

Statement of Environmental Effects

Development Application

121-133 Blaikie Road, Jamisontown, 2750

3 July 2020



PREPARED BY

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PROJECT PARTICULARS

Project No.	2019032
Client	Levadetes Property Group
Site Address	121-133 Blaikie Road, Jamisontown, NSW, 2750
Document Name	Pre- DA Report

Prepared By

Date	Document Name	Authorisation	
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In the event that this document is not signed, this is not representative of a final version of the document, suitable for assessment purposes.

RELIANCE ON CONSULTANT INFORMATION

As part of undertaking this project, Hamptons has relied on the professional advice provided by third party consultants. No responsibility is taken for the accuracy of the information relied upon by these consultants assisting the project. It is assumed that each of the consultants has made their own enquiries in relation to technical matters forming part of their expertise.

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1. INTRODUCTION

Hamptons Property Services (Hamptons) has been retained by Levadetes Property Group, in relation to the land known as at 121 – 133 Blaikie Road, Jamisontown (the site).

This Development Application (DA) seeks development consent from Penrith City Council (the Council) in relation to the proposed development for the purpose of an industrial land subdivision, which will comprise the following:

- Torrens title subdivision into five (5) superlots, ranging in size from 2,000m² to 4,075m²
- subsequent strata title subdivision of the five (5) superlots into smaller allotments, resulting in between two and four allotments per superlot, all of which will maintain a minimum allotment size of 1,000m²
- construction of an internal public road to ensure adequate servicing and access to the proposed lots with entry points *via* Pattys Place and Blaikie Road
- car parking and internal accessways to service each superlot
- civil works to facilitate the proposed subdivision and account for the flooding constraints of the site
- landscaping.

Zoning

The site is located within the B5 Business Development zone pursuant to Penrith Local Environmental Plan 2010 (the LEP) and the proposed development is permissible with development consent in accordance with Clause 2.6 of the LEP which states that *Land to which this Plan applies may be subdivided, but only with development consent.*

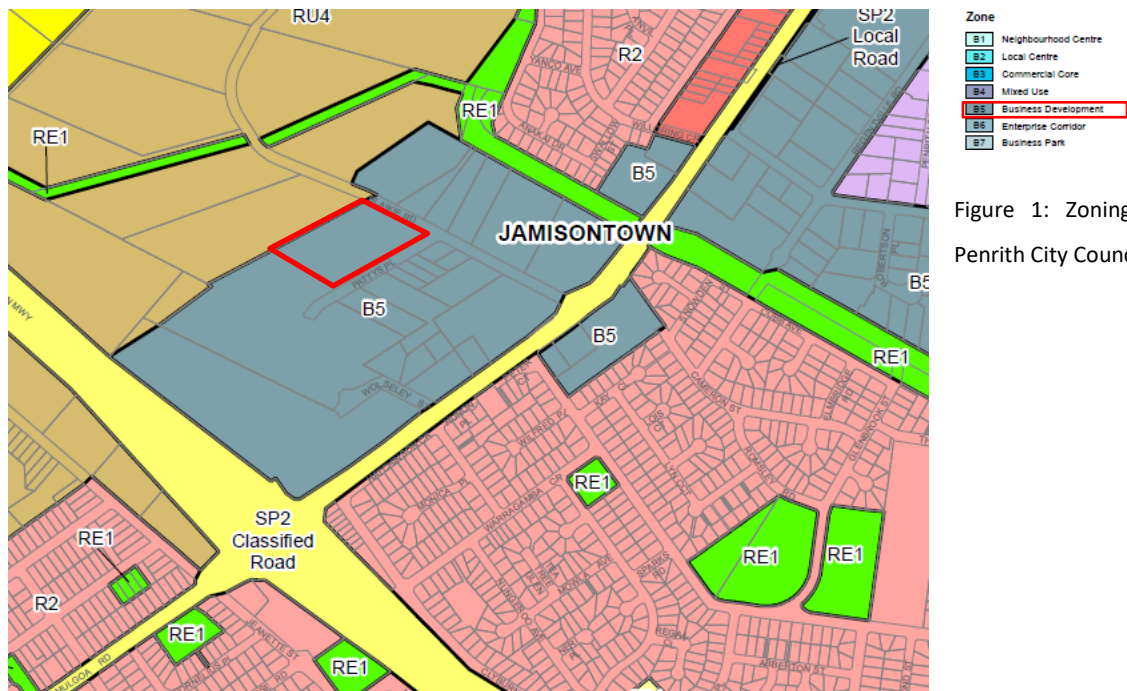


Figure 1: Zoning Map (Source: Penrith City Council)

Allotment Controls

The site is subject to a minimum lot size of 1,000m²; each of the proposed lots complies with the development standard for minimum lot size, regardless of its subdivision type.

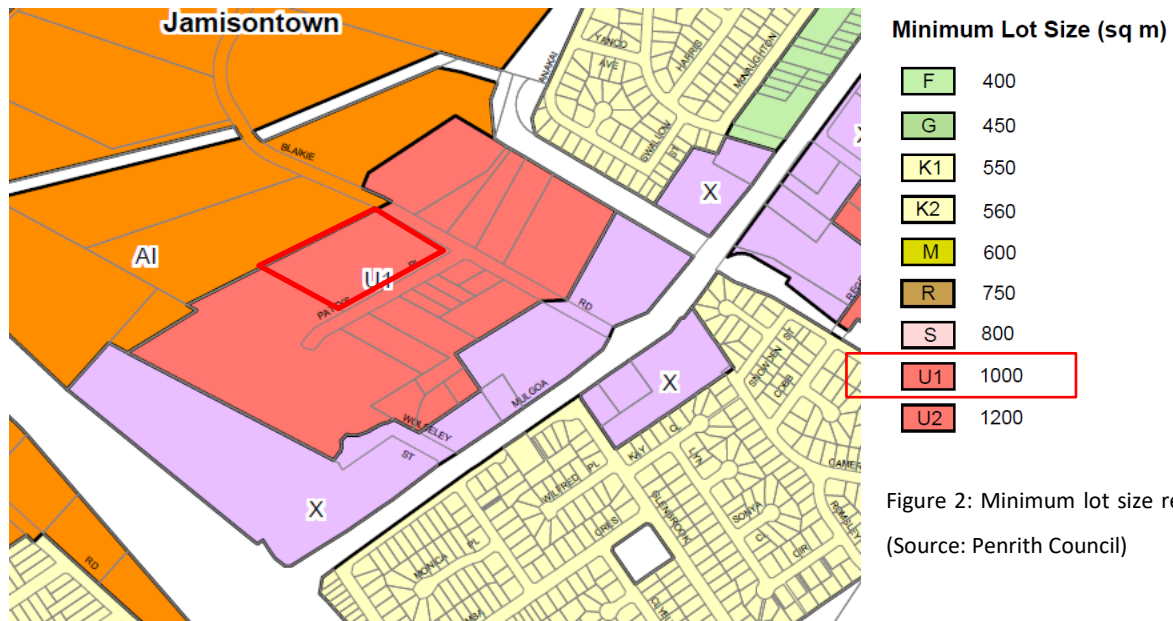


Figure 2: Minimum lot size requirement
(Source: Penrith Council)

Site Affections

In terms of the site affections, the site is not a heritage item, nor is it located in a heritage conservation area. Investigations relating to bushfire and flooding have also been undertaken, due to these sensitivities having been identified on Council records. The limitations that these impose on the site have been factored into the design outcome that is demonstrated in this report. In addition, the site ingress and egress points and internal road layout have also been carefully documented taking account of Council's policies and the aforementioned constraints.

