

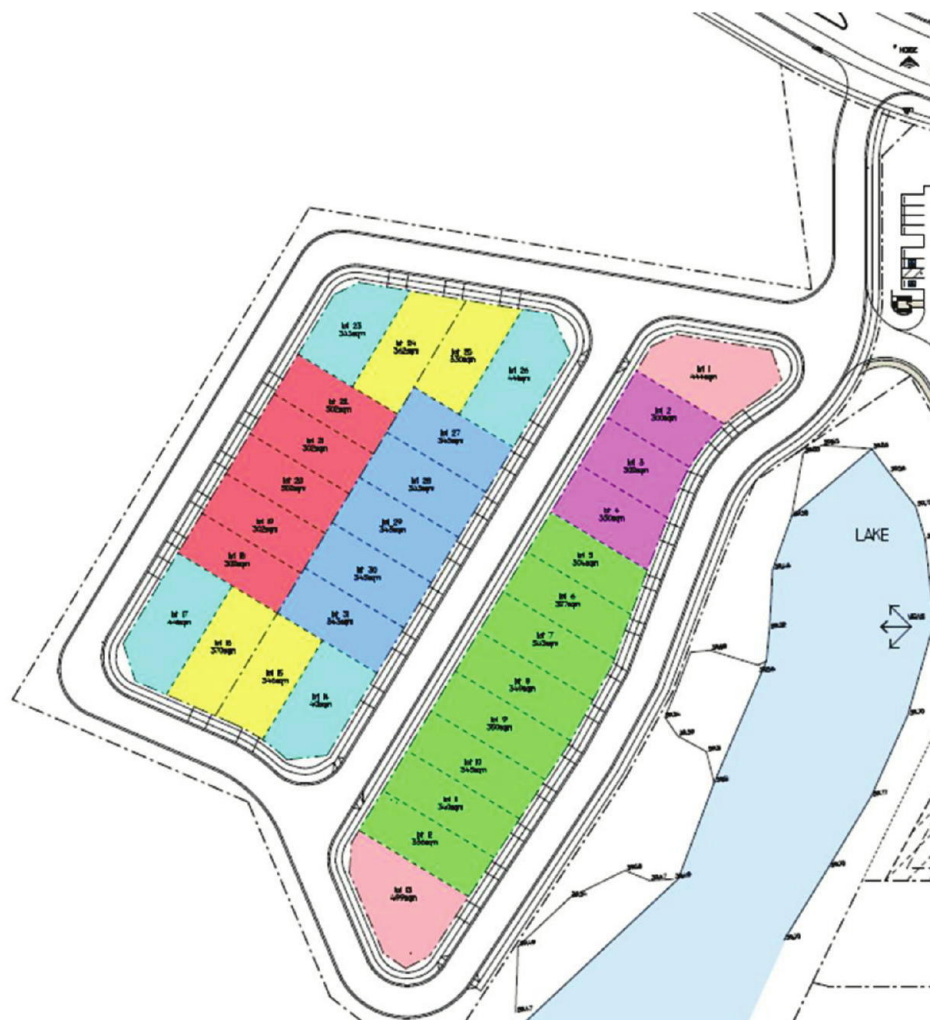


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# Statement of Environmental Effects

Jordan Springs Residential Subdivision  
3990 & 3991 Jordan Springs Boulevard, Jordan  
Springs



Prepared for Lendlease RL Jordan Springs Holding Pty  
Ltd as trustee of Lendlease RL Jordan Springs Trust  
Submitted to Penrith City Council

July 2018

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Appendix 15	Fencing Plan prepared by A&N Design
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## Executive Summary

This Statement of Environmental Effects (SEE) has been prepared by KEYLAN Consulting Pty Ltd (Keylan) on behalf of Lendlease RL Jordan Springs Holding Pty Ltd as trustee of Lendlease RL Jordan Springs Trust (the Applicant) to accompany a Development Application (DA) for a residential subdivision of Lot 3990 DP 1190132 and associated civil works, a new intersection and new roads, earthworks, landscaping and tree removal on Lots 3990 and 3991 DP 1190132 Jordan Springs Boulevard, Jordan Springs.

