



Turning Knowledge
Into Value

Statement of Environmental Effects:

Residential Subdivision - 731 -755 Great Western Highway,
Werrington

Prepared for Statewide Planning

26 May 2021

Calibre Professional Services Pty Ltd
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Statement of Environmental Effects- 741-755 Great Western Highway, Werrington

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- Appendix I: Arboricultural Impact Statement (Urban Arbor)
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Appendix U: Flood Report (for information only)

1. Introduction

Calibre Professional Services Pty have been engaged by Statewide Planning Pty Ltd. to prepare this Statement of Environmental Effects (SEE) in support of a Development Application (DA) for the subdivision of Lot 125, Lot 126 & Lot 127 in DP 1215199, also known 731-755 Great Western Highway, Werrington under Part 4 of the *Environmental Planning and Assessment Act 1979 NSW* (EP&A Act).

This DA seeks Penrith City Council's consent for the subdivision of Lot 125, Lot 126 & Lot 127 in DP 1215199, into one hundred and thirty- four (134) lots with the purpose of residential use once approved within the Werrington Enterprise Living and Learning (WELL) Precinct. See Figure 2.1 showing the subject site.

The subject site is situated within the Werrington Mixed- Use Area, off the Great Western Highway in the Penrith Local Government Area (LGA). The site is currently zoned as R3 – Medium Density Residential, E2 – Environmental Conservation and B7 – Local Centre under the *Penrith Local Environmental Plan (LEP) 2010*.

The Development Application seeks consent for a 134-lot residential subdivision:

- Torrens title subdivision to create 134 detached & semi-attached residential lots.
- Road construction and dedication.
- Tree removal and bulk earthworks to facilitate level building platforms suitable for residential development (including cut and fill).
- Stormwater works.
- Easements for inter-allotment drainage lines.
- Building Envelope Plans; and
- Street tree planting.

Statewide Property Group is the developer of the site subject to this DA. The appropriate owner's consent for submission of the DA is provided under a separate cover letter.

This DA is identified as integrated development under Section 91 of the *EP&A Act 1979*, and seeks referral and concurrence from Natural Resource Access Regulator (NRAR) under Section 91 of the *Water Management Act 2000*, Rural Fire Service (RFS) under Section 100B of the *Rural Fires Act 1997*, for a Bushfire Safety Authority and Roads & Maritime Services (RMS) under Section 138 of the *Roads Act 1993*. The application does not need to be referred to other external authorities.

The proposed development has been assessed against the planning requirements contained in:

- Penrith Local Environmental Plan (LEP) 2010.
- SEPP No. 55 – Remediation of Land,
- Penrith Development Control Plan (DCP) 2014.
- Section 4.15 of the EP&A Act 1979 (as amended).

The following documents are submitted in support of this application:

- Appendix A: Survey Plan (East Coast Positioning)
- Appendix B: Subdivision Plan (Statewide Planning)
- Appendix C: Architectural Plans (Statewide Planning)
- Appendix D: Engineering Plans (Calibre Professional Services)
- Appendix E: Landscape Plans (Geoscapes)
- Appendix F: Stormwater Management and Flood Assessment Report (Calibre Professional Services)
- Appendix G: Preliminarily Geotechnical Assessment (Dirt Doctors)
- Appendix H: Flora and Fauna Assessment (Ecoplanning)
- Appendix I: Arboricultural Impact Assessment (Urban Arbor)
- Appendix J: Bushfire Hazard Assessment (Blackash)
- Appendix K: Acoustic Report (Acouras Consultancy)
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- Appendix T: Detailed Site Contamination Assessment (Sullivan Environmental Science)
- Appendix U: Flood Report (for information only)

2. The Site

2.1 Site Detail

The subject site includes three parcels of land being Lot 125, Lot 126 & Lot 127 in DP 1215199, 731-755 Great Western Highway, Werrington. The site is located within the Penrith Local Government Area (LGA) and is a part of the Werrington Enterprise Living and Learning (WELL) Precinct, which includes the suburbs of Caddens and Werrington as well as the Western Sydney University campuses at Kingswood, Werrington North & South and the TAFE Kingswood campus. The subject site is 5.22 hectares within an urbanised area.

The site is currently characterised as a vacant lot with remnant scrap metal and truck bodies (i.e. wrecked), as shown in Figure 2.1. The site has road access via French Street and St Charbel Boulevard, and adjoins the recent subdivision of low – medium density dwellings, that was completed in Stages 1, 2 and 3 of the development of precinct development.



Figure 2.1 Site Aerial as at October 2020 (Source: Nearmap, 2020).

The site is 5.22 hectares and is currently not being used for residential purposes. Access to the site is via French Street to the east and St Charbel Boulevard street to the north.