The development has also been the subject of a pre-development application meeting undertaken with the Council, the minutes of which accompany this application and are addressed in this Statement of Environmental Effects (SEE).

This Report

This report provides the following:

- a description of the site and the locality surrounding this;
- a description of the proposed development;
- the proposal's response to the relevant environmental planning controls, including the site's sensitivities; and
- conclusions and recommendations relating to the proposal.

Project Team

This development application has been prepared in conjunction with the assistance of the following consultants

Table 1: Project Team

Discipline	Consultant
Survey	LTS Lockley Land Surveyors
Architectural Plans	Wayne Wilson Design & Drafting
Traffic, Transport & Parking	Varga Traffic Planning Pty Ltd
Flora & Fauna	Travers Bushfire & Ecology
Bushfire	Travers Bushfire & Ecology
Flooding, Drainage and Civil Design	CJ Arms Pty Ltd
Landscape Design	Site Image Pty Ltd
Contamination	Geotechnique Pty Ltd

We trust that the enclosed information is sufficient for Council's consideration of the matter and look forward to working with the Council during their assessment of the application.

2. THE SITE AND ITS LOCALITY

The following table provides the relevant site details and advice as contained in the Section 10.7 certificate (Certificate No. 19/03168, dated 16 August 2019).

Table 2: Section 10.7 Certificate

Property Address	121 – 133 Blaikie Road, Jamisontown, NSW, 2750
Legal Description	Lot 111 in DP 1035909
Total Site Area	2.25ha
Slope Direction	The site falls from the south-eastern corner of the site to the north-western corner.
Existing Use	Vacant
Critical Habitat	No
Conservation Area	No
Environmental Heritage	No
Coastal Protection	No
Mine Subsidence	No
Road Widening or Realignment	No
Hazard Risk Restriction (other than flooding)	No
Flood Planning	Yes , All or part of the subject land is identified as flood prone land (Refer to Civil Design Report)
Acquisition	No
Biodiversity Certified Land	No
Bushfire Prone Land	Yes , some of the land is identified as bush fire prone land (Refer to Bushfire Impact Assessment)
Property Vegetation Plan	No
Contamination	No (Refer to Contamination Assessment)
Other	The land is identified as “Land with Scenic and Landscape Values” (Refer to Landscape Plan)

The subject site is located at 121-133 Blaikie Road, Jamisontown and is legally described as Lot 111 in Deposited Plan 1035909. The site comprises 2.5 hectares of vacant land and is located on the corner of Blaikie Road and Pattys Place. The site has a primary frontage of 121.885m to Blaikie Road and a secondary frontage of 197.215m to Pattys Place.

Ownership and Title Information

The following matters are registered on title:

- H724040 – Covenant relating to fencing to external property boundaries.
- DP1121022 - Right of Carriageway 4 metres & 7 metres wide appurtenant to the land.

However, these have no impact on the development potential of the site.

Figure 3: Site Location



Source: <https://maps.six.nsw.gov.au/>

Figure 4: Aerial Photograph



Source: <https://maps.six.nsw.gov.au/>

Figure 5: Context Analysis

**LEGEND:**

Subject Site		B5 Business Development Zone	
RU4 Primary Production Small Lots Zone		RE1 Public Recreation Zone	
R2 Low Density Residential Zone		SP2 Infrastructure Zone	
Bus Stop		Penrith Homemaker Centre	
Watercourse		Service Station	

Ownership and Title Information

The following matters are registered on title:

- H724040 - Covenant

- Statement of Environmental Effects – 121 - 133 | Blaikie Road | Jamisontown

Figure 6: Deposited plan showing right of carriageway



An aerial photograph of a rural landscape. A red rectangle highlights a specific area in the center-right of the image. The landscape features a mix of agricultural fields, some with distinct patterns, and a cluster of trees or shrubs in the lower right. A dark, winding feature, possibly a road or a ditch, runs diagonally across the upper left. The overall tone is grayscale, with varying shades of gray representing different land uses and vegetation.

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Table 3: History of Site Usage (Source: Preliminary Contamination Assessment, Geotechnique Pty Ltd, Page 3)

1947	The site and adjoining properties appear to be vacant land. A tributary of a creek is observed along the western boundary of the site. Orchard activities are evident in the distant southern property.
1961	It appears the site and adjoining properties remain unchanged since 1947, with the exception of presence of a dirt track traverse within the site and adjoining southern property, and a road (Blaikie Road) which borders the site to the north.
1970	The south western portion of the site and adjoining southern property appear to be disturbed. Instead of orchard, market garden activities are evident in the distant southern property. Poultry farming is also noted in the distant southern property. Market garden activities are also evident in the distant western property.
1978	The western portion of the site appears to be disturbed. More poultry farming activities are noted in the distant southern properties.
1986	It appears the site and adjoining properties remain unchanged since 1978, with the exception of cessation of market garden and poultry farming activities in the distant properties.
1998	Commercial developments are noted in the distant northern, eastern and southern properties. A road (Pattys Place) borders the site to the east. Dirt track is no longer visible.
2005	Commercial developments are noted in the adjoining eastern and southern properties. A batter is noted within western portion of the site and disturbance in the remainder of the site.
September 2017	The site and adjoining properties appears unchanged since 2005, with the exception of disturbed areas within the site is no longer apparent.

Existing Site Conditions

Topography

The site falls from south to north, ranging from approximately two (2) metres, along the eastern side, along Blaikie Road and 3.39 metres along the western boundary. There is also a cross fall of approximately 2.7 metres from the south-eastern corner to the north-western corner.

This is evidenced on the Site Survey prepared by LTS Lockley Land Surveyors.

Soil Conditions

A Preliminary Site Investigation has been undertaken by Geotechnique Pty Ltd. The Geological Map of Penrith identifies residual soils within the site are to be underlain by Quaternary Age Soils of the Cranebrook foundation, which comprise gravel, sand, silt and clay. In addition, the soil landscape map indicates that the site is located within the Richmond landscape area and typically consists of clays, clay loams, sand and ironstone nodules.¹

Drainage & Flooding

The analysis prepared by CJ Arms, in conjunction with the Council both before and during the pre-DA process, indicates that the northern side of the site is affected by floodwaters, caused by backwaters of the Nepean River floodplain, thus resulting in the 1% AEP storm event on the site. In addition, the majority of water from the site discharges to an existing large depression that aligns the north-western boundary of the site.²

¹ Preliminary Contamination Assessment, Geotechnique Pty Ltd, Page 6

² Civil & Drainage Design Report, CJ Arms Pty Ltd, Page 2.

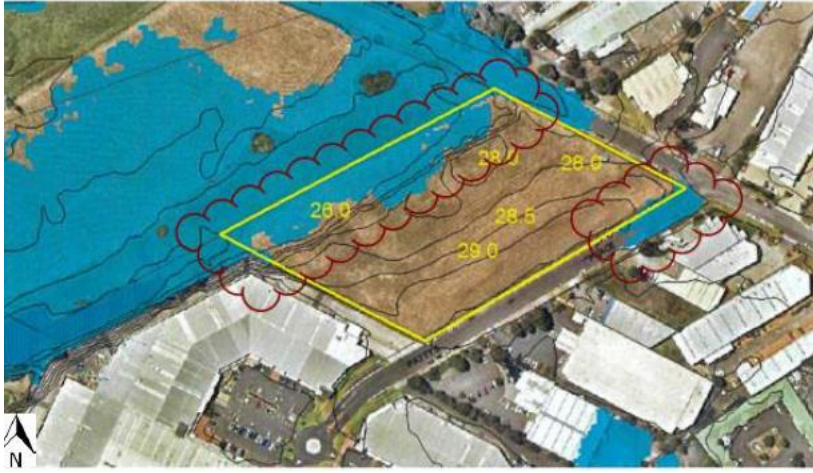


Figure 8: Existing flood extent as defined by Council (Source: Civil and Drainage Design Report, CJ Arms, Page 2)

Vegetation & Wetlands

The site is generally devoid of any substantial vegetation, comprising mainly of grassland, while the immediate north of the site supports *freshwater wetland / sedges associated with a riparian corridor*.

