

9 October 2019

13070

Warwick Winn
General Manager
601 High Street
PENRITH NSW 2750

Dear Mr. Winn,

STATEMENT OF ENVIRONMENTAL EFFECTS NORTHERN RIPARIAN CORRIDOR – ST MARYS CENTRAL PRECINCT (JORDAN SPRINGS EAST)

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council on behalf of Lendlease Communities (the owners of the site) in support of a Development Application (DA) for works to provide landscaping features and community facilities within the 'Northern Riparian Corridor Parkland & Transgrid Easement Parkland' ('Northern Riparian Corridor'), located within the St Marys Central Precinct (Jordan Springs East).

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 4.15(1) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). It should be read in conjunction with the following support documentation appended to the report:

- Civil Plans prepared by Cardno (**Attachment A**);
- Landscaping Design Plans prepared by Scott Carver (**Attachment B**);
- Transgrid Easement Assessment prepared by Ethos Urban (**Attachment C**); and
- Waste Management Plan prepared by Cardno (**Attachment D**).

This application requires referral to other State agencies and departments under the *Environmental Planning and Assessment Act 1979* (EP&A Act) and other Environmental Planning Instruments (EPIs) as the proposed development requires a controlled activity approval (CAA) in accordance with section 91 of the *Water Management Act 2000* (WMA 2000) as the proposal involves works within 'waterfront land' associated with the landscaping being within 40m of a water course, being the riparian corridor area of the site.

1.0 Background

1.1 Strategic context

The former Australian Defence Industries (ADI) site at St Marys (the St Marys site) was endorsed by the NSW Government for inclusion on the Urban Development Program (UDP) in 1993. It is located approximately 45km west of the Sydney CBD, 5km north-east of Penrith City Centre and 12km west of the Blacktown City Centre (refer to **Figure 1**). It has an area of approximately 1.5ha and stretches 7 kilometres from east to west and 2 kilometres from north to south. It is bound by Forrester Road and Palmyra Avenue in the east, The Northern Road in the west, Ninth Avenue and Palmyra Avenue in the north, and the Dunheved Industrial Area, Dunheved Golf Club and Cambridge Gardens, Werrington Gardens and Werrington County residential estates in the south.

The St Marys site, which has been rezoned for a variety of uses, comprises six development "precincts" known as the Western Precinct, Central Precinct, North and South Dunheved Precincts, Ropes Creek Precinct and Eastern Precinct. The Western Precinct (now known as Jordan Springs) and Eastern/Ropes Creek Precinct (now known as Ropes Crossing) have been largely developed and are substantially occupied.

The subject Development Application involving landscaping works is to be located within the Central Precinct, also known as 'Jordan Springs East', which is currently under active construction. Major bulk earthworks and development works to redevelop this land for residential dwelling and open space was approved under the bulk earthwork DA (DA14/1228). Subsequently, residential subdivision has occurred, with the construction and occupation of residential dwellings currently ongoing.



Figure 1 St Marys Site and Precincts, with the Central Precinct ('Jordan Springs East') shown in red.

Source: Central Precinct Plan and Development Control Strategy

1.2 Previous DAs

This DA should be considered within the context of the other key DA's for the Central Precinct that have already been lodged / approved by Council. Of particular importance to the subject DA are the following:

- Bulk earth works, interim stormwater infrastructure, landscaping, tree removal, and environmental management works including realignment of an existing Riparian Corridor. The application is classified as 'Designated Development' being a Waste Management Facility or Works - Landfilling which requires determination by the NSW Joint Regional Planning Panel – DA14/1228, approved 20/08/2015 (Bulk Earthworks DA);
- DA for the subdivision of Lot 1037 in DP 1149525 into 380 residential allotments, 7 open space allotments, and 3 residual super lots, including an internal road network and a collector road to connect Jordan Springs within the Western Precinct to Stage 1 of the Central Precinct (Stage 1 DA). This application (DA15/0299) was approved by the JRPP on 19/11/2015 and contains the lot the subject of this DA;
- DA for the connector road and entry statement landscape embellishment works (DA15/1212), which was approved by Council on 29/02/2016;
- DA for the construction of the Brick Kiln Heritage Park and associated landscape embellishment works. This application (DA15/1444) which was approved by Council on 27/07/2016;
- DA for landscaping works along the interface between Wianamatta Regional Park and the Stage 1 and 2 residential subdivision areas. This application (DA16/1045) was approved on 9/01/2017;