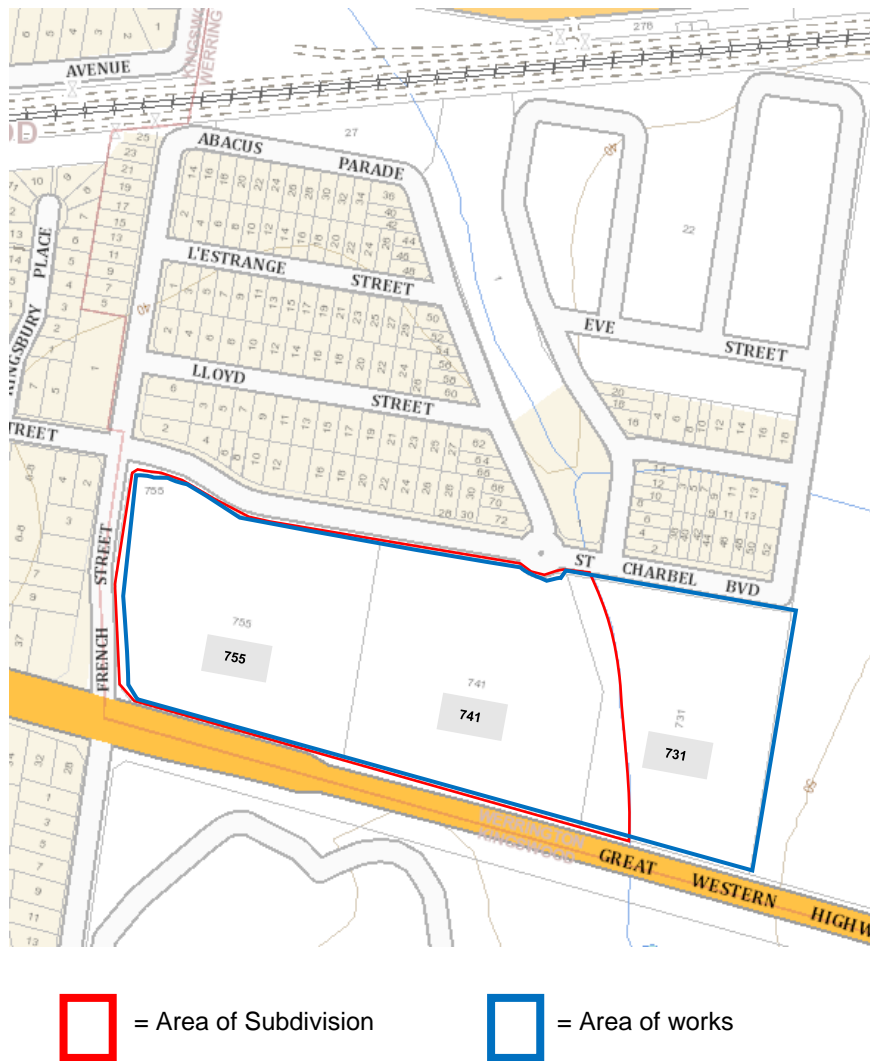


Figure 2.2: Cadastral Plan

2.2 Background

- DA11/0546: Stage 1 was approved on 26 April 2013 for the Torrens Title subdivision of 106 residential lots, 10 residue lots and public roads.
- MOD 11/0546.01: Section 4.55 Modification to DA11/0546 was approved on the 17 February 2014 for the realignment of boundaries and provision of additional lots.
- MOD 11/0546.02: Section 4.55 Modification to DA11/0546 was approved on the 27 May 2015 that sought to amend the approved plan of subdivision and increase the allotment yield, with 6 additional lots and modify the approved road layout.
- DA14/0994: Stage 2 was approved on the 4 June 2015 for the Torrens title subdivision to create 30 residential lots.

2.3 Voluntary Planning Agreement (VPA)

A Voluntary Planning Agreement (VPA) between Penrith City Council and Settlers Estate Pty Ltd (Developer) was executed in relation to the subject land on 29 April 2016. The VPA specifies the development contributions payable in respect to development of the subject land prior to the release of subdivision certificates for the developments to which each particular development consent subject to the agreement relates. The development contributions include:

- Dedication of land
- Carrying out of works
- Monetary contributions

The Development Contributions Schedule under the VPA is contained in Schedule 1 of the agreement and includes:

- An expectation of a new population of 1097.4 persons
- Works contribution per person of \$1,507.78
- Land Contribution per person of \$1,770.01
- Total contribution per person of \$3,227.79

Contributions are allocated towards each stage based on the expected lot/person yield. For stage 4 (subject land), Schedule 1 specifies:

- A yield of 125 lots and a new population of 387.5 additional persons.
- A total contribution amount of \$1,270,144 comprising \$584,265 works component amount and \$685,879 land component.
- These amounts are indexed to the Consumer Price Index (CPI) and Residential Property Price Index (RPPI) as specified in the Schedule.
- Occupancy rates for the conversion of dwelling types is also specified in Schedule 1, so that changes to dwelling mix will affect contribution amounts.

Dwelling Lot type	Occupancy Rate (Persons/dwelling)
Subdivided Lot; Dwelling House; Dual Occupancy	3.1
Multi-unit housing; Shop top housing	2
Seniors living dwelling; Secondary dwelling; Student bedroom/unit	1.5

Works under Schedule 1 include:

- Road works – as per Development consent 11/0546/02.
- Stormwater works relating to the stormwater system and riparian corridor, to satisfy the entire development of the land, being stages 1-4 – as per Development consent 11/0546/02.
- Bicycle paths and bus facilities to service the entire Land – as per Development consent 11/0546/02.

Clause 6.2 of the VPA includes consideration of the final development of the land differing in future population from the expected 1097.4 equivalent persons specified in Schedule 1 of the VPA. This clause enables additional population where the additional dwellings would be charged at the rates specified in the development contributions plan applying to the area at the time that the VPA is made. The current development layout shows 134 lots for Stage 4 (compared to 125 in Schedule 1 of the VPA) and the yield that has been achieved in the previous approvals, which totals 255 approved dwellings. This would lead to an additional of 35 dwellings over the total equivalent yield nominated in the VPA.

2.4 Zoning

The subject site, Lot 125, 126 & 127 in DP 1215199 is located at 731-755 Great Western Highway, Werrington and is situated on land zoned R3 – Medium Density Residential , B7 – Business Park and E2 – Environmental Conservation under *Penrith Local Environmental Plan (LEP) 2010*, as shown in Figure 2.4. This DA is only proposing subdivision works within the lots zoned R3 – Medium Density Residential. The subdivision of land and construction of the road is permissible with consent in accordance with the LEP.

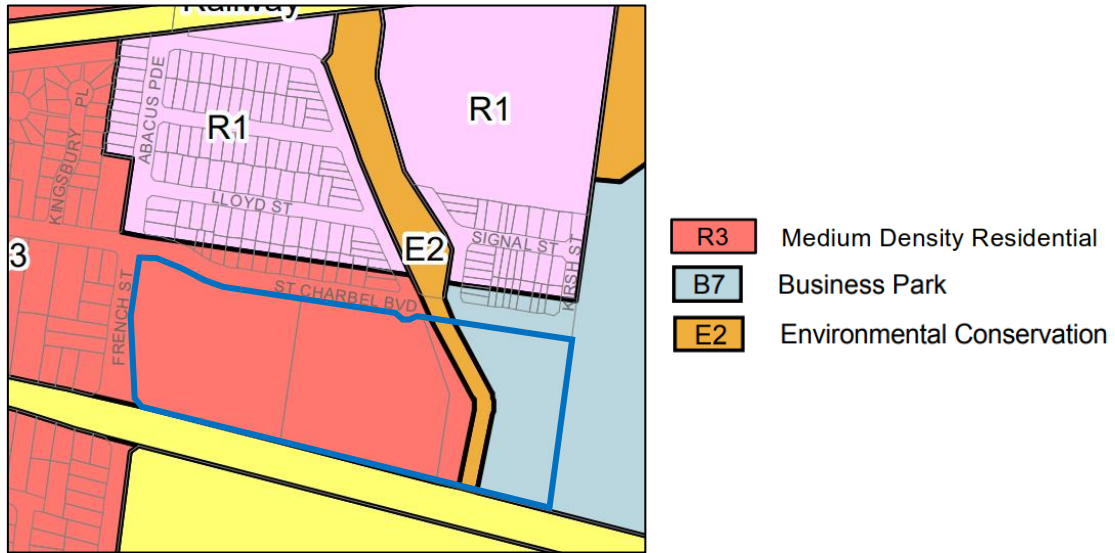


Figure 2.4: Land use Zoning map (Source: Penrith LEP 2020)

It should be noted that the subject application includes stormwater works within Lot 127 DP 1215199, located at 731 Great Western Highway, Werrington. Lot 127 is zoned R3 – Residential, E2 – Environmental Conservation and B7 – Business Park under the *Penrith Local Environmental Plan 2010*, demonstrated above in Figure 2.4. The proposed stormwater works are contained within the E2 zoned land and are permissible with consent.