Bushfire

A section of the site identified as bushfire prone land, being in the Vegetation Buffer Area on the bushfire prone land map. This has been confirmed with further detailed mapping undertaken by Travers Bushfire Ecology.



Figure 9: Bushfire impact identification (Source: Bushfire Impact Assessment, Travers Bushfire & Ecology)

Traffic and Transport

The site fronts Blaikie Road and Pattys Place. These are two-way, local, unclassified roads that are primarily used to provide vehicular and pedestrian access to properties fronting these streets. Both have a speed limit of 50km/h. Unrestricted kerbside parking is generally permitted on both sides of both roads in the vicinity of the site.

Within the broader road network, the site connects with Mulgoa Road to the east, which is a classified road providing district access to locations such as Penrith City Centre. This also adjoins the M4 Motorway to the

south-east of the site which forms the regional arterial road network servicing the western suburbs and lower Blue Mountains.

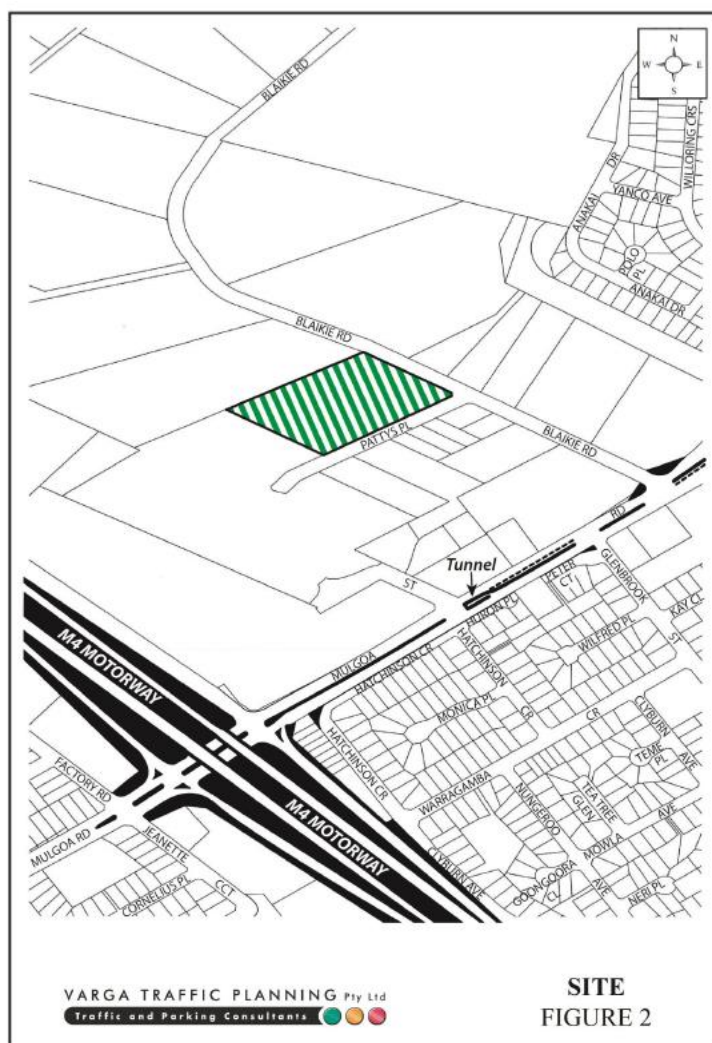


Figure 10: Site Location in context of local, district and regional road networks (Source: Traffic, Transport & Parking Assessment, Varga Traffic Planning)

Site Context

In terms of the context of the site, this is dominated by various industrial and warehouse developments to the north, south-west and south-east. Penrith Homemaker Centre is located to the south of the site. Directly adjoining the site, to the west, is vacant land (No. 107) zoned as Primary Production Small Lots. A watercourse is also located along the western boundary of this site.

Beyond the B5 zone, approximately 250m from the site, low density residential areas are located towards the north and south-east. In terms of transport opportunities, the site is located nearby several bus stops, servicing to Glenmore Park and Westfield, Parramatta. Additionally, the site is located approximately 10 minutes' drive from Penrith and Emu Plains Station.

3. THE PROPOSED DEVELOPMENT

The Proposal

The proposed development seeks consent for an industrial subdivision of the land which will allow for a mix of industrial, business and warehouse uses to be located on smaller sized allotments, of which there is a shortage in the local area, to support smaller businesses of this nature. It is proposed to undertake the subdivision as follows:

- Torrens title subdivision into five (5) superlots, ranging in size from 2,000m² to 4,075m²
- Subsequent strata title subdivision of the five (5) superlots into smaller allotments, resulting in between two and four allotments per superlot, all of which will maintain a minimum allotment size of 1,000m². These strata title allotments will be provided with shared driveways, accessible by rights of carriageway, for vehicular purposes.

The size of the allotments, and subsequent construction of new facilities, will reinforce the viability and economic strength of the site and the Penrith locality. The proposed subdivision of the land will, in no way, create adverse impacts on land uses surrounding the site.

In terms of satisfying the B5 zone objectives, the proposed development will achieve these as set out in the Table below.

Table 4: Assessment of the Proposal having regard to the B5 Objectives

Zone Objective	Comment
To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.	The proposed subdivision will allow for a mixture of business, warehouse and specialised retail uses, that are permissible with the zoning of the land, to be accommodated on a vacant parcel, responding to demand for such in this location. The site is in a suitable geographic position, but will not compromise the viability of existing centres, such as the Penrith CBD.
To maintain the economic strength of centres in Penrith by limiting the retailing of food, groceries and clothing.	The proposed subdivision will remain supportive of the economic strength of the Penrith CBD, by ensuring the uses within the site are appropriate to the context of the area. The specific uses of the land will be subject to separate development applications at a later stage; however, the variation in lot sizes, as proposed, will provide an opportunity for a diverse range of businesses to be accommodated.

The proposal thus satisfies the objectives of the zone.

The Proposed Works

The proposed works comprise the following:

- Subdivision of the land on a lot by lot basis, as set out in the table below.

Table 5: Proposed Subdivision Configuration

Lot No.	Area	Building Area	No. of car parking spaces
1	1,000m ²	500m ²	23
2	1,000m ²	500m ²	
3	1,000m ²	500m ²	
4	1,000m ²	390m ²	22
5	1,000m ²	500m ²	
6	1,000m ²	440m ²	
7	1,081m ²	500m ²	20
8	1,000m ²	500m ²	
9	1,000m ²	400m ²	
10	1,000m ²	500m ²	15
11	1,000m ²	500m ²	
12	1,000m ²	500m ²	32
13	1,000m ²	500m ²	
14	1,000m ²	500m ²	
15	1,075m ²	537m ²	

- Construction of an internal roadway, commencing on Pattys Place and heading in a north-westerly direction, before turning north-east and connecting with Blaikie Road. The internal roadway will be classified as a public road and handed back to Council as part of the proposed development. The roadway is a minimum width of 13 metres along the east-west passage and 6.5m wide along the north-south passage, with a two-metre central median island.
- A new driveway entrance into each super-lot, with a minimum width of seven metres, noting that those allotments with frontage to an external street are provided vehicular access from the existing public roads.
- Excavation of 2,200m³ of soil and fill of approximately 12,700m³, to respond to the flooding conditions of the land.
- Construction of a batter slope and retaining wall, up to two metres in height aligning the north-western side of the site, which will incorporate the required riparian zone.