- DA for works to provide landscaping features along the southern busway, riparian corridor and TransGrid electricity easement within the St Marys Central Precinct. This application was approved (DA17/0191) was approved on 8/03/2018;
- DA for the subdivision of Lot 1037 in DP1149525 into 278 residential allotments, 4 residual super lots and a bus-only connection into Werrington County in Stage 2 of the Central Precinct (Stage 2 DA). This application (DA15/1216) was approved by the JRPP on 3/03/2016. A Section 96 modification application for amendments to the subdivision pattern and associated road alignments was approved on 11/08/2016;
- Stage 3B1 – subdivision of an existing lot into 119 Torrens Title lots and associated landscape and civil work. This application (DA17/0675) was approved by Council on 27/11/2017;
- Stage 3B2 – subdivision of four residue lots for future integrated housing and the extension of the Wianamatta Parkway (East West Connector Road), lodged with Penrith Council on 25/9/2017 (DA17/0889);
- Stage 4A and 4B – subdivision of 142 Torrens Title lots, 2 residue lots and associated road and infrastructure works (DA17/0491), was approved by Penrith Council on 19/12/2017;
- Stage 5A – subdivision into 79 Torrens Title residential lots (DA17/0290), 1 residue lot and associated road construction and infrastructure works. This application was submitted to Penrith Council on 29/9/2017;
- Demolition of the East West Connector Road – DA17/0834, approved 21/2/2018;
- Site Remediation Works of Land Under Historical Material Stockpiles - DA16/0888, approved 7/11/2017;
- Stage 1 Blacktown Ropes Connector – Construction of approx. 1.5km of the East West Connector Road (West) and construction of a new Ropes Creek Bridge – DA-18-00559, approved on 20/6/2019;
- Stage 2 Blacktown Ropes Connector – Construction of approx. 670m of the East West Connector Road, 850m of the Dunheved Links Road, and construction of a new South Creek Bridge – DA-18-00561, lodged with Blacktown City Council on 29/3/2018;
- Stage 2 Blacktown Ropes Connector – Construction of East-West Connector Road (including South Creek Bridge and Dunheved Links Road) and bulk earthworks to regional open space – DA18/0221, lodged 8/3/2018;
- Stage 3 Links Road – Construction of part of Dunheved Links Road, and Links Road Intersection – DA18/0381, lodged 18/4/2018;
- Village Centre Park DA – Construction of Village Centre Park, which incorporates a kick-about area, village green, and bioretention basin – DA18/0587, lodged 13/6/2018;
- Stage 3D Subdivision - Subdivision of Land to Create One (1) x Residue Lot for Future Village Centre and Construction of Public Road, Landscaping Works & Associated Infrastructure including Village Centre Concept Plan (Stage 3D), DA18/0620, lodged 23/6/2018; and
- Stage 3C Subdivision – subdivision of land and construction of 57 integrated dwellings, lodged on 28 August 2019 (PAN-3693).

There have been several modification applications submitted to make relevant changes to these approved DAs as the project has evolved.

Due to the large number of DAs for the project, there have been a variety of stakeholder engagement processes undertaken. These include community information sessions, monthly meetings with Council officers and the required notification and advertising of lodged applications.

2.0 Site description

The site to which this Development Application relates comprises a part of the existing Transgrid easement bounded by Wianamatta Parkway to the south, the Central Precinct boundary to the north, Flynn Circuit and Commodore Street to the east and future residential subdivision to the west (Stage 6), in addition to the riparian corridor which branches off the easement near Armoury Road and travels northeast to the Central Precinct

boundary near Squadron Street. The area is currently undergoing active development with a large number of homes now complete and occupied.