3. Proposal

This Development Application seeks Penrith City Council's consent for a Torrens Title subdivision on 731-755 Great Western Highway, Werrington (Lot 125, Lot 126 & 127 DP 1215199) including the following works:

- Torrens Title subdivision to create one hundred and thirty-four (134) residential lots between 211m² and 486m² for detached and semi-attached dwellings (as shown in the Architectural Plans).
- Construction and dedication of 4 full-width roads, at 15.6m and a rear access lane at 8m wide.
- Tree removal and bulk earthworks to facilitate level building platforms suitable for residential development (including cut and fill).
- Stormwater works.
- Easements for inter-allotment drainage lines.
- Building Envelope Plans; and
- Street tree planting.

3.1 Proposed Development.

Figure 3.1 is an excerpt of the subdivision plan showing the proposed subdivision works also provided in Appendix B.

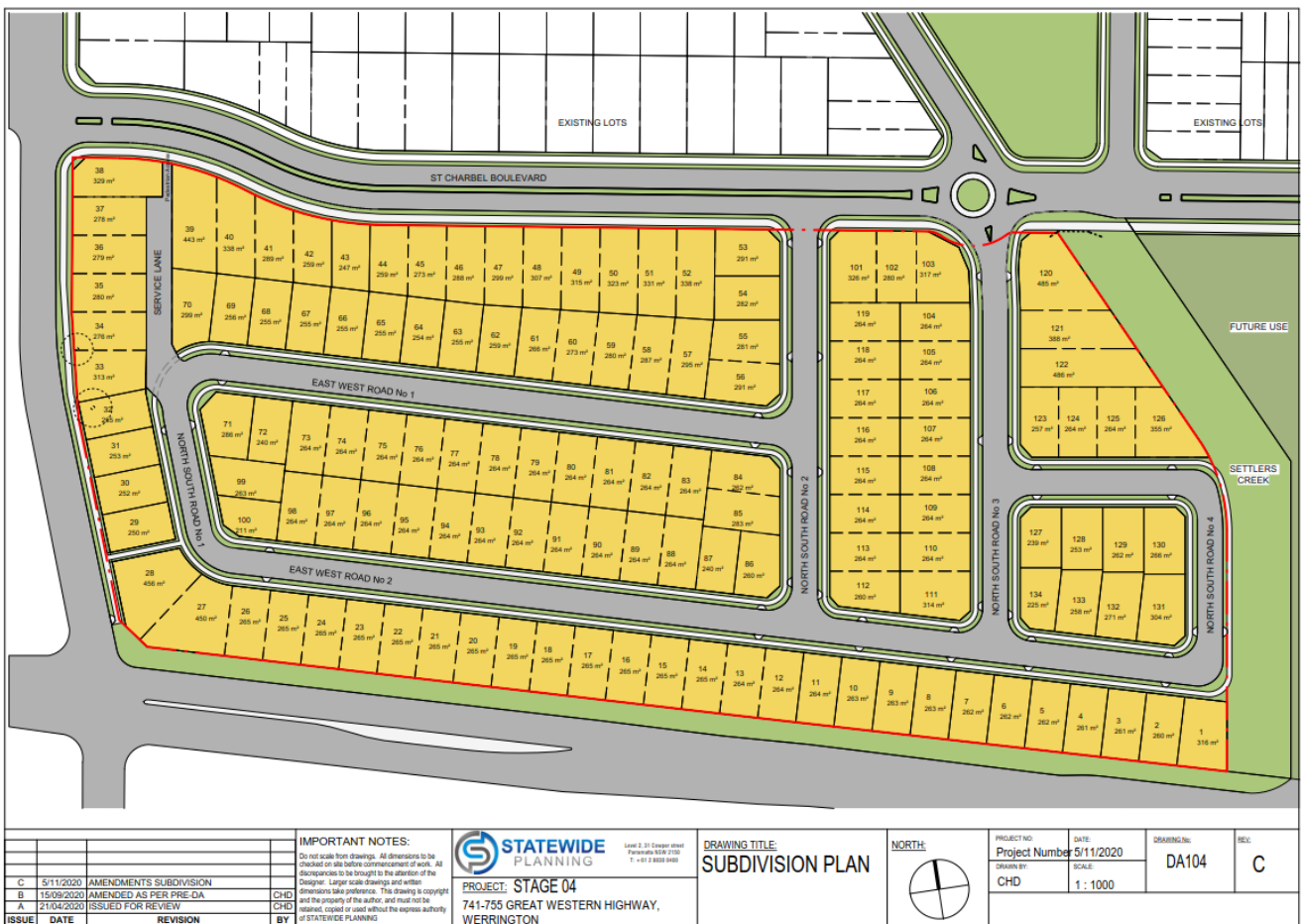


Figure 3.1: Extract of Subdivision Plan

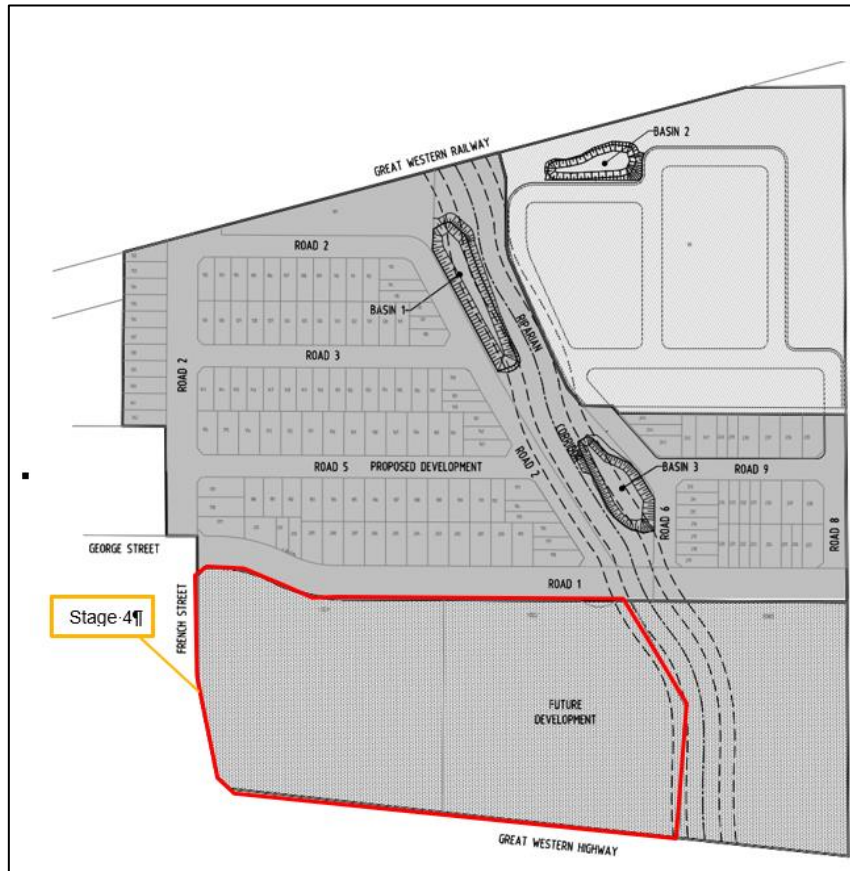


Figure 3.2: Extent of drainage works plan

This application is accompanied by the following plans and details that form the proposed development:

- Appendix A: Survey Plan (East Coast Positioning)
- Appendix B: Subdivision Plan (Statewide Planning)
- Appendix C: Architectural Plans (Statewide Planning)
- Appendix D: Engineering Plans (Calibre Professional Services)
- Appendix E: Landscape Plans (Geoscapes)
- Appendix F: Stormwater Management and Flood Assessment Report (Calibre Professional Services)
- Appendix G: Preliminary Geotechnical Assessment (Dirt Doctors)
- Appendix H: Flora and Fauna Assessment (Ecoplanning)
- Appendix I: Arboricultural Impact Assessment (Urban Arbor)
- Appendix J: Bushfire Hazard Assessment (Blackash)
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4. Statutory Controls and Compliance

This DA is assessed against the development standards contained in the *Penrith Local Environmental Plan (LEP) 2010* and the *Penrith Development Control Plan 2014*.