- Construction of a new stormwater drain, running through the edge of the internal roadway and connecting to the existing council pit at Blaikie Road, with augmentation works as necessary to enable connection to the existing system.
- Construction of a series of street tree rain gardens within the kerb of the proposed roadway.

Existing electricity, gas, telephone and sewer services are located within the vicinity of the site and will be utilised accordingly.

Building Envelopes

The proposal does not seek to construct individual buildings on each allotment as part of the application; however, each of the proposed allotments is of sufficient size and scale to suitably accommodate future built form. This is demonstrated on the Building Envelope Plan prepared by Wayne Wilson Architectural Design & Drafting, as requested by the Council at the pre-DA stage.

This demonstrates that an envelope is achievable on each lot that does not fall foul of the existing planning controls and may also be suitably accessed *via* both cars and service vehicles. Service vehicles, up to 8.8 metres in length (medium rigid truck) would be able to access each loading bay as shown on the building envelope. However, larger vehicles have been accommodated up to 12.5m (large rigid truck) through the vehicular access driveways and internal circulation areas of each of the lots.

The arrangements will also allow all vehicles to enter and leave the site in a forward direction, including each superlot.

Bushfire & Vegetation

The proposed subdivision layout demonstrates an allotment configuration that is responsive to bushfire and vegetation characteristics.

In terms of bushfire, the north-western boundary of the site is affected by a prescribed ten metre revegetation buffer, in which no development, including roads, is to take place. As recommended in the Bushfire Impact Assessment and demonstrated on the Landscape Plans, this area contains freshwater wetland vegetation and revegetation through this area, with freshwater wetland species, is proposed.

A further 6.5 metres is set aside, in addition to this, as an Asset Protection Zone (APZ) in accordance with Table A1.12.5 Pre-Release Planning for Bushfire Protection (PBP) 2018. Within this, a roadway may be constructed; however, no buildings are permitted. This is accurately reflected on the subdivision plan.

Beyond the APZ, buildings may be constructed, but are subject to higher building protection requirements, with BAL 40, 29 and 19 construction requirements. This will only affect proposed Lot 15. All remaining lots may be constructed in accordance with the BAL 12.5 limitations.

Based on this design configuration, the Bushfire Assessment provides the following Conclusions and Recommendations:

4.1 Conclusion

This bushfire protection assessment has been undertaken for the proposed commercial / industrial subdivision of Lot 111 DP 1035909, No. 121 – 133 Blaikie Road, Jamisontown. The subdivision will involve the creation of fifteen (15) new allotments.

This assessment has found that bushfire can potentially affect the proposed development from the freshwater wetland vegetation associated with the riparian corridor within the adjoining land to the north, resulting in future buildings being exposed to potential radiant heat and ember attack.

The assessment has concluded that the proposed development will provide:

- APZ's in accordance with the minimum setbacks outlined within *PBP 2019*;
- Provision of access in accordance with the acceptable solutions outlined in *PBP 2019*; and
- Water, electricity and gas supply in compliance with the acceptable solutions outlined in *PBP 2019*.

The following recommendations are provided to ensure that the development is in accordance with, or greater than, the requirements of *PBP*.

4.2 Recommendations

Recommendation 1 - The development is as generally indicated on the attached Schedule 1 – Plan of Bushfire Protection Measures

Recommendation 2 – The entire property (outside of the retained 10m wide vegetated strip adjacent to the northern boundary) is to be managed as an IPA with future landscaping within the site is to ensure compliance with Appendix 4 of *PBP 2019*.

Recommendation 3- Access is to comply with the acceptable solutions outlined in Section 5.3.2 (Table 5.3b) of *Planning for Bush Fire Protection 2019*.

Recommendation 4 - Water, electricity and gas supply is to comply with Section 5.3.3 (Table 5.3c) of *Planning for Bush Fire Protection 2019*.

Recommendation 5 - Fencing is to comply with Section 7.6 of *PBP*. All fences in bush fire prone areas should be made of either hardwood or non-combustible material. However, in circumstances where the fence is within 6m of a building or in areas of BAL 29 or greater, they should be made of non-combustible material only.

Such matters may be addressed by restrictions on title, imposed as part of any subdivision certificate.

Flood Prone Land & Bulk Earthworks

As detailed above, the site is located on flood prone land and a batter and retaining wall is required along the north-western boundary of the site, to a height of two metres, to enable the site levels to be lifted above the 1% AEP flood level of RL 27.30. CJ Arms provide the following in this regard:

For events exceeding the 5% AEP even and up-to and including the 1% AEP event, flows will be managed within the proposed road through the site. All lots will be graded towards the road to direct overland flows through the site to the existing depression on the western boundary where water currently drains. These flows pats will be appropriately sized to cater for the peak storm events, ensuring flood protection is achieved for the proposed lots, while maintaining a velocity x depth (V.d) ratio in accordance with Council guidelines.

The proposal accommodates a freeboard of 500mm to ensure adequate safety above the 1% AEP level. To achieve this, it will be necessary to cut 2,200m³ of soil and fill by approximately 12,700m³, thus resulting in a nett position of 10,500m³. This will result in improvements to the flooding extent on the site, as *The proposed grading of the site allows for flows from Pattys Place to enter the subdivision and drain out, rather than being trapped at the intersection until there is available capacity.*

The excerpts below show the difference between existing and proposed flooding as a result of the works to be undertaken on the site.



Figure 11 – Penrith City Council Flood Advice

Figure 1 is an extract from Council's flood advice for the site, this plan has been used as a visual comparison to ensure the results obtained in the existing and proposed modelling are relevant and follow the advice from Council.



Figure 6 – Existing Conditions Modelling – Flood Depths

Figure 6 above shows the results from the existing conditions modelling. The plan indicates the extent of flooding on the site greater than 150mm. This is in line with council advice (Figure 11) above.

Figure 7 indicates the flood depths on site for the design scenario. It can be seen that the flood extent onsite has been reduced. There is also no longer any flooding greater than 150mm at the intersection of Pattys Place and Blaikie Road. The proposed grading of the site allows for flows from Pattys Place to enter the subdivision and drain out, rather than being trapped at the intersection until there is available capacity. Any flooding >150mm on the site is generally contained within the proposed roadway.



Figure 7 – Design Scenario Modelling – Site Flood Depths



Figure 8- Design Scenario Modelling – Surrounding Flood Depths

A restriction would need to be imposed on the title of the land to address this issue for the purpose of future buildings being constructed.

4. ENVIRONMENTAL PLANNING ASSESSMENT

Section 4.15 of the Environmental Planning & Assessment Act 1979 (EP & A Act) sets out the matters for consideration when a consent authority is assessing a development application. These matters are addressed below.