The site has a total area of 112,400m², including approximately 64,000m² of Transgrid easement, 43,000m² of riparian corridor, and 3,000m² of eastern pocket parkland. The site forms a small part of the land legally described as Lot 6 in DP1248480 and is owned and being developed by Lendlease Communities. A site aerial is provided in **Figure 2** below.



Figure 2 Location of the site within Central Precinct (Jordan Springs East)

Source: Nearmap / Ethos Urban

2.1 Site zoning

The site is zoned 'Urban' under the *Sydney Regional Environmental Plan No. 30 – St Marys* (St Marys SREP), which permits the development of parks and community facilities:

(2) *In the Urban zone:*

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

2.2 Vegetation

The site has been cleared of vegetation as part of the Central Precinct bulk earthworks approved under DA14/1228 that have now been largely completed. External to the precinct are large areas of existing vegetation, as shown in **Figure 1** above, forming part of the Regional Open Space (which, upon completion of works in that area will become managed).

2.3 Topography and flooding

The site has been completely cleared of vegetation to allow for imported fill to raise the level of future development areas above the 1:100-year flood level. The Riparian Corridor will provide flood mitigation from South Creek and will capture stormwater from the surrounding future development, providing water quality improvement through infiltration, nitrogen & pollutant capture from plants and sediment dropout.

Bulk earthworks have been completed on site and the riparian corridor has been formed as a largely uniform channel. Existing Transgrid stanchion towers are located within the site and as such, the bulk earthworks have allowed for grading to meet with existing levels to the tower surrounds. The site is devoid of natural high points.

2.4 Site access

The park will be connected to the surrounding completed road and pedestrian network via internal and external footpaths. The closest railway stations to the precinct are Werrington Station approximately 2.7km south and St Marys Station approximately 3.15km to the south east. The site is not presently serviced by public transport, but it is expected that bus routes will ultimately connect the Central Precinct to other transport options at Penrith and St Marys Stations.

2.5 Surrounding development

Surrounding development with regards to the proposed works comprises of:

- the Stage 4 residential development to the west;
- the Stage 6 residential development to the east;
- the Stage 1 residential development to the south, with low density residential development as part of Werrington County further beyond; and
- a 55ha golf course known as Dunheved Golf Club to the south-east.

3.0 Description of the proposed development

This Development Application (DA) seeks approval for landscaping elements and community facilities associated with the 'Northern Riparian Corridor Parkland & Transgrid Easement Parkland' located within the Central Precinct (Jordan Springs East) of the St Marys site. The proposed landscaping works and parkland will connect to the soon to be constructed Brick Kiln Park to the south, with pedestrian and cycle connections to also be established to the Wianamatta Regional Park to the west and Regional Open Space to the east. This network of paths will include exercise stations as well as seating areas with views towards the Riparian Corridor. Shared paths for cyclists and pedestrians will be provided on both sides of the corridor.

Existing and future residential subdivision surrounds the site, with the proposed works to provide easily accessible open space to its surrounding catchment of residents. Detailed diagrams with regards to the proposed works have been included in the Design Statement prepared by Scott Carver and appended to this report in **Attachment B**, with the recreation and facilities diagram shown below in **Figure 3**.