This SEE has been prepared and is submitted to Penrith City Council (Council) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### The site and locality

The ultimate development site is located in the larger St Marys Development Site within the Penrith Local Government Area (LGA). The ultimate development site has an area of approximately 6 ha and is legally described as Lots 3990 and 3991 in DP 1190132. The site subject to this DA for residential subdivision is Lot 3990 DP 1190132, with a site area of 2.345 ha.

The subject site is irregular in shape and has a primary street frontage to Jordan Springs Boulevard. It comprises large cleared areas and vegetation in various stages of regrowth. It is bound by the Wianamatta Regional Park on all sides, including a lake to the east. To the north of the site is the established suburb of Jordan Springs, comprising residential development. The Jordan Springs Town Centre is located approximately 250 m north-west of the site.

The Applicant is also currently preparing a development application for Lots 3991 and 3990, DP 1190132 for a proposed seniors development comprising 51 seniors villas and approximately 150 future seniors apartments.

The St Marys Development site is located approximately 45 km west of the Sydney CBD, 5 km north-east of the Penrith City Centre and 12 km west of the Blacktown City Centre. The main western railway is located approximately 2.5km south of the site. The Great Western Highway is located another kilometre south and the M4 Motorway a further 1.5km south.

The St Marys Development site has an area of approximately 1,545 ha. It extends approximately 7km east - west and 2km north - south. It is bounded by Forrester Road and Palmyra Avenue to the east, The Northern Road to the west, Ninth Avenue and Palmyra Avenue to the north, and to the south by the Dunheved Industrial Area, Dunheved Golf Club and the suburbs of Cambridge Gardens, Werrington Gardens and Werrington County.

The St Marys Development Site is bisected by the boundary between the Penrith and Blacktown LGAs, which generally follows South Creek in a north-south direction.

## The proposal

The proposed development comprises:

- subdivision of Lot 3990 for 31 residential lots
- associated civil works, roads including a new connection to Jordan Springs Boulevard and new internal roads, earthworks, landscaping and tree removal on Lots 3990
- construction of culvert crossing and stormwater outlet pipe within Lots 3990 and Lot 3991

The DA is integrated development, which requires approval under the Rural Fires Act 1997, the Water Management Act 2000 and the National Parks and Wildlife Act 1974.

The Applicant consulted with Council officers in pre-DA meetings. Following these meetings with Council, substantial improvements were made to the proposal.

Future residential development on the site will be subject to future DAs or complying development certificates, as relevant.

## Public Benefits

The public benefits associated with the residential subdivision include:

- A subdivision that is a permissible use and consistent with the existing urban zone objectives
- A subdivision that is compatible with the surrounding and emerging residential areas and which will further contribute to housing supply and diversity in accordance with the relevant strategic and statutory planning framework
- Contributes to Council's open space network through the dedication of the roads and pedestrian links, street trees and proposed landscaping.
- Contributes to the broader open space network of Jordan Springs.

## Strategic Planning Context

The strategic justification for the proposal is outlined in **Section 5** of this SEE. In summary, the proposal is consistent with the *Greater Sydney Region Plan*, the *Western City District Plan* and Council strategic documents, as it will:

- positively contribute to the housing choice and type within the Western City, in which an additional 184,500 homes will be required in the District by 2036
- contribute to housing supply and choice in the Western District in a location suitable for housing intensification and urban renewal, due to its proximity to the Jordan Springs Town Centre and key transport routes
- accommodate housing options and choice to assist in the creation of a diverse community while meeting the needs of the market
- be designed to integrate with the existing Jordan Springs community by being created within walking distance of the Jordan Springs Town Centre and established neighbourhoods

## **Statutory Planning Framework**

Section 6 of this SEE considers the relevant State legislation and State and local environmental planning instruments, including:

- This application is lodged in accordance with section 4.12 of the EP&A Act.
- The proposal is consistent with the objects of the Act and has been assessed against the matters for consideration under section 4.15;
- *Rural Fires Act 1997*;
- *Water Management Act 2000*;
- *National Parks and Wildlife Act 1974*;
- *State Environmental Planning Policies (SEPPs)*, including:
  - *Sydney Regional Environmental Plan No. 30 – St Marys*
  - *State Environmental Planning Policy No. 19 – Bushland in Urban Areas*
  - *State Environmental Planning Policy NO. 55 – Remediation of Land*
  - *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
  - *Draft State Environmental Planning Policy (Environment)*
  - *Draft Remediation of Land State Environmental Planning Policy*
- *Western Precinct Plan and Development Control Strategy*
- *St Marys Environmental Planning Strategy 2000*
- *Penrith Development Control Plan (DCP) 2014*.