Table 6: Section 4.15 of the EP & A Act

	Title/Clause	Comment
4.15	Evaluation	
(1)	Matters for consideration—general	
	In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
	(a) the provisions of:	
	(i) any environmental planning instrument, and	○ Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No. 2 - 1997) ○ State Environmental Planning Policy No.55 - Remediation of Land (SEPP 55), ○ State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure), and ○ the LEP.
	(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Not Applicable
	(iii) any development control plan, and	Penrith Development Control Plan 2014 (DCP)
	(ilii) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	Not applicable
	(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Not applicable

	(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),	Not applicable
	that apply to the land to which the development application relates,	
	(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	In relation to environmental impacts, the proposal has been designed to take account of the physical restrictions of the land as they relate to flooding, vegetation and bushfire and designed outside of these, so as not to cause adverse outcomes on surrounding floodwaters, nor cause additional risk in terms of bushfire. In terms of impacts resulting from additional traffic movements, the size and scale of the proposal is commensurate with the zoning and allotment size standards permitted for the site as anticipated by the planning controls. The proposal does not seek to impinge upon these, such as to create undue and unnecessary pressure on the surrounding road network. Further, the use of both street frontages and dual access points ensures that traffic flow is distributed so as not to put unnecessary pressure on one particular section of the roadway. This is addressed in the Traffic & Parking Assessment. In terms of social and economic outcomes, these are positive with the introduction of new employment sources within this precinct and the creation of a differing market product to encourage smaller businesses into the locality. This will also aid the use of local facilities and services to support the on-going viability of these.
	(c) the suitability of the site for the development,	The proposed subdivision has been designed to take into account the environmental constraints of the site such as flooding and bushfire and has the capacity to accommodate the development with appropriate design outcomes that do not place undue pressure on the landholding.

		Further, the site is located in an existing and well-established business zone comprising of business and warehouse uses and would further aid in supporting the viability and economic strength of the site and the Penrith locality. The capacity of the site to accommodate the development is reflected in the composition of allotments and the buildability of each, through the location of building envelopes, which comfortably accommodate a form that is consistent with the relevant density controls. Further, this density does not compromise the connection of the internal road network with the broader road network and the proposed road system has the capacity to accommodate the vehicle density across the allotment.
	(d) any submissions made in accordance with this Act or the regulations,	Should any submissions be made as a result of notification of the application, the Applicant would be willing to respond to these accordingly.
	(e) The public interest.	The public interest is best served by permitting the orderly and economic development of land in a manner that is appropriate to surrounding development and intended future built form direction. The outcome of the development is that it will generate additional business and employment opportunities, while not compromising the surrounding context in term of physical or built features. As such, the public interest is best served through this application.

Integrated Development

Section 4.46 of the EP & A Act addresses Integrated Development and applies to this application as detailed below.

Table 7: Integrated Development

Clause No.	Title/Clause			Comment
4.46	Integrated Development			
(1)	Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the following approvals:			
	Act	Provision	Approval	Not Applicable
	Coal Mine Subsidence Compensation Act 2017	s 22	approval to alter or erect improvements, or to subdivide land, within a mine subsidence district	
	Act	Provision	Approval	Not Applicable
	Fisheries Management Act 1994	S 144	aquaculture permit	
		S 201	permit to carry out dredging or reclamation work	
		S 205	permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease	
		S 219	permit to: (a) set a net, netting or other material, or	
			(b) construct or alter a dam, floodgate, causeway or weir, or	

Clause No.	Title/Clause			Comment
			(c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat	
	<u>Heritage Act 1977</u>	S 58	approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1)	Not Applicable
	<u>Mining Act 1992</u>	Ss 63, 64	grant of mining lease	Not Applicable
	<u>National Parks and Wildlife Act 1974</u>	S 90	grant of Aboriginal heritage impact permit	Not Applicable
	<u>Petroleum (Onshore) Act 1991</u>	S 16	grant of production lease	Not Applicable
	Act <u>Protection of the Environment Operations Act 1997</u>	Provision ss 43 (a), 47 and 55	Approval Environment protection licence to authorise carrying out of scheduled development work at any premises.	Not Applicable
		SS 43 (b), 48 and 55	Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a “waste activity” but including any activity described as a “waste facility”).	
	Roads Act 1993	S 138	consent to:	

Clause No.	Title/Clause			Comment
			(a) erect a structure or carry out a work in, on or over a public road, or	This may be required in the process of connecting the internal road system to the existing road frontages.
			(b) dig up or disturb the surface of a public road, or	This may be required in the process of connecting the internal road system to the existing road frontages.
			(c) remove or interfere with a structure, work or tree on a public road, or	Not applicable
			(d) pump water into a public road from any land adjoining the road, or	The proposed development will require connection into the existing stormwater put on Blaikie Road.
			(e) connect a road (whether public or private) to a classified road	While connection to a public road is required, both Pattys Place and Blaikie Road are not classified roads.
	<u>Rural Fires Act 1997</u>	S 100B	authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes	Applicable. Refer to Bushfire Impact Assessment and Bushfire Safety Authority is required.
	<u>Water Management Act 2000</u>	Ss 89, 90, 91	water use approval, water management work approval or activity approval under Part 3 of Chapter 3	Approval is required in accordance with s.90(3) for a drainage work approval.

On the basis of the above table, this development application requires referral to:

- Roads & Maritime Services, pursuant to the Roads Act 1993
- Rural Fire Service, pursuant to the Rural Fires Act 1997, and
- Department of Industry – Water, pursuant to the Water Management Act 2000.

General terms of approval are required from each agency to enable the development application to be approved.

SREP 20

SREP 20 aims to protect the environment of the Hawkesbury-Nepean river system by ensuring the impacts of future land uses are considered in a regional context.

In terms of the planning considerations the specific policies and recommended strategies that are considered relevant to the proposed development are discussed below:

Total Catchment Management - The proposal will not have any adverse environmental impact.

Environmentally Sensitive Areas - this policy provides that the quality of environmentally sensitive areas must be protected and enhanced through careful control of land use changes and through management and remediation of existing uses. The site has not been identified as an environmentally sensitive area. However, the sensitivities of bushfire and flooding have been factored into the design outcomes and are reflected in the site layout.

Water Quality - this policy provides that future development must sustain the goals of primary contact recreation and aquatic ecosystem protection in the river system. The proposed development adopts suitable environmental controls and principles, such as sewerage and stormwater management and erosion and sedimentation controls to ensure that sufficient water quality is retained. This is addressed in the Civil Design Report accompanying this DA.

Water Quantity - this policy provides that aquatic ecosystems must not be adversely affected by development which changes the flow characteristics of surface or groundwater in the catchment. The proposed development is developed in accordance with the land capability of the site and will not cause degradation.

Flora and Fauna - The proposal will not result in a significant adverse environmental impact in relation to flora and fauna. Due to the existence of freshwater wetland vegetation along the north-western boundary, a Vegetation Management Plan will be required for this area, with an on-going maintenance requirement. Such a plan would be provided as part of the construction certificate, prior to works commencing on site.

Urban development - this policy provides that all potential adverse environmental impacts of urban development must be assessed and controlled. The proposal is compatible in terms of the intended use and will not have any adverse environmental impacts.

The proposal thus achieves the requirements of SREP 20.

SEPP 55

SEPP 55 requires the consent authority to consider whether the subject land is contaminated. Clause 7 requires an applicant to demonstrate whether a parcel of land is suitable for the intended use. A Stage 1 Contamination Site Assessment accompanies this development application, the findings of which are provided below.

- Most of the site is underlain by fill materials originating from the site/region, underlain by natural clayey soil. Topsoil, underlain by natural clayey soil was also encountered at many locations. At a few locations, natural clayey soil was encountered from the surface layer. The test pits did not reveal any visual evidence of asbestos or other indicators of significant contamination, such as staining, odours or significant foreign matter.
- All the laboratory test results satisfied the criteria for stating that the analytes selected are either not present i.e. concentrations less than laboratory limits of reporting, or present in the sampled soil at concentrations that do not pose a risk of hazard to human health or the environment under a "commercial/industrial" form of development.
- The data quality objectives outlined in the report have been satisfied.

Based on this preliminary contamination assessment, it is concluded that the site does not present a risk of harm to human health or the environment and in our opinion, the site is therefore environmentally suitable for the proposed commercial development.