2.11 Recreation & Facilities Diagram

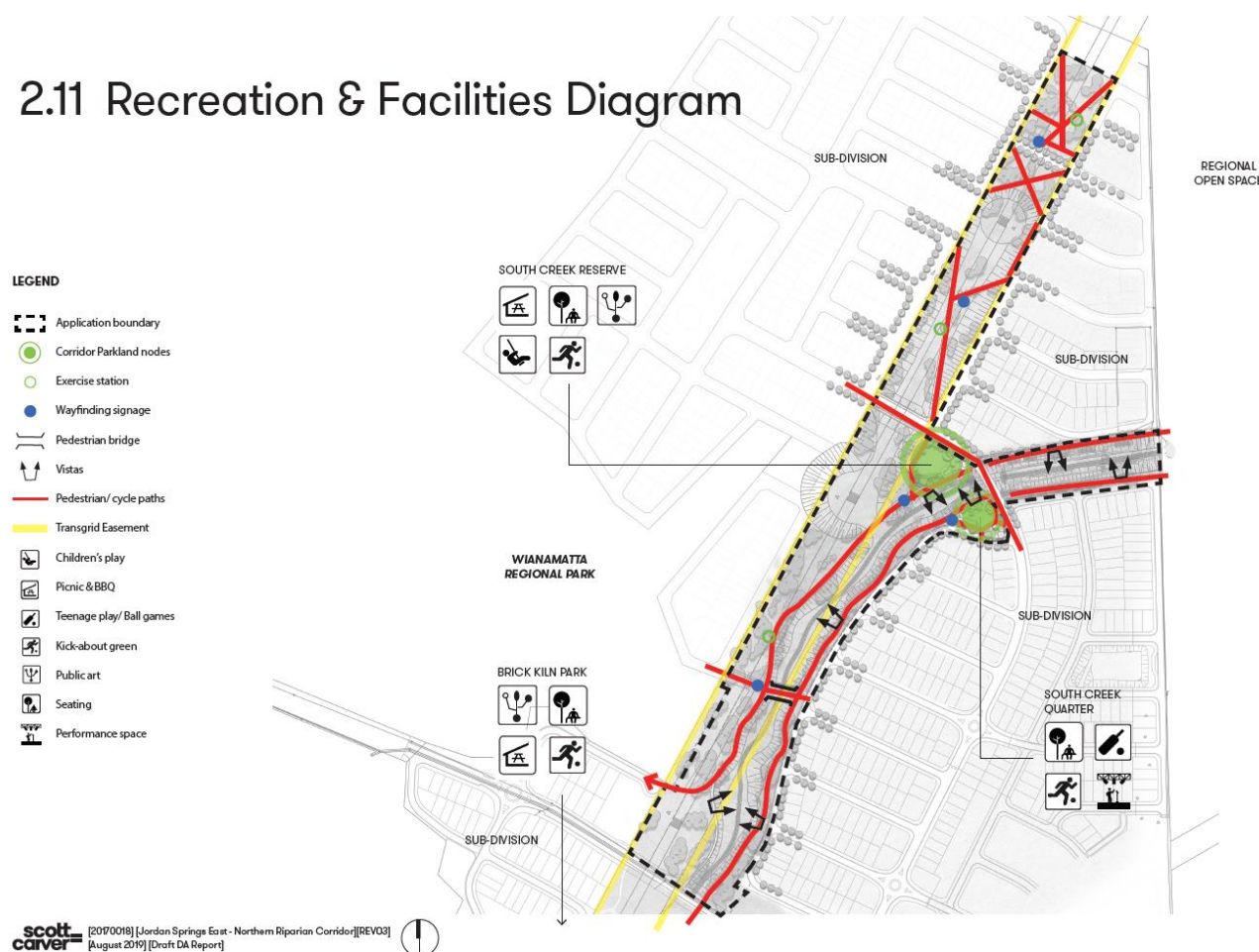


Figure 3 Recreation and facilities diagram

Source: Scott Carver

3.1 Pocket parks

As shown in **Figure 3** above, two pocket parks (South Creek Reserve and South Creek Quarter) will be located on either side of the Riparian Corridor adjacent to the northern road crossing. The parks are not located within the Transgrid easement. South Creek Reserve will provide open turf space for informal games and picnics, in addition to a small children's playground with play equipment and natural timber play elements suitable for a range of age groups. A picnic shelter, barbeque and seating area is located adjacent to the playground, intended for social events and birthdays. Public seating is provided around the pocket park beneath shade canopy trees (**Figure 4**).

South Creek Quarter will offer a kick-about lawn area which is enclosed by low terraced seating walls. A seating area is also to be provided, with ornamental native planting to provide a soft border and shade. South Creek Quarter is to also include a table tennis area and fitness hub (**Figure 5**).



Figure 4 South Creek Reserve detailed inset

Source: Scott Carver



Figure 5 South Creek Quarter detailed inset

Source: Scott Carver

3.2 Public art and wayfinding

As described in the Design Statement provided by Scott Carver (**Attachment B**), potential locations have been identified within the site for public art to be installed. Potential themes for this artwork can potentially be drawn from Indigenous culture, environmental regeneration or the site's previous uses in either the agriculture or military periods, with a public artist to be engaged to further its design and detailing.