4.1 Penrith Local Environmental Plan 2010

The subject site is zoned R3 – Medium Density Residential under the *Penrith Local Environmental Plan (LEP) 2010*. Subdivision, construction of roads and temporary drainage works are permissible with consent under the LEP in respect to the R3 Medium Density zone.

The following clauses of the LEP 2010 applies:

- **Clause 1.6 Consent Authority**

Comment: Penrith City Council is the relevant consent authority for this development application.

- **Clause 2.2 Zoning of Land to which Plan applies**

Comment: The subject site has a land use zone of R3 Medium Density Residential under the *Penrith LEP 2010*. Refer to Figure 2.4 above.

It should be noted that the residential lots are all within the R3 zoned land, as shown on Figure 3.1. Therefore, the proposed use of dwelling houses is permissible within the R3 – Medium Density Residential zone and meets the zone objectives.

- **Clause 4.1 – Minimum Subdivision Lot size**

The objective of this clause is to ensure that lot sizes are compatible with the environmental capabilities of the land being subdivided,

Comment: The subject site does not have a specified minimum lot size. Clause 4.1 (4B) of the LEP specifies that “Despite subclause (3), development consent must not be granted for the subdivision of land in Zone R3 Medium Density Residential unless each lot to be created by the subdivision would have—

(a) if it is a standard lot—a minimum width of 12 metres”.

The proposed lots comply with the minimum lot width of 12m and range in size, from 211m² to 467m².

- **Clause 4.3 – Height of Buildings**

The objective of this clause is to ensure buildings are compatible with the height, bulk and scale of the area and minimise visual impact or disruption of views.

Comment: The Height of Buildings Map specifies that the subject site has a maximum building height of 8.5m. Refer to Figure 4.1 below.

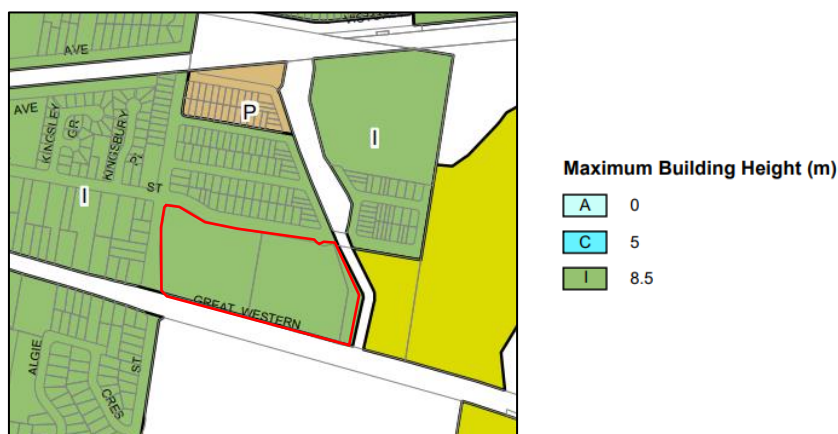


Figure 4.1: Extract of Height of Building Map (Source: Penrith LEP 2010)

- **Clause 5.1 Relevant acquisition authority**

The objective of this clause is to identify, for the purposes of Section 3.15 of the *Environmental Planning and Assessment Act 1979*, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired.

Comment: The Land Reservation Acquisition Map does not specify any areas of land to be acquired by Council within the subject site.

- **Clause 5.10 – Heritage Conservation**

The objective of this clause is to conserve existing heritage items and minimise impacts to European and Aboriginal Heritage.

Comment: The subject site is not identified to contain heritage items, heritage conservation areas and archaeological sites on the 'Heritage Map' under the *Penrith Local Environmental Plan 2010*.

- **Clause 7.2 – Flood Planning**

The objective of this clause is to minimise the flood risk to life and property associated with the use of land.

Comment: The Clause Application Map does not identify the subject site as being 'Flood Planning Land'. Therefore, this clause is not applicable.

- **Clause 7.7 – Servicing**

The objective of the clause is to ensure that development of land to which this plan applies reflects the availability of services.

Comment: Adequate arrangements will be made to ensure that the supply of water, electricity and disposal and management of sewage is available for the proposed development when required.

4.2 Penrith Development Control Plan 2014

Part C – City Wide Controls

4.2.1 C1 Site Planning and Design Principles

The objectives of this section is to improve the sustainability of development through site planning that takes into account social, economic and environmental opportunities and constraints as well as to protect and enhance areas with high scenic and landscapes values which contribute to the character of the City of Penrith.

Comment: The subject site has been considered against the Site Planning and Design Principles in Section 1.2 which include controls for BASIX development and controls to ensure that development is designed on a 'whole of building approach'. As there is no dwelling construction proposed within this application, the design principles of built form, safety, and security through CPTED principles and Building Sustainability Index (BASIX) are not applicable. The proposed dwellings are not identified in an area of visual sensitivity or a gateway.

4.2.2 C2 Vegetation Management

This section addresses the requirements for tree and vegetation management while achieving an appropriate balance between protecting and enhancing trees and other vegetation, minimising risks to people and property, ensuring public safety and facilitating sustainable development.

Comment: A portion of the proposed site is included on the Biodiversity Values Map. However, a review by the Department of Planning, Industry and Environment has concluded that the Cumberland Plain Woodland is no longer present on the site as it has been previously cleared. Therefore, the Department has determined to remove 1.72ha of 'Biodiversity Values' mapping. The Map Review Notice of Determination confirmation letter can be referred to in Appendix P.

A Flora and Fauna Assessment has been conducted by EcoPlanning, which determined that the site has no habitat for threatened fauna and the two significant trees do not contain hollows or significant peeling bark or fissures which could

provide habitat. No threatened flora was detected on site and none are likely to be present. Refer to the Flora and Fauna Assessment report attached in Appendix H for further information.

4.2.3 C3 Water Management

This section specifies objectives for water management which include but are not limited to protect, conserve and enhance surface and groundwater resources; to integrate water management with stormwater, drainage and flood conveyance requirements; to protect water catchments and environmental systems from development pressures and potential pollution sources; and to protect and enhance natural watercourses, riparian corridors, wetlands and groundwater dependent ecosystems.