If any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos sheets/pieces/pipes, ash material, etc.) are encountered during any stage of future earthworks/site preparation, between the sampling locations, Unexpected Finds Management Protocol (Appendix I) should be implemented. In the event of contamination, detailed assessment, remediation and validation will be necessary.

It goes on to state that:

For any materials to be excavated and removed from the site, it is recommended that waste classification of the materials, in accordance with the "Waste Classification Guidelines Part 1: Classifying Waste" (NSW EPA 2014), NSW EPA resource recovery exemptions and orders under the Protection of the Environment Operations (Waste) Regulation 2014, or NSW EPA Certification: Virgin excavated natural material is undertaken prior to disposal at an appropriately licensed landfill or potential re-use at other sites.

Any imported soil (fill) must be assessed by a qualified environmental consultant, prior to importation, to ensure suitability for the proposed use. In addition, the imported fill must not contain asbestos and ash, be free of unusual odour, not be discoloured and not acid sulphate soil or potential acid sulphate soil. The imported fill should either be virgin excavated natural material (VENM) or excavated natural material (ENM).

Therefore, in accordance with the requirements of SEPP 55 the site is considered suitable for the intended purpose. This is further addressed in the Contamination Assessment accompanying this DA.

SEPP (Infrastructure)

Clause 45 addresses development in the vicinity of electricity distribution networks. There is, however, no such electricity infrastructure within the vicinity of the site as prescribed by this clause.

Clause 104 deals with *Traffic-generating development*. The proposed development is not classified as *Traffic generating development* under Schedule 3 of the SEPP; as such, concurrence from the RMS is not required.

The LEP

The proposal is consistent with Clause 1.2 Aims, as it will:

- promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and a strong commitment to healthy and safe communities and environmental protection and enhancement;
- foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region;
- minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas; and
- ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.

The proposed subdivision will allow for increased employment opportunities, allowing Penrith to fulfil its role as a regional city. Additionally, the proposal provides an appropriate response with strategies in place for environmental hazards such as bushfire and flooding. The proposal thus provides an orderly and economic development outcome for the land in a manner that is appropriate to surrounding development and intended future built form direction.

Clause 2.6 requires development consent to be granted for *Subdivision*. The proposal seeks approval for Torrens title subdivision of the site into five superlots and subsequent strata title subdivision of these. This includes dedicating the internal roadway back to the Council, as a public road.

Clause 4.1 addresses *Minimum subdivision lot size*. The size of any lot resulting from the subdivision of land to which this clause applies is not to be less than the minimum size shown on the lot size map in relation to that land. The minimum lot size shown on the relevant map is 1,000m². The proposal creates fifteen resulting lots, with each useable lot equal to, or greater than, 1,000m², thereby compliant with the development standard.

Clause 4.3 and 4.4 address Height of buildings and Floor Space Ratio respectively. As buildings are not proposed as part of the subdivision at this time, these development standards are not relevant. However, the building envelope plan demonstrates that these aspects of a future development may be comfortably achieved.

Clause 7.1 deals with *Earthworks*. Earthworks are required on the land to address matters of flooding, in particular to ensure that a safe freeboard level is achieved. This will also assist with stormwater flows across the site. These earthworks will not have a detrimental impact on any environmental functions or processes and will not impact any neighbouring uses as a result of on-site augmentation works. Suitable soil and erosion controls will be implemented on site to reduce any impacts during construction.

Clause 7.2 addresses *Flood Planning*. The site is subject to flooding during the 1% AEP storm event. The proposed lot layout has been designed to carefully consider flood hazards and impacts. The proposed development will be filled to ensure the finished floor level (FFL) within the site is a minimum of 500mm above the 1% AEP level..

Clause 7.4 deals with *Sustainable development*. While not all aspects are relevant as the application relates only to subdivision, principles of water conservation and reuse are addressed in the Civil Design Report accompanying this application.

Clause 7.5 addresses *Protection of scenic character and landscape values*. The site is located within an area identified as Scenic and Landscape Values. The proposal involves subdivision only at this stage. The proposed subdivision is unlikely to have any visual impact on the area as any future built form will be designed to be compatible with other existing buildings in the area. It as such, a visual impact assessment is not a necessary requirement at this stage.

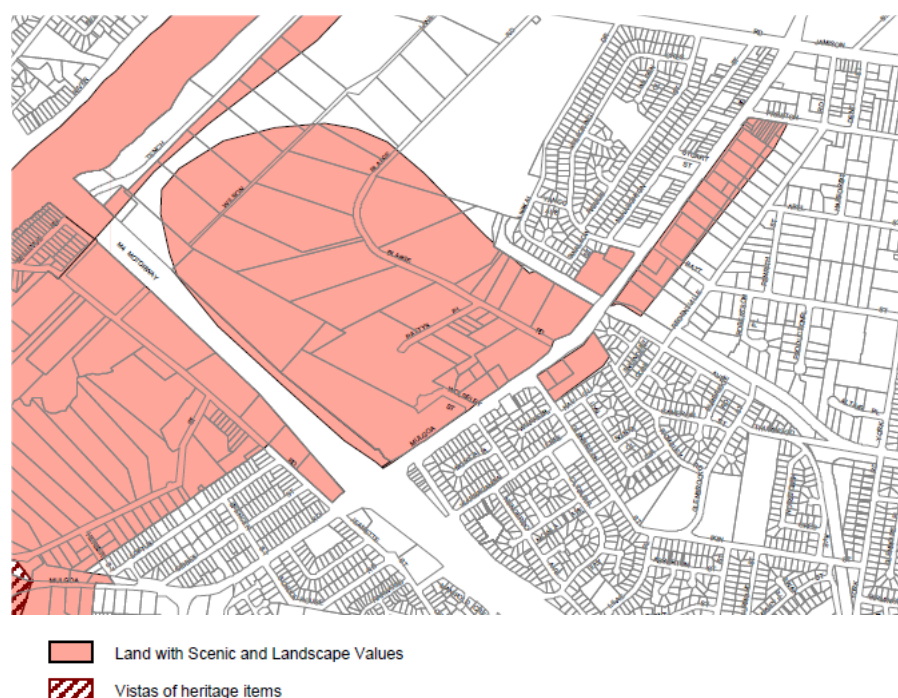


Figure 11: Scenic and Landscape Values (Source: Penrith City Council)

Clause 7.7 addresses *Servicing*. Existing service locations are shown on the plan prepared by LTS Lockley and augmentation will be provided as part of conditions of consent and as shown on the Civil Design Plans accompanying the DA.

The proposal therefore achieves the requirements of the LEP.

The DCP

The DCP provides detailed guidelines for development in the Council's area, set out in the form of objectives and controls. Only those provisions that relate to the lot design and layout are addressed for the purpose of this DA.