Several wayfinding signs are also proposed in the parklands, which provide information about local recreation and community destinations as well as distances expressed through estimated walking travel time.

3.3 Design materials

A materials palette is shown in the Design Statement prepared by Scott Carver and appended to this report at **Attachment B**. Paving materials, site furniture and fixtures will be constructed to be robust and low maintenance, with materials and fixtures to be chosen to be consistent with and compliment Brick Kiln Park to the south, providing continuity which will establish a coherent precinct character.

3.4 Proposed vegetation

A planting schedule and charter is included in the Design Statement prepared by Scott Carver and appended to this report at **Attachment B**. The proposal will include a raingarden, ripple zones, sediment dropout zones and fine grading which will establish a low flow channel armoured with sandstone rocks, gabion baskets and variations to the embankment profile and will provide aquatic habitats and create extensive, connected habitat corridors.

In addition to revegetation works, areas of more ornamental planting arranged in formal garden beds are proposed within the two pocket parks. These garden beds will also contain large feature trees which will create visual landmarks for the parks. Being endemic to the local area, the proposed vegetation will not require irrigation beyond the initial establishment period.

3.5 Pedestrian bridge

A pedestrian bridge will be provided approximately halfway between the road crossings along the Riparian Corridor, as indicated in **Figure 3** above, improving pedestrian and cycle connectivity within the precinct. A concept sketch has been included in the Design Statement prepared by Scott Carver appended to this report at **Attachment B** and is shown in **Figure 6** below. The bridge concept has been designed to reduce its visual impact while referencing the surrounding natural landscape and the existing pedestrian bridge further to the south.

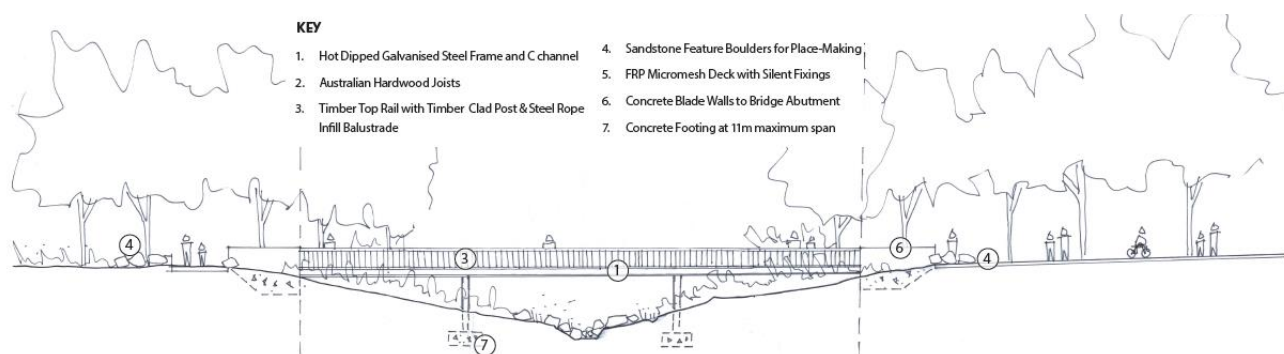


Figure 6 Concept sketch of the proposed pedestrian bridge

Source: Scott Carver

It is expected that the detailed design of the pedestrian bridge will be further developed under a design and construct contract, including engineering certification, with full compliance with the relevant standards.

4.0 Assessment of planning issues

Under Section 4.15(1) of the EP&A Act, in determining a development application the consent authority must 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.

The assessment includes only those matters under Section 4.15(1) that are relevant to the proposal. The planning issues associated with the proposed development are assessed below.

4.1 Environmental Planning Instruments

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

- *Sydney Regional Environmental Plan No. 30 – St Marys* (SREP 30);
- *St Marys Environmental Planning Strategy 2000* (2006 Update);
- *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP55); and
- Central Precinct Plan Amendment No.1.

