



Development Application Statement of Environmental Effects



North Penrith Lot 2247
Subdivision for Terrace Housing
Submitted to Penrith City Council
On Behalf of UrbanGrowth NSW

July 2014 ■ 14142

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Contents

1.0	Introduction	1
1.1	Planning Background	1
1.2	Housing Density and Diversity Objectives	2
2.0	Site Analysis	3
1.3	Site Location and Context	3
1.4	Site Description	3
1.5	Surrounding Development	5
3.0	Description of Proposed Development	6
3.1	Subdivision Design Principles	6
3.2	Lot Types and Sizes	7
4.0	Assessment of Planning Issues	8
4.1	Compliance with Relevant Strategic and Statutory Plans and Policies	8
4.2	Consistency with the Concept Plan and Stage 2C Development Application	10
4.3	Urban Design and Future Built Form	11
4.4	Social and Economic Impacts	12
4.5	Site Suitability	12
4.6	Public Interest	13
5.0	Conclusion	14

Figures

1	Location of North Penrith site	3
2	Aerial photograph	4
3	Development Blocks at North Penrith	4

Tables

1	Proposed lot dimensions and type	7
2	Summary of consistency with key strategic and statutory plans and policies	9
3		

Appendices

A	Existing Survey Plan <i>Craig and Rhodes</i>
B	Subdivision Plans and Draft Section 88B Instruments <i>Craig and Rhodes</i>
C	Building Envelope Plan (BEP) – submitted for information purposes only <i>JBA Planning Consultants</i>

1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for subdivision of small housing allotments within the North Penrith project, also known as Thornton.

This DA seeks approval for:

- subdivision of Lot 2247 to create 11 Torrens Title lots, comprising the following:
 - 11 Lots capable of accommodating terrace housing; and

The SEE has been prepared by JBA Planning on behalf of UrbanGrowth NSW, and is based on the subdivision plans and building envelope drawings appended to this report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Planning Background

1.1.1 Concept Plan and Rezoning

On 9 November 2011, the Minister for Planning and Infrastructure concurrently approved the North Penrith Concept Plan (MP 10_0075) to permit a transit oriented mixed use development incorporating residential, retail, commercial, business, civic, community, industrial and recreational uses.

The Concept Plan approval was accompanied by the rezoning of the North Penrith Development site to introduce a new planning framework to the site. The zoning and site specific development provisions for the North Penrith Site are located in Part 7 of *Penrith City Centre Local Environmental Plan 2008* and reinforce housing density and diversity as key objectives to be achieved at North Penrith.

The North Penrith Design Guidelines approved under the Concept Plan contain detailed controls for future built form, including controls to promote housing density and diversity through the provision of smaller and narrower lots with zero lot lines. The Design Guidelines are underpinned by UrbanGrowth NSW's suite of housing typologies, which have been specifically designed for North Penrith to respond to their required rear lane access arrangements, urban context and nature, and the particular streetscape quality proposed to be established on the site. This DA will facilitate the provision of terrace dwellings to support the provision of small lot housing and demonstrate that this dwelling designs can achieve the intent of the underlying zoning, Concept Plan and Design Guidelines to deliver housing density in various forms while setting the benchmark for high level of design standards that will replicated throughout North Penrith.

1.1.2 Stage 2C SSDA

The North Penrith site has been the subject of various staged Development Applications since the site was rezoned and the Concept Plan approved. The Stage 2C SSDA (SSD 5346) was approved by the Minister for Planning and Infrastructure's delegate on the 28th June 2013 and is most relevant to this DA, as Lot 2247 that is the subject of this DA, was created under that consent.

The approved, and now commenced, Stage 2C works included bulk earthworks, lot formation, remediation and infrastructure and utility works amongst other things.

1.2 Housing Density and Diversity Objectives

Housing supply and affordability is a key challenge facing western Sydney. In most cases affordable accommodation in western Sydney is only available in the form of apartment living, however many first time buyers and potential purchasers do not see apartment living as a viable or attractive option that suits their lifestyle needs. For instance young families usually require more living space than what is available in an apartment, but do not have sufficient capital or the income to purchase a traditional detached dwelling on a lot. Accordingly, there is strong demand for a 'house and land' product that provides additional living space, avoids body corporate arrangements, and enables people to fulfil the Australian dream of owning their own house and land.

