shade structures are provided within the outdoor play area. See attached plans for detail.</p> <p><u>8) Landscaping</u></p> <p>Appropriate landscaping will be provided within a mixed use context, noting that the development is to provide generous amount of deep soil area within the middle of the open car park with trees to be growing through voids on the child care out door area. The proposal is to also take advantage of every opportunity for maximising landscaping such as creating buffer between the carpark and the rear of the townhouses and along the perimeter of the building and planting above podium level</p> <p>It is noted that childproof fencing and gates is to be incorporated around the outdoor play areas, to the entrance to the child care facility and other appropriate areas.</p>	<p></p> <p></p> <p></p> <p></p> <p>Yes</p> <p></p> <p>Yes</p> <p>Yes</p>

CONCLUSION

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent.

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.