4.1.1 Sydney Regional Environmental Plan No. 30 – St Marys

The *Sydney Regional Environmental Plan No. 30 – St Marys* (SREP 30) contains planning objectives, principles and provisions to control development within the three precincts of St Marys site. Overall, the proposed works are consistent with the achievement of the performance or zone objectives and reflects the aims of the development control strategies of SREP 30.

The site is zoned Urban under SREP 30 and development for the purposes of parks is permissible with consent as discussed in **Section 2.1** above. Furthermore, the proposed works are consistent with the objectives of the zone, in that they comprise a range of facilities and paths compatible and complimentary to the surrounding residential and Village Centre development, whilst contributing to the amenity of the precinct.

SREP 30 aims to provide opportunities for recreation facilities that meet the needs of the regional and local community for which the proposed Northern Riparian Corridor plays a key role. In particular, the design of the Corridor, designed for consistency with the surrounding subdivision layout, supports the achievement of a number of key objectives in Part 5 of SREP 30 (**Table 1**).

Table 1 Consistency with SREP 30

SREP 30 Clause	Comment
Clause 27(1) - A range of open space and recreation areas and facilities for passive and active recreation is to be provided, including local playgrounds and neighbourhood parks.	The proposed works will increase the amount and range of public open space and recreation areas provided in the Central Precinct, including neighbourhood parks and a children's play area to be located in South Creek Reserve as part of the proposed works.
Clause 27(3) - Recreational activities and facilities within each precinct are to be located and designed to maximise conservation of the cultural and natural environmental values of buildings, works and places within the precinct.	The proposed works are consistent with and tie into the wider landscape of the Central Precinct and adjacent Regional Open Space. The design and location of the landscaping has been designed to carefully integrate into the existing and future context of the Precinct, and to maximise cultural and natural environmental values.
Clause 30(3) - Development of the land to which this plan applies is to maximise accessibility to services and facilities for people who do not have access to a private car.	Access to a private vehicle is not required for residents to utilise the proposed amenities. The provision of pedestrian and cycle pathways will improve connectivity and maximise accessibility within the Precinct for residents whom do not have access to or are not using a private vehicle.
Clause 31(1) - Development of the land to which this plan applies is to result in an attractive and safe built environment which satisfies a diverse range of community needs.	The landscaping of the site and proposed amenities have been carefully designed to provide areas that are aesthetically pleasing, whilst also acting to improve safety, as further discussed in Section 4.4 below.

Overall, the Northern Riparian Corridor will facilitate community gatherings, encourage active living, while providing complementary spaces that enhance connectivity and activation between the spaces.

4.1.2 St Marys Environmental Planning Strategy 2000 (2006 Update)

The *St Marys Environmental Planning Strategy* (EPS) establishes guidelines and strategies for the future development of land under SREP30, specifically in relation to matters of conservation, cultural heritage, water cycle and soils, transport, urban form, energy and waste, human services, employment and contamination. Section 8 in the EPS identifies the urban form objectives for the St Marys site. In accordance with the objectives, the proposal will:

- Result in an attractive and safe environment which satisfies the need for community and recreational facilities;
- Be highly visible and contribute to the desired urban character of Central Precinct; and
- Use vegetation species which are native to the area.

4.1.3 State Environmental Planning Policy No. 55 – Remediation of Land

The St Marys Central Precinct has been the subject of an extensive investigation including a NSW EPA accredited Site Auditor issued Site Audit Statement for the Central Precinct site (covered by SASs CHK001/1, 001/6, and 001/7). The information presented in this remediation and validation report has been used to develop a Contamination Management Plan for the Central Precinct, which was subsequently approved by Council as part of the St Marys Precinct Plan. This management plan confirmed that the majority of the Precinct poses a negligible risk to the public or the environment with regard to chemical contamination or explosive ordnance including the entirety of the park site.

A number of validation reports and SAS have been issued for the Precinct post-remediation works being conducted where necessary, with a separate SAS (reference: 14124 Final SAR KJL118_EW78912RipD2&E 16Mar18Combined) being issued for the site. Accordingly, the subject site is considered to be suitable for the proposed use.

4.1.4 Central Precinct Plan Amendment No.1

The proposed works will assist in the orderly and efficient development of the St Marys Central Precinct in line with the aims and objectives of the CPP, while providing open space and access to recreational areas for future residents.