Two of the key objectives of the North Penrith project are to provide new housing and a dwelling mix that responds to the changing demographics of the area and which delivers housing that suits all types of family units, all the while being appropriately priced to be accessible to the western Sydney market. This proposed subdivision is specifically aimed at providing such products and will result in the creation of lots which are capable of supporting terrace housing, presently largely unavailable in western Sydney.

This DA together with the accompanying supporting documentation has therefore been prepared to provide Council with the necessary certainty and confidence that the proposed subdivision will facilitate a high quality development outcome that will positively contribute to the delivery of the North Penrith project. More specifically, this DA demonstrates that:

- well designed compact housing directly responds to the increasing demand for a range and mix of dwelling typologies which can accommodate all forms of the family unit, and particularly single person households;
- compact housing such as the lots proposed to accommodate terrace housing in the future, allows and encourages ageing in place;
- the development of medium density areas can be achieved through a small lot housing concept, which whilst different to traditional subdivision layouts, is capable of delivering an attractive and high quality urban outcome and high levels of amenity for future residents;
- the proposed subdivision allows for the future development of the site in accordance with the controls and provisions set out in Part 7 of the *Penrith City Centre LEP 2008*, approved Concept Plan and adopted North Penrith Design Guidelines; and
- an effective and efficient approval and delivery process for small lot housing can be achieved through well-conceived subdivision design and use of the DCP controls to guide housing design.

2.0 Site Analysis

2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. It adjoins the Penrith Railway Station to the south and is situated between Lemongrove Road to the east, Castlereagh Road to the west and is accessible via Coreen Avenue to the north – see **Figure 1**.