Table 8: DCP Compliance

Control	Compliance	Comment
C1 Site Planning and Design Principles	Yes	The design proposal responds to key site planning and environmental constraints identified as part of site analysis. The proposed layout is suitable in relation to the context and character of the area in which it is located. Refer detailed discussions below.
1.1.2. Key Areas with Scenic and Landscape Values		Refer discussions in the LEP.
C11 Subdivision		
11.1 General Subdivision Requirements		
1. Engineering Works		
a) Where roads and other engineering works are required to support a proposed subdivision, details must be included in the development application. Applicants are advised to consult with Council's Development Services Unit in relation to any subdivision proposal.	Yes	Refer to Civil Design Report and Drawings.
2. Site Planning		
a) Any proposed subdivision must demonstrate how the proposed subdivision design has taken into account the principles set out in Section C1 'Site Planning and Design Principles' of this DCP.	Yes	Refer discussions below.
b) As part of any site analysis, the proposed subdivision must demonstrate its integration with the natural and physical features of the site including but not limited to:		
o Slope and orientation of land	Yes	The site falls from the south-eastern corner of the site to the north-western corner. The proposed subdivision has been designed to respond to the topography of the

Control	Compliance	Comment
		site, as well as accommodating flooding constraints.
o Design of roads and access ways (individual site access);	Yes	The internal access road has been designed in accordance with Section C10 of the DCP.
o Retention of special qualities or features such as trees or views	Yes	The proposal involves subdivision of the land and there are no defined special qualities or features that require protection in association with this application.
o Availability of utilities	Yes	Existing utilities are shown on the Survey Plan; the Civil Design Report and drawings address augmentation of services.
o Provision of adequate site drainage	Yes	Refer to Civil Design Report and Drawings.
o Possible need to retain the existing subdivision character	Yes	The subdivision layout is consistent with the existing character of the area, particularly to the north and east. It is also consistent with the minimum allotment size prescribed which is reflective of the character desired for the area.
o Relationship to adjacent subdivision patterns; and	Yes	
o Heritage and archaeological conservation	Not applicable	The subject site is not identified as a heritage item or conservation, area nor is it in the vicinity of any items or areas.
o Adequacy of each allotment considering relevant development standards for the proposed future use of the land;	Yes	The proposal complies with the minimum lot size and lot frontage requirements.
o Potential land use conflicts with adjacent lands		This proposed subdivision will allow a mix of business and warehouse uses to be located, consistent with the adjoining properties. The proposed subdivision of the land will, in no way, create adverse impacts on surrounding land uses.
c) Existing vegetation and natural drainage lines should be retained and enhanced, wherever possible.	Yes	The freshwater wetland vegetation identified on the north-western boundary of the site will be retained and managed through a Vegetation Management Plan.
e) Long and narrow allotments should be avoided. Allotments should have a maximum of 4:1 depth to width ratio.		All proposed allotments comply, providing a smaller depth to width ratio. The maximum depth to width ratio of the proposed lots is 3:1

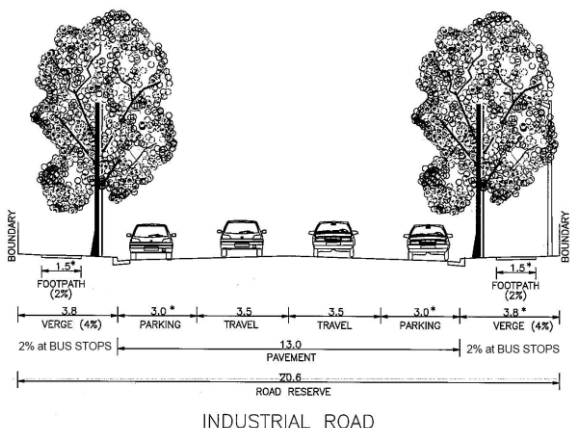
Control	Compliance	Comment
f) 'Battle-axe' allotments are discouraged by Council.	Yes	No battle-axe allotments are proposed as part of the subdivision.
g) Applications for subdivision need to demonstrate that each of the proposed allotments can support the proposed development/buildings by providing a <i>Potential Development Area Plan</i> . This Plan (based on a survey diagram) shall show the potential development area of each allotment (after taking into account setbacks that may be required to meet built form or environmental controls in this DCP).	Yes	A Potential development Area Plan accompanies this application and takes account of all necessary setbacks to demonstrate compliance with the built form controls.
h) Applications should be accompanied by landscape plans indicating proposed landscaping (including streets and how they are positioned so as not to compromise the effectiveness of street lighting) and parking arrangements.	Yes	Landscape Plans accompany this application.
i) New allotments should be located so as to protect, enhance or conserve areas of high scenic or recreational value. Council may consider subdivisions/buildings in these higher value areas where ridgelines, vistas and other geographic features are not interrupted or where building materials that blend with the environment are to be used.	Yes	Those parts of the site that contain freshwater wetland vegetation will not be built upon as part of this proposal, with all works set outside of this. A Vegetation Management Plan will be prepared to ensure the on-going conservation of this, in conjunction with the overall landscaping for the site.
4. Vegetation Management		
a) Any subdivision proposal is required to address the objectives and controls set out in the Vegetation Management and Landscape Design sections with particular focus on the protection of existing vegetation.	Yes	This will be addressed in both the Landscape Plans and the Vegetation Management Plan.
c) The design of any subdivision layout must ensure that the potential development pattern supported by the proposed subdivision design will be consistent with the existing landscape character of the area	Yes	As discussed previously, the layout of the proposed subdivision is consistent with the existing character of the area, particularly to the north and east.
d) A subdivision application on land identified as or adjacent to 'bushfire prone land' will need to address the controls set out in the vegetation management section relating to bushfire protection and the provision of assets protection zones. Where possible, removal of significant vegetation is to be minimised.	Yes	This is addressed in the Bushfire Impact Assessment accompanying this application.
e) Tree protection measures must be provided in accordance with Australian Standard AS 4970-2009 Protection of trees on development sites.	Not applicable	
5) Water Management		

Control	Compliance	Comment
c) Council will not support the subdivision of any land located in a floodway or areas of high flood hazard.	Not applicable.	The site is not located in a floodway or area of high flood hazard. Refer to Civil Design Report.
e) Generally, land situated within existing residential, commercial and industrial zones may only be subdivided to enable its development for urban purposes where the level of the existing land to be developed is not lower than the 1:100 ARI flood. All lots created by such subdivision shall have the portion of the lot that can be built upon filled to a level at least 0.5m above the 1:100 ARI flood.	Yes	The site is subject to flooding during the 1% AEP storm event. The proposed lot layout has been designed to carefully consider flood hazards and impacts. The proposed development will be filled to ensure the finished floor level (FFL) within the site will be a minimum of 500mm above the 1% AEP level of RL 27.3. Refer to the Civil Design Report.
6) Land Management		
Any subdivision application must address whether the proposed site has any potential for contamination (in accordance with the Contaminated Land Management Act 1997), other than by normal grazing activities. If required by Council, the land will need to be remediated in accordance with legislative requirements before subdivision can be permitted.		Earthworks will be undertaken to achieve a level site for the purposes of flooding, freeboard access and stormwater. A bulk earthworks plan accompanies this DA, demonstrating the areas of cut. A Stage 1 Contamination Site Assessment also accompanies this DA.
8) Access and Transport		
a) Any subdivision proposal is required to address the objectives and controls set out in the Transport, Access and Parking section with particular focus on ensuring that the proposed subdivision is appropriate taking into consideration: i) The appropriate location of land uses to minimise transport requirements; ii. Likely traffic generation; iii) Safe access and egress to the site; and iv. Appropriate lot sizes to provide facilities for cars, pedestrians and bicycles	Yes	A Traffic, Transport and Parking Assessment accompanies this application and confirms the suitability of the site having regard to these aspects.
b) Council will not approve any subdivision of new lots in situations where each lot cannot be provided with a safe access point to an existing public road	Yes	The proposed lot size complies with the minimum lot size and frontage requirements hereby ensuring adequate provision for vehicles and associated facilities. This is demonstrated in both the plans and the Traffic, Transport and Parking Assessment.