Comment: A Stormwater Management and Flood Assessment Report has been prepared by Calibre which details the proposed Stormwater strategy for Stage 4. This report concluded that the previous stormwater detention, bio-retention and basin designs within the previous stages cater for the proposed area of works within Stage 4 development. The site is bisected by a watercourse traversing the site from the culverts under the Great Western Highway down to the culverts under the Railway Corridor. The area of the watercourse is considered a conservation zone and is potentially subject to flooding in major storm events. Flood modelling was conducted, which results indicate that the water levels are contained within the channel and that the subdivision at Stage 4 will not result in an increase in flows which is consistent with Cardno's flows and Council's guidelines. To address the water quality requirements of the proposed development, the site's runoff will be treated prior to discharging into the railway culverts. It is proposed to use a treatment train approach to meet the water quality objectives. Refer to the Stormwater Management and Flood Assessment Report in Appendix F for further details.

4.2.4 C4 Land Management

This section identifies the objectives for land management which include: to promote sustainable land use practices for all land use types; to control erosion, sedimentation and dust to maintain soil and water quality and protect amenity; to minimise land contamination through inappropriate landfill or pollution of land and maximise remediation of contaminated land.

- **Clause 4.1 Site Stability and Earthworks**

Comment: A Preliminary Geotechnical Investigation was conducted by Dirt Doctors Geotechnical Testing Services Pty Ltd assessed the suitability of the site for residential development. The report concluded that the soil profile generally comprised of Clayey Silt and Silty Clay over the 5 test pit locations. No groundwater was encountered and it is recommended that some allowance for minor seepage water inflow behind proposed excavation retention systems. The report concluded that the site is estimated to have a Characteristic Movement in the range between 40mm and 60mm. As a result, footings and slabs should be based on a Site Classification of Class A. Refer to the Preliminary Contamination Assessment attached in Appendix G for further detail.

- **Clause 4.3 Erosion and Sedimentation**

Comment: An Erosion and Sediment Control Plan has been provided within the Engineering Civil Plans included within Appendix D. This plan details the extent of cut and fill required for the subject development, as well as detail how erosion and sedimentation is to be managed throughout the development of the site. The total cut proposed for the site is 54,185m³ and a total fill of 26,545m³ which results in an export excess cite from site of 27, 640m³. Refer to the Site Regrading Plan included within the Engineering Plans attached in Appendix D.

4.2.5 C5 Waste Management

The Residential Subdivision Waste Management Guidelines establishes the controls and requirements for waste management at all stages of the waste management process including storage, transfer and collection.

Comment: A waste management plan has been prepared by Linx Constructions Pty Ltd that outlines the types and volumes of waste and recyclables likely to be generated by the development, how waste and recyclables will be stored and treated on site, how residual non-reusable wastes are to be disposed of and how the ongoing waste management will operate once the development is complete. This is in accordance with the *Residential Subdivisions Waste Management Guidelines* and controls set out in the Penrith DCP – Part C5, Section 5.1. Bin pickup locations have been identified on the Architectural Plans, attached in Appendix C. Refer to the detailed Waste Management Plan attached in Appendix N of this report.

4.2.6 C6 Landscape Design

This control establishes the submission requirements for new development proposals. This is in lieu of the objectives which is to promote landscape design and planning as part of a fully integrated approach to site development and encourage the retention of existing trees and vegetation to enhance landscape character.

Comment: The proposed development is supported by a Site Analysis plan included in Appendix C, Arboricultural Impact Assessment Report included within Appendix I, a Landscape Plan included within Appendix E.

The Landscape Plans prepared by Geoscapes detail the planting schedule proposed for the street trees and Great Western Highway Buffer Planting. Refer to the plans attached in Appendix E for further details.

The Arboricultural Impact Assessment prepared by Urban Arbor detail the recommended treatment of the two trees along French Street. The report recommends that Tree 1 is to be removed to accommodate the development and its low retention value. Tree 2 is recommended to be retained provided that tree sensitive design and construction methods are used to reduce the impact to the tree. This includes tree sensitive design and construction methods for the future dwelling within the building envelopes in the TPZ. A diagram of the suggested Tree Protection Measures is included in Figure 4.2 below. Further detail of Tree Protection requirements is included within the report attached in Appendix I.

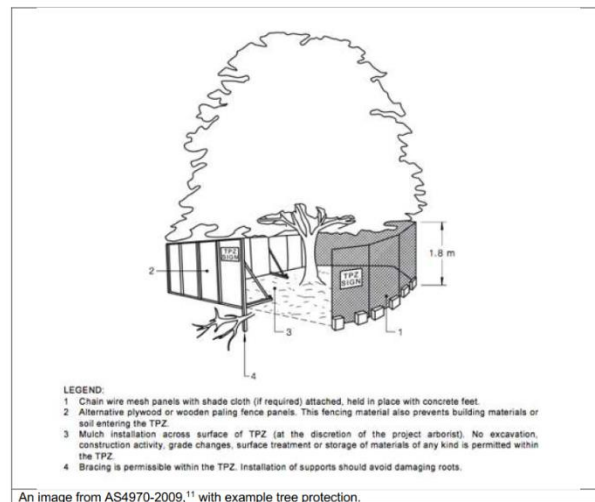


Figure 4.2: Extract of Tree Protection Measures (Urban Arbor, 2020)

4.2.7 C7 Culture and Heritage

This section details guidelines to conserve the heritage significance of the natural and built environment and ensure new development is sympathetic with the identified heritage values.

Comment: There are no items of Aboriginal or European Heritage identified on the subject site. The subject site has been significantly disturbed and cleared

4.2.8 C10 Transport, Access and Parking

This section details the controls to integrate transport planning and land use to promote sustainable development and greater use of public transport systems as well as minimise the impacts of traffic generating developments and manage road safety issues.

Comment: A Road Safety Audit was prepared by TTPP that examines and identifies the road safety concerns associated with the proposed subdivision. A risk level rating has been applied for each of the road safety audit findings. The majority of the findings presented with a Low risk rating, with one item of Medium risk. Refer to the report included within Appendix L for further details.

The car parking provisions within the proposed development are in accordance with Council's car parking rates detailed in the Penrith DCP 2014 – C10 Transport Access and Parking. For requirement for residential dwelling houses is 2 spaces per dwelling, which the proposed development complies with. Refer to the Architectural Plans included within Appendix C for further detail regarding car parking provisions.

4.2.9 C11 Subdivision

This section establishes the controls to address the objectives and controls in this DCP relating to social, economic, environmental and built form principles to maximise sustainable development outcomes; and provide efficient subdivision layouts that meet the needs of the proposed land uses and activities, and market requirements for those land uses/activities.

- **Clause 11.1 General Subdivision Requirements**

The objective of this clause is to address site planning principles in the design of the subdivision layout, address environmental constraints, to ensure future development will not be subject to an unacceptable level of risk from natural hazards, to encourage the retention of significant vegetation, to provide waste disposal services and to address access and traffic constraints to maximise vehicle and pedestrian safety.