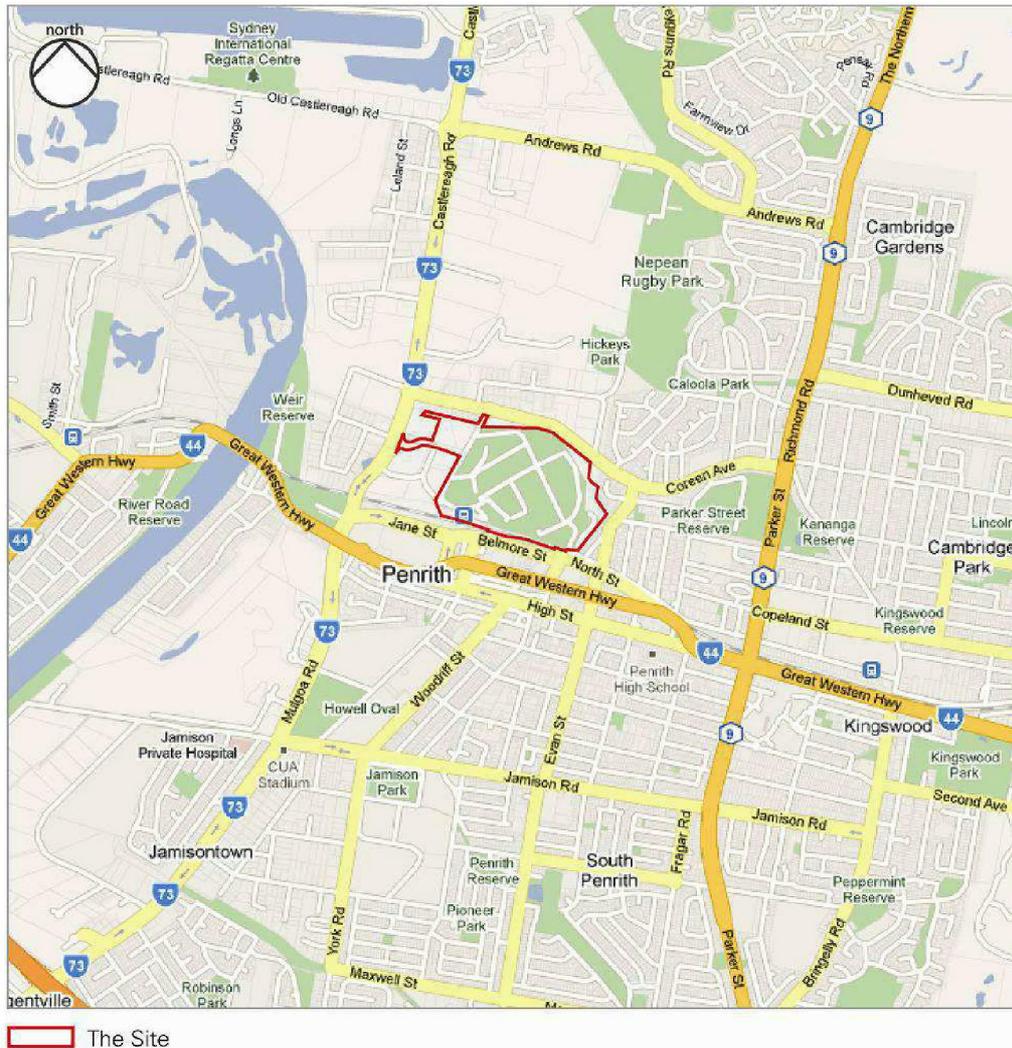


Figure 1 – Location of North Penrith site

2.2 Site Description

The land the subject of this DA (herein referred to as 'the Site') is located within Stage 2C that comprises the western edge of the broader North Penrith precinct (**Figure 2**). The Site is identified within the Development Block known as Precinct B4 under the North Penrith Design Guidelines (refer to **Figure 3**).

The site has frontage to new roads within the North Penrith Site including Thornton Drive, Woodman Street, Stoddart Lane and Combewood Avenue (refer to Existing Survey Plans prepared by Craig and Rhodes at **Appendix A**).



 The Site

Figure 2 – Aerial photograph

As outlined at Section 1.1.2, the approved Stage 2C SSSA included bulk earthworks, remediation and the delivery of the adjoining road and infrastructure system that will service the proposed subdivision, and later the corresponding residential development on the proposed allotments.

The Site is cleared of existing vegetation and other structures associated with the land's former use as a military base.



 The Site

Figure 3 – Development Blocks at North Penrith

2.3 Surrounding Development

Currently, there is the terrace development to the east of the site and the community facilities and oval within the Smith's Paddock in the central portion of the North Penrith Precinct. The future development surrounding the site will consist of detached dwellings to the north of the site, across Stoddart Lane. To the west of the site lies Combewood Avenue and the future Water's Edge Park is located to the south of the site (notionally approved as Waters Edge under the 2C SSDA approval).

3.0 Description of Proposed Development

This application seeks approval for the following development:

- subdivision of Lot 2247 to create 11 Torrens Title lots, capable of accommodating terrace housing.

The proposed subdivision plans for the development are included at **Appendix B**.

No physical works are proposed as part of the proposed subdivision. Subsequent development applications (DAs) will be submitted to Council for the construction of dwellings on the proposed allotments. The consequential impacts such as privacy, solar access and amenity associated with these dwelling designs will be assessed as part of these future applications. However, in preparing the subdivision layouts proposed, consideration has been given to appropriate lot dimensions, orientation and access to adjoining streets to then facilitate good design outcomes for the future dwellings.

3.1 Subdivision Design Principles

The planning and design principles adopted for the proposed subdivision are as follows:

Subdivision and Lot Design

- To maximise frontage to and facilitate more direct access to future open space such as the Water's Edge Park.
- To minimise 'front to back' dwelling siting and provide continuous lot frontage to the Public Domain and streetscape.
- To provide corner allotments utilising frontage to major streets and open space.
- To provide a high quality and low maintenance environment along laneways

Built Form

- To support the creation of a variety of useable, functional and regular building envelopes that facilitate varied design outcomes and dwelling typologies.
- To facilitate a built form outcome that helps reinforce the intended urban characteristics of the area.
- To create a subdivision layout that will ensure laneways are spaces that are well articulated and with overlapping passive surveillance.
- Terrace housing and the provision of zero lot boundaries to provide density fronting open space.

Housing Mix

- To create a subdivision layout that supports a variety of compact high quality housing products that responds to market demand and improves dwelling affordability and accessibility.

Residential Amenity

- To create a subdivision layout that fosters a high level of urban residential amenity, particularly with regard to living quality, the standard of the urban environment, daylight access, safety, access to open space (private and public) and services.

Vehicle Access and Servicing

- To use laneways such as Stoddart Lane to achieve necessary density, provide access and servicing, and to remove the dominance of garages from main streetscapes.
- To avoid driveways along major roads and street frontages where possible.