Control	Compliance	Comment
d) Site frontage must be sufficient to permit vehicular and pedestrian access to the site.		The proposed lots comply with the minimum lot frontage requirements, thereby ensuring safe and sufficient access to the site for both pedestrians and vehicles.
f) Council and the Roads and Maritime Services (RMS) require that access points are grouped at existing or limited access points whenever feasible to minimise the traffic impact and risk on additional access points to road networks.	Yes	The proposal limits the access points to two being <i>via</i> Blaikie Road and Pattys Place, ensuring minimal impacts and risks to the existing traffic and road networks. Two access points are however, a necessity, in terms of bushfire protection and, as such, cannot be avoided.
g) Where an internal road system is proposed to a new subdivision, the application must demonstrate a distinctive and hierarchical network of roads with clear physical distinctions between each type of road, based on function, capacity, vehicle speeds and public transport	Yes	An internal access road is proposed to ensure access to each lot is achieved.
h) All proposed road systems must provide acceptable levels of access, safety and convenience for all road users, while ensuring acceptable levels of amenity and protection from the impact of traffic.	Yes	The proposed road is designed to ensure adequate access, safety and convenience for road users, both within and around the development. Appropriate and clear signage and road markings would be provided to ensure user safety, most likely administered through conditions of development consent.
10) Infrastructure and Services		
a) Council will not approve of any subdivision of new lots where requirements for effluent/waste water disposal cannot be adequately met on each individual lot. b) Council will not approve of any subdivision of new lots where the provision of services, such as electricity, telephone and other centralised services, would result in additional costs not paid for by the applicant.	Yes	Adequate services will be made available to each lot.
c) Satisfactory arrangements will be required to be made with Sydney Water in conjunction with the submission of the subdivision application. Documentary evidence will be required of the consultation which has been undertaken		Refer to Civil Design Report.
11.4 Industrial Subdivision		

Control	Compliance	Comment
11.4.1 Subdivision – Lot Standards		
1) Minimum Lot Width		
a. Minimum lot sizes are indicated on the Penrith LEP Lot Size Map	Yes	Refer discussions in the LEP.
b. The minimum lot width of each lot is to be in accordance with the control: All other lots (not specified) = 20m minimum lot width	Yes	The minimum lot width provided is 20m.
2) Allotment Shape		
Subdivisions creating more than 5 lots shall provide: i) A variety of lot sizes; and ii) At least 20% of the lots with dimensions greater than the specified minimum for that precinct.	Yes	Two of the 15 lots have an area greater than 1,000m ² and with varying frontages to satisfy market demand and industry needs, as well as responding to the constraints of the site.
11.4.2 Subdivision - Access Roads		
1) All roads and intersections within any internal road network shall incorporate traffic facilities that promote safe and efficient traffic movement, speed control and maximise landscape opportunities.	Yes	The proposed internal road will incorporate traffic control and management measures through appropriate signage, road markings and landscaping. This would be administered through conditions of consent, unless otherwise advised by the Council.
2) The design of roads and traffic facilities shall comply with Council's engineering standards and accompanying Guidelines, and any Roads and Maritime Services requirements.	Yes	The internal access road has been designed in accordance with Section C10 of the DCP.
3) New industrial subdivisions should incorporate road designs that: a) Provide a distinctive and hierarchical network of roads, with clear physical distinctions between each type of road, based on function, capacity, vehicle speeds and safety; b) Utilise interesting, varied street patterns and avoid long 'gunbarrel' effects; and c) Incorporate cycle links adjacent to existing and proposed cycle and pedestrian networks.	Yes	Refer above comments.
11.4.3 Subdivision – Other Requirements		
1) Newly created lots are to drain directly to a piped drainage system, and not to the kerb and gutter.	Yes	Refer to Civil Design Report.
C2 Vegetation Management		
2.3 Bushfire Management		

Control						Compliance	Comment
a) A Bushfire Assessment Report, prepared in accordance with the PBP, must accompany all development applications on land identified as bush fire prone land.						Yes	The site is identified as bushfire prone land. The proposed layout is prepared in accordance with the Bushfire Impact Assessment.
C3 Water Management						Yes	Refer to Civil Design Report
C5 Waste Management							Waste management will be undertaken in accordance with Council’s conditions of consent.
C6 Landscape Design							Refer to Landscape Plans.
C10 Transport, Access and Parking							
10.2 Traffic Management and Safety							
The proposed internal road is a minimum of 20.6m wide configured with a 13m wide pavement plus 3.8m wide verges on both sides of the road.							Refer to Traffic, Transport and Parking Assessment.
10.4 Roads							
a) Proposed roads must comply with the road configurations set out in Table C10.1. These configurations apply to private and community title roads as well as all public roads.							The proposed internal road is a minimum of 20.6m wide configured with a 13m wide pavement plus 3.8m wide verges on both sides of the road.
Road Type	Parking lane Provision (m)	Width of dedicated travel lanes (m)	Verge width (m)	Road reserve (m)	Concrete Pathway 1.5m wide		
Industrial	2 x 3.0	7	2 x 3.8	20.6	Both Sides		
5) Industrial Roads							
a) Industrial roads are to achieve the following performance objectives: i. Provide direct access to industrial properties and interconnectivity with the adjoining road network; ii. Provide for all classes of heavy vehicles and appropriate circulation; iii. Provide dedicated on-street parking on both sides of the road; iv. Provide a shared path or on road cycle ways; and Provide lighting in accordance with relevant Australian Standards.						Yes	Refer to Plan of Subdivision and Traffic, Transport and Parking Assessment.
b. Roads are to be designed in accordance with Penrith City Councils engineering design guidelines						Yes	Refer above.

Control	Compliance	Comment
and conditions of development consent with reference to Figure C10.5  The diagram illustrates a cross-section of an industrial road. It shows a central travel lane (3.5m wide) flanked by parking areas (3.0m wide each). On the outer edges are verges (3.8m wide each) and footpaths (1.5m wide each). The total width of the road reserve is 20.6m. The diagram also indicates a 2% bus stop area on the verges. The road is labeled 'INDUSTRIAL ROAD'.		
10.5.2. Access and Driveways		
5) Access to allotments created in Subdivision		
a) New allotments must have direct access to dedicated public roads	Yes	All proposed lots will have access to a public road.
d) Bushfire requirements must be considered when designing access roads for subdivisions of land which is classified as 'bushfire prone land'. Access arrangements must include adequate provision for turning areas and emergency access.		Refer to Bushfire Impact Assessment.

5. CONCLUSIONS & RECOMMENDATIONS

Hamptons has been retained by Levadetes Property Group in relation to the site known as 121- 133 Blaikie Road, Jamisontown. Specifically, the proposal includes:

- Torrens title subdivision into five (5) superlots, ranging in size from 2,000m² to 4,075m²
- subsequent strata title subdivision of the five (5) superlots into smaller allotments, resulting in between two and four allotments per superlot, all of which will maintain a minimum allotment size of 1,000m²
- construction of an internal public road to ensure adequate servicing and access to the proposed lots with entry points *via* Pattys Place and Blaikie Road
- car parking and internal accessways to service each superlot
- civil works to facilitate the proposed subdivision and account for the flooding constraints of the site
- landscaping.

The site is located in the B5 Business Development zone pursuant to the LEP and the proposed subdivision is permissible with development consent from the Council (Clause 2.6). The proposal is consistent with the zone objectives and will not compromise the desired outcomes under the various planning instruments.

In summary, the proposal:

- provides an opportunity to provide increased access to industrial land supply and choice within the area, consistent with the environmental planning controls
- provides an appropriate response to the desired character of the locality. This includes incorporating landscaping works to soften the visual appearance of the site and improve the amenity of the locality
- is consistent with the zone objectives and will not compromise the desired outcomes under the various planning instruments
- achieves the development standards that apply to the allotment
- provides an appropriate response to environmental constraints such as flooding and bushfire; and
- has no adverse environmental impacts on adjoining properties as it provides an appropriate response to the context, setting, planning instruments and preliminary assessment as required under the EP & A Act.

As such, development consent is sought as set out in this application, in accordance with Council's standard conditions of development consent.