## **Environmental Planning Assessment**

A detailed assessment of the potential environmental impacts of the proposal is contained in Section 7. This section considers the following key issues:

### ***Built Form***

There are no building works proposed with this application. Approval for future construction works will be sought via a DA or complying development certificate.

The proposed subdivision is located within the SREP's Bushland Edge character area. The Bushland Edge area responds to the Regional Park bushland setting and interface. The proposal is consistent with the objectives and design principles of the Bushland Edge area as it will enable the future provision of high quality detached dwellings of 1-2 storeys within a bushland setting, generally within a 5 minute walking distance to local and neighbourhood parks. The proposed lot sizes are varied and are similar to the surrounding residential developments.

### ***Open Space, Public Domain and Landscaping***

The proposed subdivision will not result in the loss of any existing open space. A landscape plan has been prepared which will consist of native street tree and mass planting. It also provides for new public roads and footpaths including a footpath link around the western side of the lake, which will connect with the adjacent seniors redevelopment site.



### ***Traffic, Access and Parking***

A traffic impact assessment has been prepared and finds that the proposed road layout and new access road to Jordan Springs Boulevard can adequately accommodate the anticipated vehicle generation from the ultimate development of Lots 3990 and 3991.

The traffic report has considered traffic generation for the ultimate development site including the residential subdivision, adjoining seniors living development including future seniors apartment buildings and separate aged care facility development. The TIA estimates a maximum of 51 trips in the AM peak period and 112 trips in the PM peak period would be generated.

The TIA concludes the estimated traffic generated by the development is low volume and is, therefore, not expected to produce any significant impacts on the existing road network.

Access to the site will include a new road connection to Jordan Springs Boulevard. A proposed internal perimeter road will be accessed via the new site entry intersection with Jordan Springs Boulevard. This new entry is included within this proposal and also within the separate application for the seniors villa development adjoining the site to the east (Lot 3991). This approach will enable flexibility in the construction and delivery of the project. This intersection can be considered by the Council.

Unrestricted on-street parallel parking will be provided on both sides of the proposed internal roads, similar to existing provisions in the Jordan Springs precinct. It is expected that the proposal will have a low demand for on street parking. Each subdivided lot will be provided with a driveway and personal parking facilities.

### ***Heritage and Archaeology***

The SREP 30 Heritage Map identifies 4 items of local environmental heritage within the Western Precinct. The proposed subdivision will not have any adverse impact on the heritage significance of the items due to the distance of the site from the heritage items.

The Western Precinct Plan (WPP) identifies about 130 ha of land as having archaeological sensitivity. Four zones within the overall site were identified, each having a different designated management outcome. The subject site is identified within Aboriginal Archaeological Zone 2, which is identified as having high potential for intact archaeological evidence, but is considered a developable area.

An Aboriginal Heritage Impact Permit (AHIP) was granted on 13 February 2009 (AHIP No. 10996059) to all land within the Western Precinct in the St Marys Development Site. The consent covers impacts on all Aboriginal objects identified within the Western Precinct, except for items which comprise burials.

### ***Waste Management***

A traffic impact assessment prepared by Bitzios Consulting finds that under normal operating conditions, the geometry of the road is sufficient and the route allows for easy movement of the refuse collection vehicles around bends and allows for side-loading collection vehicles.

The proposed road layout was assessed to determine accessibility of the necessary refuse vehicle movements on the designated route. The 12.5m design vehicle performed satisfactorily around all bends on the internal circulating roadway.

### **Noise**

A noise assessment has been prepared by Renzo Tonin & Associates in accordance with Penrith City Council's Development Control Plans, *State Environmental Planning Policy (Infrastructure) 2007*, NSW Environment Protection Authority (EPA) Noise Policy for Industry (NPfI) and Australian Standards.

The assessment identifies existing traffic noise on The Northern Road and Jordan Springs Boulevard as a potential impact on the proposal. Long-term noise monitors were installed approximately 26m south of Jordan Springs Boulevard and approximately 150m east of The Northern Road at the south-west boundary of the site. The long-term noise monitors recorded noise levels of both day and night road traffic noise levels and background noise levels.