3.2 Lot Types and Sizes

A Draft Plan of Subdivision prepared by Craig & Rhodes showing the proposed lots is included at **Appendix B**. This DA seeks approval for a paper lot subdivision only. No physical or construction works are proposed as part of the development.

Table 1 below provides the detailed dimensions for each of the proposed allotments.

Table 1 – Proposed lot dimensions and type

Original Lot (& Concept Block)	Proposed Lot	Lot size	Lot Width (range in m)	Lot Depth (range in m)	Lot/ Dwelling Type
2247 (B4)	97	332.1m ²	5.755m	21.63m	Terrace
2247 (B4)	98	134.6m ²	4.5m	29.9m	Terrace
2247 (B4)	99	197.3m ²	6.6m	29.9m	Terrace
2247 (B4)	100	152.5 m ²	5.1m	29.9m	Terrace
2247 (B4)	101	197.3 m ²	6.6m	29.9m	Terrace
2247 (B4)	102	164.5 m ²	5.5m	29.9m	Terrace
2247 (B4)	103	134.6 m ²	4.5m	29.9m	Terrace
2247 (B4)	104	197.3 m ²	6.6m	29.9m	Terrace
2247 (B4)	105	197.3 m ²	6.6m	29.9m	Terrace
2247 (B4)	106	164.5 m ²	5.5m	29.9m	Terrace
2247 (B4)	107	295.5m ²	7.3m	22.9m	Terrace

Traditionally, obtaining development approval for small lot housing has required concurrent assessment of both the proposed allotments and respective dwelling designs to ensure that both the proposed lot and house layouts and designs are compatible. This process is often referred to as ‘integrated housing’.

However, the proposed development seeks to implement a new approach where development approval for each dwelling over each allotment will be sought separately. Each dwelling will still be subject to detailed assessment (as would be the case for any integrated housing development) in accordance with the relevant planning instruments and the approved Design Guidelines. Approval for DAs following the same approach has been achieved in DA13/0731 and DA 13/1120.

To this end the approval for the subdivision layouts sought as part of the proposed development does not then provide any guarantee of future approval for each of the dwellings over each created allotment. However, UrbanGrowth NSW has been working closely with its partner builders to design dwellings that reflect the expected built outcomes established by the Design Guidelines and the prescriptive subdivision and easement pattern sought by the DA.

To provide Council with an understanding of the likely dwelling footprints over each proposed allotment JBA has prepared a Building Envelope Plan (BEP) (included at **Appendix C**) to illustrate the likely and indicative built form and open space arrangements over each allotment. This also helps to illustrate which allotments are preferred to include ancillary dwellings.

4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a DA the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Stage 2C SSDA Assessments. As the proposed development is consistent with the Concept Approval and SSDA 5346, these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development) 2005 (S&R SEPP);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Table 2 – Summary of consistency with key strategic and statutory plans and policies

Instrument/Strategy	Comments	
State Planning Instruments and Controls		
SEPP 55	Remediation was undertaken as part of the approved Stage 2C SSSA works to ensure the site is suitable for the proposed residential use. A Site Auditors Statement was issued by Environ in May 2009. The site is therefore suitable for the proposed development with regard to the issue of contamination.	
State and Regional Development SEPP	The proposed subdivision is not identified as State Significant Development under Clause 11 of Schedule 2 of the State and Regional Development SEPP, and accordingly Council is the consent authority.	
SREP No. 20 Hawkesbury Nepean River	The impacts of this proposal were considered Concept Plan and Stage 2C SSSA before the preparation of this application and deemed to be acceptable. The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.	
Local Planning Instruments and Controls		
Penrith City Centre LEP 2008 (Part 7)	Clause 49 - Zoning	The land subject of this DA is zoned as R1 General Residential.
	Clause 50 – Land Use Table – Zone R1 General Residential	Subdivision for residential purposes is permissible in the R1 General Residential Zone.
	Clause 51 - Height of Buildings	Preliminary plans available for the dwelling proposed to be constructed on these lots comply with the 12m height maximum. Dwelling height will be reaffirmed as part of the future DAs for the dwellings.
	Clause 54 – Heritage Conservation	There are no heritage items located on or within the vicinity of the land that is the subject of this DA.
	Clause 55 - Earthworks	This clause is not relevant as the development proposal does not propose any earthworks.
North Penrith Design Guidelines	Section 3.1 - Housing Density and Diversity	The proposed subdivision pattern will facilitate the delivery of compact lot housing. This will then provide the opportunity for 11 (or more if studios are constructed) dwellings that will contribute to the overall dwelling target of 900-1000 over the North Penrith precinct. In addition, Section 3.1 sets out a dwelling target per Development Block. The site is Development Block B4, which is identified as having a target of between 181 -313 dwellings. The proposed subdivision will ultimately result in the creation of 11+ new dwellings and in this regard will positively contribute to the achievement of the dwelling targets set for Development Block.
	Section 3.2 - Subdivision	Section 3.2 identifies opportunities for compact lots, and requires dwelling designs to accompany DAs seeking Torrens Title subdivision of super lots shown in Figure 7 of the Design Guidelines (i.e.: integrated housing developments). The Site in its entirety is identified in Figure 7 of the Design Guidelines as super lots that are required to be undertaken as Integrated Housing Development Applications. The proposed DA does not provide the corresponding dwelling designs for each proposed allotment, but has been informed by designs that will be constructed by UrbanGrowth NSW's builder teams. Adequate justification for this approach is outlined in Section 3.3 of the SEE.

