

11 October 2021

17532

Warwick Winn
General Manager
601 High Street,
Penrith NSW 2750

Attention: Kate Smith, Development Assessment Team

Dear Kate,

STATEMENT OF ENVIRONMENTAL EFFECTS SUBDIVISION: 196 CHRISTIE STREET - ST MARYS

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council (Council) in support of a Development Application (DA) for subdivision works at 196 Christie Street, St Marys.

The DA seeks to subdivide the existing Lot 196 DP31912 into two allotments to facilitate the operation of the St Marys Intermodal Freight Hub (SSD-7308). It does not propose any physical works.

This SEE has been prepared by Ethos Urban on behalf of Maryland Development Company (Lendlease). This report describes the site, its environs and the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

It should be read in conjunction with the following supporting documentation appended to the report:

- Plan of Subdivision prepared by RPS Australia (**Attachment A**).

1.0 Site Analysis

The site is located at 196 Christie Street, St Marys within the Penrith Local Government Area. It is approximately 600m northeast of the St Marys CBD and 6.8km east of the Penrith CBD. The site is legally known as Lot 196 DP31912 and was originally associated with the broader St Marys Australian Defence Industries (ADI) site to the north, now under development by Lendlease as part of the Jordan Springs and Ropes Crossing residential communities.

Lot 196 is a long linear allotment with a total area of approximately 7.34ha, and previously contained a rail line associated with the St Marys ADI site that connected the Main Western Railway to (now demolished) warehouses in the Jordan Springs locale, and on to Ropes Crossing. The allotment crosses Christie Street (with this portion of the road being in private ownership) towards its northern end, with a right of carriageway over the road corridor benefitting Penrith Council, allowing for public movement across the lot.

The site is now being developed in accordance with the State Significant Development (SSD-7308) St Marys Intermodal Freight Hub. The site's context is shown at **Figure 1**.



Figure 1 The site

Source: Nearmap

2.0 Description of the proposed development

This application seeks approval for the subdivision of Lot 196 DP31912 to create two lots, being Lots 1 and 2 to allow for the future dedication of Christie Street as a public road and for the St Marys Intermodal Freight Hub site to proceed:

- Lot 1 (south of Christie Street) with a proposed lot size of 5.884 hectares will continue to be a part of the St Marys Intermodal Freight Hub SSD site;
- Lot 2 (including Christie Street and north) with the proposed lot size of 1.456 hectares which will allow for future dedication of Christie Street; and
- Maintain the existing right of carriageway across the proposed Lot 2, which allows for public access along Christie Street, benefitting Council.

There are no physical works proposed as part of this application which purely seeks to subdivide the existing single allotment into two lots.

Subdivision plans prepared by RPS Australia are attached at **Appendix A** and seen in **Figure 2** below. **Figure 3** shows the right of carriageway as proposed to be retained.