1) Engineering Works

The proposed development complies with the controls for Engineering Works. Refer to comment below.

Comment: The proposed subdivision is supported by Engineering Plans that detail the proposed road design detail, attached in Appendix D of this application.

2) Site Planning

The proposed development complies with the controls for Site Planning. Refer to comment below.

Comment: The proposed development does not propose long and narrow lots. All proposed lots comply with the maximum 4:1 depth to width ratio. The proposed lots can support sufficient building footprints on each allotment. Refer to the architectural plans attached in Appendix C that depict the proposed building envelopes for each lot.

Landscape Plans have been prepared that depict the proposed landscaping treatment and the incorporation of street tree planting, street lighting and car parking provisions. Refer to Appendix E for further detail.

3) Subdivision of Natural Resources Sensitive Land

The proposed development complies with the controls for Subdivision of Natural Resources Sensitive Land. Refer to comment below.

Comment: The 'Natural Resources Sensitivity Land Map' within the Penrith Local Environmental Plan 2010 does not identify any items of natural resources within the subject site. Therefore, this clause is not applicable.

4) Vegetation Management

The proposed development complies with the controls for Vegetation Management. Refer to comment below.

Comment: Refer to Section 4.2.2 of this report for an assessment of the compliance with the objectives and controls for Vegetation Management.

5) Water Management

The proposed development complies with the controls for Water management. Refer to comment below.

Comment: Refer to Section 4.2.3 of this report for an assessment of the compliance with the objectives and controls for Water Management. The proposed development has been designed to address potential impacts on water catchments and surface water quality as well as the adjacent riparian corridor. Refer to the Stormwater Management and Flood Assessment Report in Appendix F for further detail.

6) Land Management

The proposed development complies with the controls for Land Management. Refer to comment below.

Comment: Refer to Section 4.2.4 of this report for an assessment of the compliance with the objectives and controls for Land Management. A Detailed Site Contamination Assessment and Remedial Action Plan has been provided for the subject site, refer to Appendix G for further detail.

7) Access and Transport

The proposed development complies with the controls for Access and Transport. Refer to comment below.

Comment: Refer to Section 4.2.8 of this report for an assessment of the compliance with the objectives and controls for Transport, Access and Parking. A Road Safety Audit and Traffic Impact Assessment has been prepared by TTPP

that examines and identifies the road safety concerns associated with the proposed subdivision. Refer to Appendix L and M for further details.

8) Noise and Vibration

The proposed development complies with the controls for Noise and Vibration. Refer to comment below.

Comment: Refer to Section 4.2.10 of this report for an assessment of the compliance with the objectives and controls for Noise and Vibration.

9) Infrastructure and Services

The proposed development complies with the controls for Infrastructure and Services. Refer to comment below.

Comment: Adequate arrangements will be made to ensure that the supply of water, electricity and disposal and management of sewage is available for the proposed development when required.

• Clause 11.3 Residential Subdivision

The objective of this clause is to provide greater diversity of housing choice, enhance and protect the amenity of new and existing residential areas.

1) General Requirements

Comment: The proposed development has been designed in consideration with the slope and orientation of the land, in combination with the available road access points which has informed the layout of the development.

• Clause 11.3.1 Allotment Orientation

The proposed development complies with the controls for allotment orientation. Refer to comment below.

Comment: The proposed allotment orientation has been designed to enhancing the solar access and landscaping opportunities as well as achieve a safe and road layout. Refer to the Sit analysis plan included within the Architectural Plans within Appendix C.

• Clause 11.3.2 Site Frontage

The objective of this clause is to allow the development of small site without the need for amalgamation.

Comment: The proposed site frontage of lots comply with the controls, allowing vehicular and pedestrian access to each lot and providing a minimum frontage of 12m.

• Clause 11.3.3 Allotment Dimensions

The objective of this clause is to encourage variety and choice in housing forms by providing for a broad range of dwelling sizes; provide sufficient area and dimensions for each allotment to enable siting and construction of a dwelling and allow adequate provision of private outdoor space.

Comment: The proposed development contains several lots greater than 400m², all of which can accommodate a suitable building envelope. All lots under 400m² can accommodate a suitable building envelope measuring a minimum of 10 x 12m or 8m x 15m. Refer to the Architectural Plans included within Appendix C of this report.

• Clause 11.3.4 Road Network

This control specifies the requirement for the road network to provide for access to bus routes within acceptable walking distance.

Comment: The proposed development has access to several bus stops that are in walking distance, which service the wider Penrith area. These include:

- Route 775: Mount Druitt to Penrith via Erskine Park
 - Located on Great Western Highway after French Street, 50m from subject site
 - Runs every 30min in peak and hourly off-peak
- Route 776 Mount Druitt to Penrith via St Clair,
 - Located on Great Western Highway after French Street, 50m from subject site
 - Runs every 30min in peak and hourly off-peak

- Route 785: Werrington to Penrith via Cambridge Park
 - Located on Victoria Street, 400m from the subject site
 - Runs every hour Monday – Friday & Sunday and every 45 min on Saturday.in peak.
- Route 835: University of Western Sydney to Prairiewood
 - Located on O'Connell Street, 300m from subject site
 - Runs every 30min Monday – Friday.

The proposed development is within 400m walking distance from an existing bus route.

- **Clause 11.3.5 Road Design and Construction**

This clause establishes controls for connections between roads, road capacity, design speeds and road reserves.

Comment: The proposed roads have been designed in accordance with Council's specifications. There are no proposed access places. All intersections are 'T' intersections. Refer to the Engineering Plans in Appendix D for further details.

- **Clause 11.3.6 Landscaping and Site Design**

The proposed development complies with the objectives and controls for landscaping and site design. Refer to the comment below.

Comment: The proposed development provides adequate street tree planting, as outlined within the Landscape Plans attached in Appendix E. The subdivision design has taken into consideration the existing trees on site, with one tree being retained and one proposed to be removed in accordance with the recommendations outlined in the Arboricultural Impact Statement.

- **Clause 11.3.7 Services**

The proposed development complies with the controls for services. Refer to comment below.

Comment: The surrounding lots are serviced by public utility infrastructure and adequate arrangements will be made to ensure public utility infrastructure is available when required.

- **Clause 11.3.8 Drainage**

The proposed development complies with the objectives and controls for drainage. Refer to the comment below.

Comment: A Stormwater Management and Flood Assessment Report has been prepared by Calibre which details the proposed Stormwater strategy for Stage 4. This report concluded that the previous stormwater detention and basin design within the previous staged cater for the proposed Stage 4 development. The results indicate that the water levels are contained within the channel and that the subdivision at Stage 4 will not result in an increase in flows which is consistent with Cardno's flows and Council's guidelines. Refer to the Stormwater Management and Flood Assessment Report in Appendix F for further details.

- **Clause 11.3.9 Public Open Space**

The proposed development complies with the controls for public open space. Refer to comment below.

Comment: The proposed development does not include any provision for open space, as it is not outlined within the relevant Section 7.11 contribution plan. Therefore, this clause is not relevant.