The assessment reviewed the internal noise goals and existing external noise on the site and has proposed treatments such as glazing and sealing the facade to minimise the impact of external noise for future dwellings during use.

The report concludes that the proposal will comply with adopted noise emission guidelines at all times if the recommended treatments are adopted.

### **Bushfire Prone Land**

The site is partially bushfire prone, with a Vegetation Category 1 and a Vegetation Buffer placed across the site. A bushfire assessment has been prepared by Peterson Bushfire which concludes that the proposal will have compliant asset protection zones and bushfire attack levels.

### **Infrastructure and Utilities**

Detailed infrastructure and utility reports will be submitted as required with future development applications including electricity and sewer.

### **Flooding**

A flood study has been prepared by Northrop which concludes the 1%AEP level in the dam is approximately 39.92m AHD and the PMF level is approximately 40.39m AHD. The proposed development can be accommodated to be above these levels. The intent of Penrith City Council Pre-DA minutes and DCP can be satisfied in the design of the subdivision.

### **Stormwater Management**

The proposal is generally in accordance with the overarching water quality strategy prepared by SKM in 2009, which was adopted for the western Precinct of Jordan Springs.

The stormwater management plan finds that the development footprint remains consistent with the original developed area extents whilst water quality and quantity treatment is provided in the downstream East Lake.

### ***Geotechnical Investigation***

A geotechnical investigation has been undertaken and has suggested a number of procedures to prepare the site for the construction of structures and pavements.

An imported fill protocol has been prepared and outlines the procedures to be followed for assessing soil and/or rock materials imported to the site during development works. The Protocol includes provisions to ensure contaminated materials are not imported to the site in contravention of the Protection of the Environment Operations Act and Regulations.

### ***Contamination***

The contamination report prepared for this proposal concludes the following:

- the contamination status of the broader site is considered unlikely to have materially changed since the issue of the site audit statement in 1999; and
- the site is considered suitable for the proposed land use setting subject to conditions, as recommended in the site audit statement issued for the site in 1999.

### ***Conclusion***

This SEE provides a comprehensive environmental assessment of the proposal including impacts and proposed mitigation measures.

The SEE concludes that the proposal warrants approval for the following reasons:

- the proposal is consistent with the current legislative framework
- the proposal meets the objectives of the Urban Zone in SREP 30
- the proposal is consistent with the Western Precinct Plan and Development Control Strategy
- the proposal is suitable for the site and the area, after an assessment against the heads of consideration of section 4.15 of the EP&A Act
- the proposal is designed to contribute to the site's Bushland Edge Character Area
- the site is suitable for the proposed development and there are no natural or physical constraints which preclude the proposal
- the proposal does not give rise to any adverse impacts on nearby heritage items
- the proposal will not lead to any adverse traffic or pedestrian safety issues
- the proposal will not result in any environmental impacts or adverse impacts on the amenity of surrounding land

Accordingly, given the positive planning merits of the development, the SEE concludes that the proposal warrants approval.

# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by KEYLAN Consulting Pty Ltd (KEYLAN) on behalf of Lendlease RL Jordan Springs Holding Pty Ltd as trustee of Lendlease RL Jordan Springs Trust (the Applicant) to accompany a Development Application (DA) for a residential subdivision at Lot 3990, DP 1190132 Jordan Springs Boulevard, Jordan Springs.

This SEE is submitted to Penrith City Council (Council) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed development comprises:

- subdivision of Lot 3990 for 31 residential lots associated civil works, roads including a new connection to Jordan Springs Boulevard and new internal roads, earthworks, landscaping and tree removal on Lots 3990
- construction of culvert crossing and stormwater outlet pipe within Lots 3990 and Lot 3991

This SEE describes the site, its surroundings and the proposed DA. It provides an assessment of the proposals in terms of the matters for consideration under section 4.15(1) of the EP&A Act.

This SEE demonstrates that the proposal is generally consistent with the relevant provisions of the:

- *Sydney Regional Environmental Plan No. 30 – St Marys;*
- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;*
- *Draft State Environmental Planning Policy (Environment);*
- *Draft Remediation of Land State Environmental Planning Policy;*
- *Western Precinct Plan and Development Control Strategy;*
- *St Marys Environmental Planning Strategy 2000; and*
- *Penrith Development Control Plan 2014.*

This SEE concludes that the proposal will provide public benefits through facilitating housing supply in accordance with the *Greater Sydney Region Plan* and *Western City District Plan* and not result in any significant environmental impacts.