4.2 Transgrid Easement

As aforementioned, a 70m wide 500kV Transgrid transmission easement (the easement) passes through the centre of the Precinct, as shown in **Figure 3** above (the easement is identified in yellow in the figure). The proposed works are for landscaping elements associated with the 'Northern Riparian Corridor Parkland & Transgrid Easement Parkland', some of which are located within the Transgrid easement.

As such, an Easement Assessment has been prepared by Ethos Urban and is appended to this report at **Attachment C**, confirming that the proposed works are suitable and will not disrupt the operation of the Easement in line with the *TransGrid Easement Guidelines for Third Party Development*.

The proposal has been designed to respond to the TransGrid Guidelines, through measures such as:

- Not providing vegetation of a height exceeding 4m within the easement;
- Ensuring continuous and unobstructed access will continue to be provided along the easement;
- Reducing available fuel and subsequent bushfire risks within the easement; and
- Ensuring there are no obstructions within 20m of any part of the transmission line structure or supporting guywire.

Vegetation along the easement will generally consist of informal clusters of low native shrub within a grassland setting.

4.3 Safety

The proposed parkland and community facilities have been designed to achieve safe urban design outcomes for residents and visitors utilising the site, through the following measures:

- Lighting will not be provided in the parklands to discourage usage after dark, which may impact the amenity of adjacent residents;
- The parklands will receive ongoing passive surveillance by surrounding residential properties and pedestrian and cyclist movements on the proposed pathways;
- The site design will allow for clear sight lines in all directions; and
- Pedestrian paths illuminated by street lighting are provided within the existing street network outside of the easement, providing a safe alternative for pedestrians and cyclists at night.

4.4 Visual impact

The proposed materials have been chosen to ensure that integration is achieved with the landscape of the surrounding residential areas, with the proposed works having been carefully designed to have a positive impact on the landscaping and aesthetic appeal of the Central Precinct through introducing designated areas for recreational activities, pedestrian and cyclist movement, and community events. The proposed facilities will allow users of the park to enjoy the facilities for extended periods of time, while integrating with the Brick Kiln Park to the south through a contiguous green connection following the riparian corridor.

4.5 Social and economic impacts

The proposed works will provide significant economic and social benefits to the area, including:

- An increased sense of community and belonging;
- Functional, accessible, visible and high-quality pocket parks that can accommodate passive recreation and cultural events and activities; and
- Improved pedestrian and cyclist connectivity that encourages active transportation.

Additionally, the proposal will continue to provide construction jobs, as well as longer term economic benefits associated with the flow on effects in establishing a new residential community, providing space for new activities and events to occur.

4.6 Site suitability and public interest

The site is considered to be suitable for the proposed works and in the public interest for the following reasons:

- The proposal is permissible with consent under SREP30;
- The proposal will support and improve the amenity of existing and future residential developments in the Central Precinct and as such is commensurate with the desired future character of the area;
- The proposed development is consistent with the provision and objectives of the St Marys EPS, Central Precinct Plan and previous DAs;
- The site does not have planning or environmental constraints which would preclude the development of the site for the proposed use;
- Provide an aesthetic and attractive contribution to the identity and sense of place of the Central Precinct;
- Provide a high level of amenity for existing and future Central Precinct residents; and
- Promote the Central Precinct as a place of activity, culture and an overall welcoming place to live.

5.0 Conclusion

This Development Application seeks approval for works to provide landscaping features and community facilities associated with the 'Northern Riparian Corridor Parkland & Transgrid Easement Parkland' ('Northern Riparian Corridor'), located within the St Marys Central Precinct (Jordan Springs East). The proposed works are permissible with consent under SREP 30 and consistent with the aims of all other relevant Environmental Planning Instruments, policies and guidelines

In light of the merits of the proposal, and in the absence of any significant adverse environmental, social or economic impacts, we recommend that the application be approved subject to standard conditions of consent. Should you have any enquiries about this matter, do not hesitate to contact me on 02 9956 6962 or ccurtis@ethosurban.com.

Yours sincerely,



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