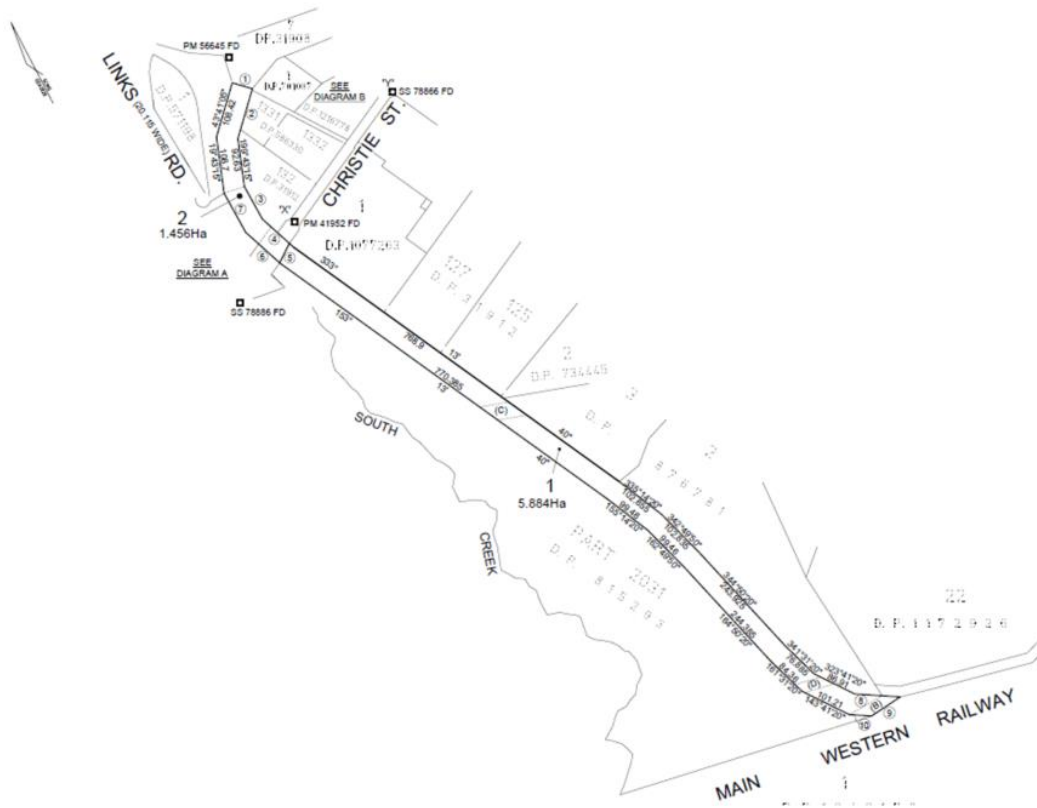


Figure 2: Plan of Subdivision of Lot 196 in DP31912

Source: RPS

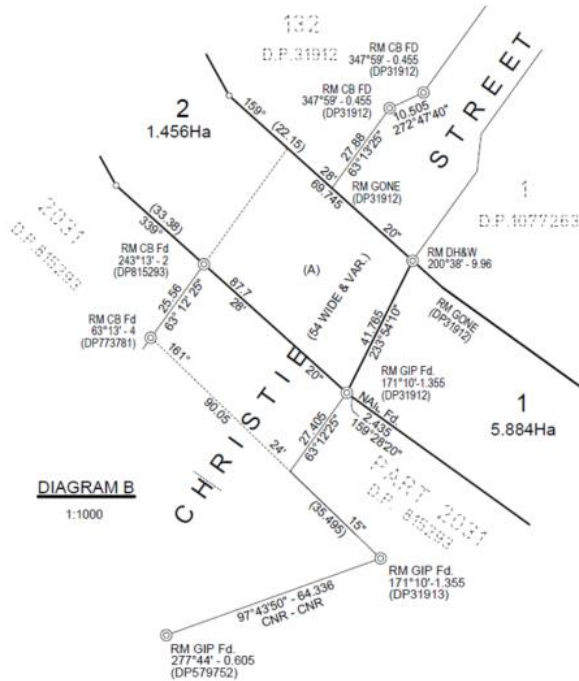


Figure 3 The right of carriageway will be retained

Source: RPS

3.0 Assessment of planning issues

The following is our assessment of the environmental effects of the proposed development. The assessment includes only those matters under section 4.15(1) of the EP&A Act that are relevant to the proposal.

3.1 Environmental Planning Instruments and Development Control Plans

The following environmental planning instruments and development control plans apply to the proposed development.

3.1.1 Penrith Local Environmental Plan

The Penrith Local Environmental Plan 2010 (PLEP) is the primary planning instrument for the site. Assessment against the PLEP 2010 is outlined in the **Table 1** below.

Table 1: Assessment against the PLEP 2010

Clause	Provision / Standard	Proposal
Clause 2.3 Zone Objectives and Land Use Table	IN1	The site is zoned IN1 General Industrial. Subdivision is permissible within this zone.
Clause 2.6 – Subdivision - consent requirements		The proposed subdivision is of land zoned industrial that does not permit the development of dwellings, and thereby satisfies (1) and (2) of this clause.
Clause 4.1 – Minimum Subdivision Lot Size	1000sqm	The two proposed lots have a lot size of 5.884ha and 1.456ha respectively which are above the minimum lot size and comply with this development standard.
Clause 5.21 – Flood Planning		Sections of the Lot is mapped as a flood planning area; however, it is noted that no works or land uses are proposed as part of this application and therefore will not adversely affect flood behaviour.
Clause 7.5 – Scenic Character and Landscape Values		The lot is mapped as land with scenic landscape and values, however no works or uses are proposed as part of this application and therefore will not adversely affect the visual impact of the land.

3.1.2 Penrith Development Control Plan 2014

The Penrith Development Control Plan 2014 (PDCP) provides guidance and controls regarding subdivision of sites within the Penrith Local Government Area. Assessment against the relevant provisions of the PDCP 2014 is outlined in the **Table 2** below.