Instrument/Strategy	Comments
Section 3.3 - Building Envelopes	JBA has prepared Building Envelopes Plans (BEPs) as required by Section 3.3 of the Design Guidelines (Appendix C) to illustrate the capacity for future dwellings to comply with Section 3.3 of the Design Guidelines. It should be noted that approval is not sought for the building envelopes shown in the BEPs.
Section 3.4 - Building Design and Articulation	Detailed architectural features of dwellings for each proposed lot will be included in separate and future DAs for each respective lot. Features and colours will be required to comply with the Residential Design Palette appended to the Design Guidelines.
Section 3.5 - Private Open Space and Landscaping	The BEP at Appendix C illustrates that each proposed allotment is capable of providing adequate and suitably embellished private open space for each future dwelling.
Section 3.6 -Fencing	Details of boundary fencing will be provided with each respective and future dwelling DA.
Section 3.7 - Garages, Site Access and Parking	Lots 98-106 are rear loaded and will be directly accessed from Simmons Lane. Lots 97 and 107 could be accessed at front or side depending on the lot configuration. This is illustrated in the BEP included at Appendix C . Detailed design aspects of these garages will be included in the subsequent DAs for each of the dwellings.
Section 3.8 - Visual and Acoustic Amenity	Detailed dwelling designs will look to address interface with adjoining properties to then address visual and acoustic privacy matters.
Section 3.12 - Specific Provisions - Ancillary Dwellings	The proposed subdivision pattern enables the provision of ancillary dwellings in the same manner as has been provided in the demonstration housing to the west on the North Penrith site. The designs for these will be the subject of separate DAs for the respective dwellings.

4.2 Consistency with the Concept Plan and Stage 2C Development Application

The North Penrith Concept Plan and Stage 2C DA Approvals have established the vision and planning framework, which is to be used by Penrith Council to assess the detailed design of the future development within the North Penrith site.

The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and
- North Penrith Design Guidelines.

The Stage 2C DA provides the infrastructure framework that will support the delivery of residential development as intended by the Concept Plan.

The proposed residential subdivision development is consistent with the Concept Plan Terms of Approval and Statement of Commitments and the Stage 2C DA as the indicative proposed pattern of residential subdivision is consistent with that anticipated by the Concept Plan. Further, the lots have been designed to accommodate small lot/medium density housing as envisaged for this portion of the North Penrith site.

4.3 Urban Design and Future Built Form

In exchange for the provision of dwelling designs with this DA a Building Envelopes Plan (BEP) has been provided to illustrate the likely layout and pattern of future residential development for each allotment. The BEP provides Council with an understanding of the likely dwelling orientation, access arrangements, building footprints and open spaces for each future dwelling. The BEP does not establish, or seek approval for, the building footprints for which future dwelling development over the subject lots will be required to adhere to.

The indicative layouts shown in the BEP are considered appropriate as they are very similar and compatible with the established pattern of subdivision and development now being successfully delivered across the North Penrith site. Furthermore, the design of each dwelling is required to consider and adhere to the relevant objectives and controls of the Design Guidelines to then complete the built form picture anticipated by the Concept Plan and is subject to further Council assessment.

In addition to this, UrbanGrowth NSW partner builders for the future proposed dwellings for the proposed allotments have helped inform the proposed subdivision layout and Building Envelopes Plan sought by the subject DA.