- **Clause 11.3.10 Environmental Site Management**

The proposed development complies with the objectives and controls for environmental site management. Refer to comment below.

Comment: A detailed site plan, showing the location of significant trees and vegetation has been provided within the Engineering Plans in Appendix D. A Site Management Plan is included within the Engineering Plans that details stormwater runoff and erosion control, site restoration, stockpile position and proposed vegetation to be removed and retained.

4.2.10 C12 Noise and Vibration

This section details objectives and controls for controlling environmental noise in relation to road traffic noise, rail traffic noise and aircraft noise.

Comment: An acoustic report has been provided by Acouras Consulting that details the acoustic impact on the proposed development. The proposed development is located 230m from the nearest railway corridor and therefore, an assessment of railway noise and vibration is not required. The report has recommended that façade glazing be applied to Lots 1-30 and Lots 31-134, which adjoin the Great Western Highway. Details of these requirements can be found in the report, attached in Appendix K. Overall, the acoustic report has concluded the proposed development complies with the acoustic requirements of Penrith Council DCP 2010, *Penrith Council LEP 2014* and EPA noise limits.

4.2.11 D2 Residential Development

This section identifies the built form controls for single dwellings, specifically setbacks and building envelopes to guide environmentally appropriate development.

- **2.1.2 Setbacks and Building Controls**

The front setback is the greater of either 5.5m or the average of the setbacks of the adjoining properties. Side setbacks to external walls should be a minimum of 900mm. The minimum rear setback for any single storey component of a building is 4m and minimum rear setback for a two-storey building is 6m.

Comment: The Architectural Plans included within Appendix C include typical building envelopes for all lots and identify the dimensions for the proposed lots. All lots comply with the front setback of 5.5m, side setback of 900mm and rear setback of 4m for single story and 6m for two-storey dwellings. The provision of private open space (POS) is additionally demonstrated on the Architectural Plans in Appendix C.

4.2.12 E12 Penrith Health and Education Precinct Part D Werrington Mixed-Use Area

The subject site is identified as being located within the Penrith Health and Education Precinct – Werrington Mixed-Use Area. This section includes controls that guide development within this precinct that optimises residential and employment opportunities that will act as a catalyst for future development for the area, and provides a mix of residential and employment generating land uses.

- **Proposed Land Use Layout**

E12 Penrith Health and Education Precinct Part D of the Penrith DCP 2010 provides a proposed land use layout for the Werrington Mixed-Use Area including the subject site, as shown in Figure 4-3.

Comment: The proposed development complies with the proposed land use layout for the Werrington Mixed-Use Area, which identifies the subject site as being 'Residential'.

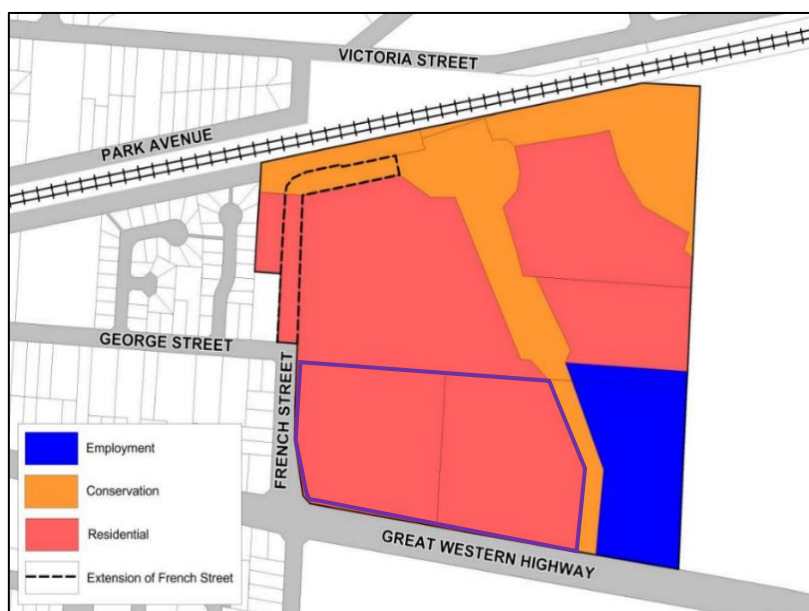


Figure 4.3 Werrington Mixed Use Area Structure Plan

- Conservation**

A portion of the subject site is identified as being a conservation area under the Penrith DCP 2014 - E12 Penrith Health and Education Precinct Part D, as shown in Figure 4-2.

It should be noted that Figure 4.4 from the Penrith DCP 2014 – E12 Penrith Health and Education Precinct Part D is not reflective of the current biodiversity status of the subject site. As noted in Section 4.2.2 of this report, all vegetation on the subject site has been cleared, therefore the Biodiversity Conservation Area has been removed on the Biodiversity Values Map by the Department of Planning, Industry and Environment. The confirmation letter from the Department of Planning, Industry and Environment is attached in Appendix P for further details.

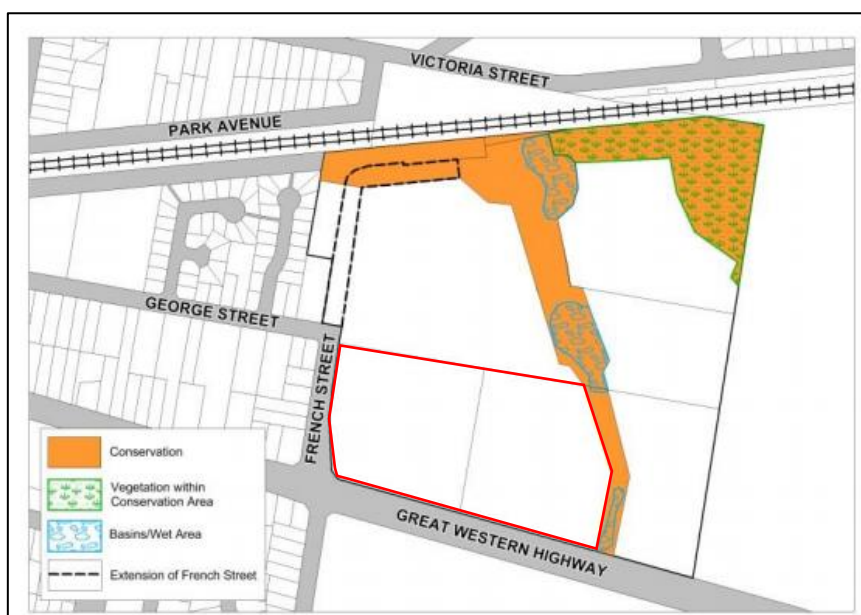


Figure 4.4 Area identified for conservation purposes

4.3 Additional Considerations

4.3.1 Bushfire

The subject site has been identified as Bushfire Prone Land, and therefore a Bushfire Hazard Assessment Report being required. Blackash Bushfire Consulting were engaged to prepare a Bushfire Hazard Assessment Report. This report detailed that the subject site is identified as Vegetation Category 2 on the western part of the site, which will be cleared and developed with the approval of the subdivision. An Asset Protection Zone (APZ) of 10m will be applied, affecting proposed Lots 120,121,122,125 and 126. Figure 4.5 below demonstrates the proposed APZ. Overall, the Bushfire Assessment report concluded that the proposed Stage 4 residential subdivision can meet all the requirements of *Planning for Bushfire Protection 2019*. Refer to the Bushfire Hazard Assessment Report attached in Appendix J for further details.