Table 2: Assessment against the PDCP 2014

Clause	Assessment
11.4.1. Subdivision – Lot Standards	
1a) Minimum lot sizes are indicated on the Penrith LEP 2010 Lot Size Map	The two proposed lots have a lot size of 5.884ha and 1.456ha respectively which are above the minimum lot size and comply with this development standard.
1b) The minimum lot width of each lot is to be in accordance with the controls set out in Table C11.1 below	The minimum lot width is approximately 31.3m which is greater than the 20m standard set out within the DCP.
3a) Where industrial development involves two or more existing allotments, consolidation of those lots must occur. Evidence of such consolidation must be submitted to Council prior to occupation of the approved use.	Noted, the intention of this subdivision is to create two lots from the existing single lot to allow for the future dedication of Christie Street to Council as a public road.

Clause	Assessment
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.	Noted, the two new allotments will continue to drain per current arrangements with no proposed physical works as part of this application.
2) If the land has an area of 5ha or greater, then the subdivision proposal is to incorporate the specific water quality treatment measures detailed in the Catchment Management and Water Quality part of the Water Management Section of this Plan. Information on the water quality treatment for the subdivision is to be submitted with the application for subdivision	Proposed Lot 1 has a subdivision size of 5.884ha. As part of this application there are no proposed uses for the site, noting that the part of the existing Lot 196 proposed to become Lot 1 is under development as part of the SSD-7308 which provided an assessment of water management associated with that development under that application.
3) The likelihood of Aboriginal archaeological items being present on the land must also be considered with the creation of new industrial lots. The Culture and Heritage Section of this Plan details the necessary documentation to be submitted with the application for subdivision.	Through the assessment provided in the St Marys Intermodal Freight Hub SSD (SSD-7308) there is no registered Aboriginal heritage sites located within the site area nor any new sites identified within a Site Survey, the likelihood of Aboriginal archaeological items are low.

3.2 Existing site arrangements

It should be noted that the existing Lot 196 proposed to be subdivided originally formed part of the St Mary's ADI site and was classified as a Commonwealth Rail Corridor in 1959 when the allotment was owned by the Commonwealth Government. The land has since been purchased by Lendlease for development as part of the Jordan Springs and Ropes Crossing residential communities, and as such is no longer a Commonwealth Rail Corridor.

Notwithstanding, the proposed subdivision does not alter the existing site conditions and access arrangements.

3.3 Utilities and access

Servicing is currently provided to the part of the site that contains the St Marys Intermodal (future Lot 1). The proposed Lot 2 can obtain servicing from the Christie Street part of the site, which will be established once a use for the allotment is identified. Both sites obtain, or can obtain, access from Christie Street.

3.4 Other matters for consideration

As indicated previously, there are no physical works proposed as part of this application and therefore the existing status on-site in relation to other environmental issues will not change, noting that the current ongoing development works on the future Lot 1 are subject to the SSD7308 approval for the St Marys Intermodal and do not relate to this application.

3.5 Site Suitability and Public Interest

The proposed development is entirely appropriate in that:

- the subdivision will provide an opportunity for future industrial works (subject to a separate DA) to occur;
- it allows for the dedication of Christie Street as a public road to Council in the future;
- the subdivision does not affect the outcomes for the St Marys Intermodal Freight Hub; and

- the proposed subdivision is generally consistent with and supports the intended outcomes of the PLEP and PDCP.

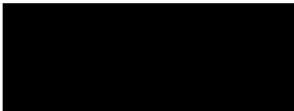
4.0 Conclusion

The proposed development seeks approval for the subdivision of Lot 196 DP31912 located on 196 Christie Street into two industrial lots to allow for future industrial uses and dedication of Christie Street and Link Road.

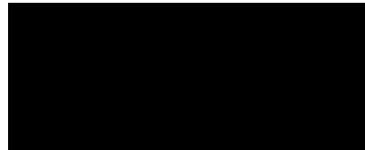
This SEE has provided a detailed assessment of the proposal against the relevant matters under section 4.15(1) of the EP&A Act. The application is recommended for approval given the following reasons:

- the proposed development is consistent with the aims and objectives of the Penrith LEP and DCP;
- the subdivision will provide an opportunity for future public road dedication to occur;
- the environmental impacts associated with the proposal are generally positive and will not give rise to any adverse impacts; and
- the proposed development is suitable for the site and is in the public interest.

Yours sincerely,



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