The proposed subdivision layout is considered suitable as:

- the provision of more compact and efficiently shaped allotments will facilitate affordable, yet amenable dwelling designs to be constructed;
- each proposed allotment has capacity to provide adequate private open space for each dwellings;
- all of the proposed lots are provided with frontage to public open space or onto more prominent street frontages; and
- the subdivision pattern maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain.

4.3.1 Streetscape

The proposed subdivision pattern and anticipated dwelling arrangements shown in the BEP will have a positive impact upon the built environment and streetscape as follows:

- future dwellings will be orientated to appropriately respond to the microclimate including sun, shade, breeze and general weather;
- dwellings will have direct views over the public domain and adjacent public park/waterway;
- each future dwelling is capable of being provided with a suitable private outdoor space in the form of courtyards or soft landscaped areas; and
- the pattern of residential terrace development fronting the Water's Edge Park replicates the principles established in the existing development on the site and provide opportunities for passive surveillance as sought by the Design Guidelines.

4.3.2 Amenity

The BEP demonstrate that each proposed allotment will be able to provide suitable at grade private open space areas for most future dwellings, and rear lane access to where lots have dual frontages. These outcomes and the orientation of each lot towards the public domain or public streetscape will ensure that corresponding dwelling designs will have the capacity to be designed to:

- achieve suitable outlook to the public domain;
- provide alternative vehicle and pedestrian access; and
- provide adequate private open spaces for each dwelling.

4.4 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community. In addition, the subdivision directly responds to emerging social and market trends. UrbanGrowth NSW's market research and the sales evidence to date shows a strong shift in the traditional new home market, which is represented by a reduced number of move-up families looking for traditional large detached family homes and a growing proportion of the market looking for more compact affordable housing alternatives. More specifically, the proposed subdivision will facilitate the creation of compact lots to respond to:

- the growing number of Baby Boomers who are reaching retirement age and are looking to downsize out of the large detached family homes they purchased in the Penrith LGA in suburbs such as Glenmore Park in the 1980's and 90's;
- the offspring of Baby Boomers, who are now in their 20's and early 30's and still living at home; with affordability being a serious issue in Sydney since the property boom of 2003 it has been difficult for this cohort to enter the housing market as first home buyers until now; and
- a growing number of investors who are looking for affordable and well located investment properties which are considered a stable investment as increasing housing supply and decreasing affordability is forcing people to rent at increasingly higher rates across Sydney.

At North Penrith, 75% of new sales enquiries received by UrbanGrowth NSW are captured in one of the three categories outlined above, and are translating into a growing number of sales as products are released to the market.

Finally, during construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

4.5 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support future residential development such as water, sewer reticulation, electricity and telecommunications; and
- includes the necessary infrastructure provision of roads and stormwater measures that is configured to suit the proposed subdivision layout sought as part of this DA.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to the *Penrith City Centre LEP 2008 (Part 7)*;
- facilitates the delivery of diverse and affordable housing development to be delivered throughout the North Penrith site;
- marries with the desired streetscape pattern for this part of the North Penrith site;

- the development generally complies with the relevant development controls within the North Penrith Design Code; and
- will contribute to providing additional housing choice for local populations.

4.6 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development as envisaged by the approved Concept Plan and North Penrith Design Guidelines. No element of the proposal will be detrimental to the public interest.

5.0 Conclusion

This DA seeks approval for residential subdivision of part of Lot 2247 located within Stage 2C of the North Penrith Project into 11 Torrens Titled residential allotments. The proposed development is consistent with the approved Concept Plan and the *Penrith City Centre LEP 2008 (Part 7)*.

Furthermore, the development:

- is generally consistent with the relevant provisions of the North Penrith Design Guidelines, and other environmental planning instruments that apply to the site and development;
- will deliver an efficient subdivision layout that is consistent with the principles established by the approved Concept Plan and within the super lot footprint approved and constructed under the Stage 2C DA;
- will help further commence the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- will facilitate dwelling designs that are of a high quality, contemporary architectural design, and generally comply with Design Guidelines built form development controls;
- will contribute to delivering a diverse streetscape within North Penrith site; and
- will facilitate the delivery of additional affordable dwelling designs that will also add to a greater range of housing choice to the Penrith community.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the proposed development application be approved subject to standard conditions of consent.