Figure 4.5 APZ Requirements Map (Blackash)

5. Section 4.15 Assessment

In determining a development application, a consent authority is to take into consideration the following matters:

- a) The provisions of:
 - i. Any Environmental Planning Instrument

State and Regional Planning Policies

The relevant State Environmental Planning Policies (SEPP) and Regional Policies are:

SEPP No. 55 Remediation of Land

The site has been investigated for contamination potential by Dirt Doctors Geotechnical Testing Services Pty Ltd under a Preliminary Geotechnical Report and recommends that additional geotechnical investigation should be carried out during construction to confirm the geotechnical and hydrological model. The investigation included 5 test pit locations, in which no groundwater was encountered and it is recommended that some allowance for minor seepage water inflow behind proposed excavation retention systems. The report concluded that the site is estimated to have a Characteristic Movement in the range between 40mm and 60mm. As a result, footings and slabs should be based on a Site Classification of Class A. Refer to the Preliminary Contamination Assessment attached in Appendix G.

SEPP (Infrastructure) 2007

The proposed development does not require any referrals from public authorities other than Council as the proposed development is not impacting on any transmissions, easements, gas or major roads.

Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River (No 2 – 1997)

Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River (is no longer a REP under amendments to the Environmental Planning & Assessment Act 1979; and the planning controls are incorporated into the SEPP) is relevant to the extent that the site is located within the Greater Metropolitan Region and provides for the control of water that may leave the property with appropriate water quality control measures. Refer to Stormwater Management and Flood Assessment Report attached at Appendix F for further details.

Local Environmental Plan

The relevant Local Environmental Plan applicable to this DA is the *Penrith Local Environmental Plan 2010*.

- i. Any proposed instrument that is or has been subject of public consultation under this Act and that has been notified to the consent authority (unless the Director – General has been notified the consent authority and that the making of the proposed instrument has been deferred indefinitely or has not been approved)

There are no draft environmental planning instruments that have been the subject of public consultation that is relevant to the proposed development.

- ii. Development Control Plan

Penrith City Council has a Development Control Plan (DCP) for development, Penrith Development Control Plan 2014, which includes the following sections:

- Part C: City Wide Controls
- Part D – Land Use Controls

- D2 Residential Development
- Part E – Key Precincts
 - E12 Penrith Health and Education Precinct – Part D Werrington Mixed Use Area.

Relevant controls have been addressed under Section 4.2 of this SEE.

- iii. 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

A voluntary planning agreement has been entered into involving the proposed development of the site and addressed under Section 2.3 of this SEE. A copy of the VPA is included within Appendix Q of this report.

- iv. The regulations (to the extent that they prescribe matters for the purposes of this paragraph)

There are no prescribed matters under the Regulations that may impact on the consolidation of this application.

- 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.

The likely environmental impacts on the natural environment of the proposed development are addressed as follows:

Impacts on the natural environment

The proposed development will not have adverse impact on the natural environment other than what is to be expected in an urban development. The site is considered suitable for residential development on the natural environment following environmental considerations, including stormwater management and remediation. All these matters have been addressed in depth under Section 4 of this SEE.

Impacts on the built environment

The impact of the proposed development on the built environment will be positive and contribute to meeting housing demands and future growth within the Werrington Precinct. Future dwelling designs will ensure the urban streetscape will respond positively to the future residential character in terms, landscape, built form and setbacks to create a unified and attractive streetscape.

- c) The suitability of the site for development

The site is suitable for development from an environmental and built form perspective and is in accordance with relevant statutory legislation and accompanying DCP controls. The site will be made suitable from a contamination perspective, as detailed within the Preliminary Geotechnical Assessment report attached in Appendix G.

- d) Any submissions made in accordance with this Act or regulations

No submissions have been made at this stage of the development.

- e) The public interest

The proposed development is within the public interest as it is generating additional housing supply for the Werrington region and supporting the growth of the WELLS Precinct.

6. Conclusion

This Statement of Environmental Effects has addressed all the relevant matters for consideration with respect to the subdivision on Lot 125, Lot 126 & Lot 127 in DP 1215199 at 731 – 755 Great Western Highway, Werrington. The proposed development seeks to create one hundred and thirty-four (134) residential lots for detached and semi-attached dwellings, construction and dedication of 4 full - width roads and a 8m wide rear access lane, tree removal and associated bulk earthworks, temporary stormwater detention basin, inter-allotment drainage easements and street tree planting.

The proposed development promotes the orderly and economic use of the site and is in accordance with the planning provisions under the *Penrith Local Environmental Plan (LEP) 2010*, *SEPP No.55 Remediation of Land*, and the *Penrith Development Control Plan 2014*.

The development is identified as integrated development under Section 91 of the *EP&A Act 1979*, and seeks referral and concurrence from Natural Resource Access Regulator (NRAR) under Section 91 of the *Water Management Act 2000*, Rural Fire Service (RFS) under Section 100B of the *Rural Fires Act 1997*, for a Bushfire Safety Authority and Roads & Maritime Services (RMS) under Section 138 of the *Roads Act 1993*.

The development value is under \$20 million; therefore, the relevant consent authority is Penrith City Council. It is requested that Council issue a development consent to enable the proposed development to proceed.



RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
WERRINGTON

Appendix A Survey Plan

STATEWIDE PLANNING PTY LTD



RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
WERRINGTON

Appendix B Subdivision Plan

STATEWIDE PLANNING PTY LTD



RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix C – Architectural Plans

STATEWIDE PLANNING PTY LTD



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Appendix D – Engineering Plans

STATEWIDE PLANNING PTY LTD



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Appendix E – Landscape Plans

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix F – Stormwater Management and Flood Assessment Report

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix G – Preliminary Contamination Report

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
WERRINGTON

Appendix H – Flora and Fauna Assessment

STATEWIDE PLANNING PTY LTD



RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix I – Arboricultural Impact Statement

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix J – Bushfire Report

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix K – Acoustic Report

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Appendix L – Road Safety Audit

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Appendix M – Traffic Impact Assessment

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix N – Waste Management Plan

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
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Appendix O – Cost of Works Summary

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Appendix P – Biodiversity Values Map Review of Determination Letter (for information)

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Appendix Q –Voluntary Planning Agreement (information only)

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Appendix R –Draft Subdivision Linen Plan

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Appendix S –Electrical Concept Plan

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Appendix T –Detailed Site Contamination Assessment

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RESIDENTIAL SUBDIVISION - 731 -755 GREAT WESTERN HIGHWAY,
WERRINGTON

Appendix U –Flood Report

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