We therefore recommend that the Council approve the DA.

## 1.1 Report Structure

The SEE has been prepared in accordance with the requirements of Part 4 of the EP&A Act and Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). The structure of the report is as follows:

Section	Description
<b>Executive Summary</b>	An overarching summary of the findings and conclusions of the assessment contained within this SEE.
<b>1 Introduction</b>	Overview of the SEE and the proposed development.
<b>2 Background</b>	Overview of the background of the development site.
<b>3 Site and Locality</b>	A description of the site, the context and an assessment of the opportunities and constraints presented by the site.
<b>4 The Proposal</b>	A detailed description of the project.
<b>5 Strategic Planning Context</b>	Identifies the key relevant strategic documents and considers the proposal against these documents.
<b>6 Statutory Planning Framework</b>	Identifies the key legislation that this SEE must address and the criteria the project must comply with.
<b>7 Environmental Planning Assessment</b>	Identifies key activities and assesses potential impacts on the environment.
<b>8 Conclusion</b>	A concluding statement taking into account the assessment of the proposal and a recommendation that the application be approved.

Table 1: SEE Report Structure

This SEE should be read in conjunction with the following supporting documents:

Appendices	Supporting Documents
Appendix 1	Quantity Surveyor Report prepared by Napier & Blakeley
Appendix 2	Plan of subdivision prepared by SDG
Appendix 3	Species Impact Statement prepared by Cumberland Ecology
Appendix 4	Contamination Report prepared by Alliance Geotechnical Pty Ltd
Appendix 5	Assessment against Western Precinct Plan and Western Precinct Development Control Strategy prepared by KEYLAN Consulting Pty Ltd
Appendix 6	Traffic Impact Assessment prepared by Bitzios Consulting
Appendix 7	Stage 2 Road Safety Audit prepared by Bitzios Consulting
Appendix 8	Landscape Plan prepared by Sprout
Appendix 9	Acoustic Assessment prepared by Renzo Tonin & Associates
Appendix 10	Bushfire Assessment prepared by Peterson Bushfire
Appendix 11	Flood Study prepared by Northrop
Appendix 12	Stormwater Management Plan prepared by J. Wyndham Prince
Appendix 13	Civil Drawings prepared by J. Wyndham Prince
Appendix 14	Geotechnical Investigation prepared by Alliance Geotechnical Pty Ltd
Appendix 15	Fencing Plan prepared by A&N Design
Appendix 16	Imported Fill Protocol prepared by JBS&G

Table 2: List of Appendices

## 1.2 Consent authority

The *cost of works* for the purpose of determining the DA fee for the proposal is calculated in accordance with Clause 255(1) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) as approximately \$4,210,979 including GST (Appendix 1). Penrith City Council is therefore the consent authority for the proposal.

### 1.3 Pre-lodgement meeting with Council

On 1 February 2018 and 8 March 2018, pre-DA lodgement meetings were convened with senior Council officers to discuss key issues associated with the proposal. Furthermore, following the meeting on 1 February 2018 council officers presented the design to the UDRP for preliminary comments. The UDRP’s preliminary comments informed Council officer’s comments on the proposal. The SEE addresses the issues raised by Council and has been prepared in accordance with the direction discussed at the pre-DA lodgement meeting. A summary of key issues is detailed in the table below:

Issue raised	Section in SEE
<b>Planning Requirements</b>	
<ul style="list-style-type: none"> <li>Suggests a perimeter road should be incorporated into the proposal</li> <li>Building envelopes should be included on highly constrained lots</li> <li>There may be an opportunity to provide larger dual occupancy sites on corner allotments</li> <li>A Flora and Fauna Assessment Report is to be provided</li> <li>Landscaping is required to comprise of only native species</li> <li>The site is integrated development under the <i>Water Management Act 2000</i> and will require a referral to the Office of Water for review and approval</li> <li>The site is integrated development under the <i>Rural Fires Act 1997</i> and requires a bushfire report</li> <li>The application will be referred to the National Parks and Wildlife Service in accordance with CI 44 of SREP 30</li> <li>The proposal will need to clarify the relationship between any existing approvals or proposals in the area</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.2</li> <li>Section 7.1</li> <li>Section 7.1</li> <li>Section 7.3 &amp; Appendix 3</li> <li>Section 7.3 &amp; Appendix 8</li> <li>Section 6.3</li> <li>Section 6.2</li> <li>Section 6.5</li> <li>Section 3.2</li> </ul>
<b>Environmental Management Requirements</b>	
Remediation and contamination <ul style="list-style-type: none"> <li>The proposal is to address all relevant requirements under SEPP 55</li> </ul>	<ul style="list-style-type: none"> <li>Section 6.7</li> </ul>
Acoustics <ul style="list-style-type: none"> <li>The acoustic assessment needs to be prepared in accordance with the NSW EPA’s Noise Policy for Industry and the Road Noise Policy</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.6</li> </ul>
Fill Management Protocol <ul style="list-style-type: none"> <li>If large amounts of fill are going to be imported to the site, a Fill Management Protocol will be required with the application</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.10 and Appendix 16</li> </ul>
Water Reuse <ul style="list-style-type: none"> <li>If water from site dams is to be used for any use, a risk assessment is to be prepared</li> </ul>	<ul style="list-style-type: none"> <li>Section 7 and Appendix 13</li> </ul>
<b>Engineering Requirements</b>	
General <ul style="list-style-type: none"> <li>All engineering works must be designed and constructed in accordance with relevant Council documents</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> </ul>

Issue raised	Section in SEE
<b>Stormwater</b> <ul style="list-style-type: none"> <li>• Stormwater drainage must be in accordance with relevant documents</li> <li>• A stormwater concept plan shall be submitted with the application</li> <li>• A water sensitive urban design strategy is to be provided</li> </ul>	<ul style="list-style-type: none"> <li>• Section 7.9 and Appendix 12</li> </ul>
<b>Flooding</b> <ul style="list-style-type: none"> <li>• Ensure all roads and lots are above the top water level of the 1% AEP of the adjoining lake</li> <li>• All future habitable floor levels for all lots shall be a minimum of 0.5m above the 1% AEP top water level of the lake</li> </ul>	<ul style="list-style-type: none"> <li>• Section 7.9 and Appendix 11</li> </ul>
<b>Traffic</b> <ul style="list-style-type: none"> <li>• Prepare a traffic report, which shall consider traffic generation for the ultimate developed site including the seniors living development, the aged care facility and the residential subdivision</li> </ul>	<ul style="list-style-type: none"> <li>• Section 7.2 and Appendix 6</li> </ul>
<b>Roadworks</b> <ul style="list-style-type: none"> <li>• The development will require the provision of an intersection and right turn bay in Jordan Springs Boulevard</li> </ul>	<ul style="list-style-type: none"> <li>• Section 7.2 and Appendix 6</li> </ul>
<b>Earthworks</b> <ul style="list-style-type: none"> <li>• No retaining walls or filling is permitted which will impede, divert or concentrate stormwater runoff passing through the site</li> <li>• Earthworks must comply with Council's DCP</li> </ul>	<ul style="list-style-type: none"> <li>• Section 7.10 and Appendix 14</li> </ul>
<b>Subdivision Works</b> <ul style="list-style-type: none"> <li>• Subdivision concept plan must be prepared</li> <li>• The subdivision layout shall be in general accordance with Council's DCP</li> <li>• A Stage 2 Road Safety Audit is to be submitted with the application</li> <li>• The subdivision shall be designed to ensure adequate access and turning paths are provided for Council's waste collection vehicles</li> </ul>	<ul style="list-style-type: none"> <li>• Appendix 2</li> <li>• Section 6.10</li> <li>• Section 7.2 and Appendix 7</li> <li>• Section 7.5 and Appendix 6</li> </ul>
<b>Other</b> <ul style="list-style-type: none"> <li>• Provide a plan showing the locations of all proposed fencing for the Regional Park within the vicinity of the development site and the lake</li> </ul>	<ul style="list-style-type: none"> <li>• Section 6.7 and Appendix 15</li> </ul>

Table 3: Summary and response to Council's letter dated 20 March 2018

## 2 Background

### 2.1 St Marys Development Site

The St Marys Development site is located approximately 45km west of the Sydney CBD, 5km north-east of the Penrith City Centre and 12km west of the Blacktown City Centre (Figure 1). The main western railway is located approximately 2.5km south of the site. The Great Western Highway is located another kilometre south and the M4 Motorway a further 1.5km south.

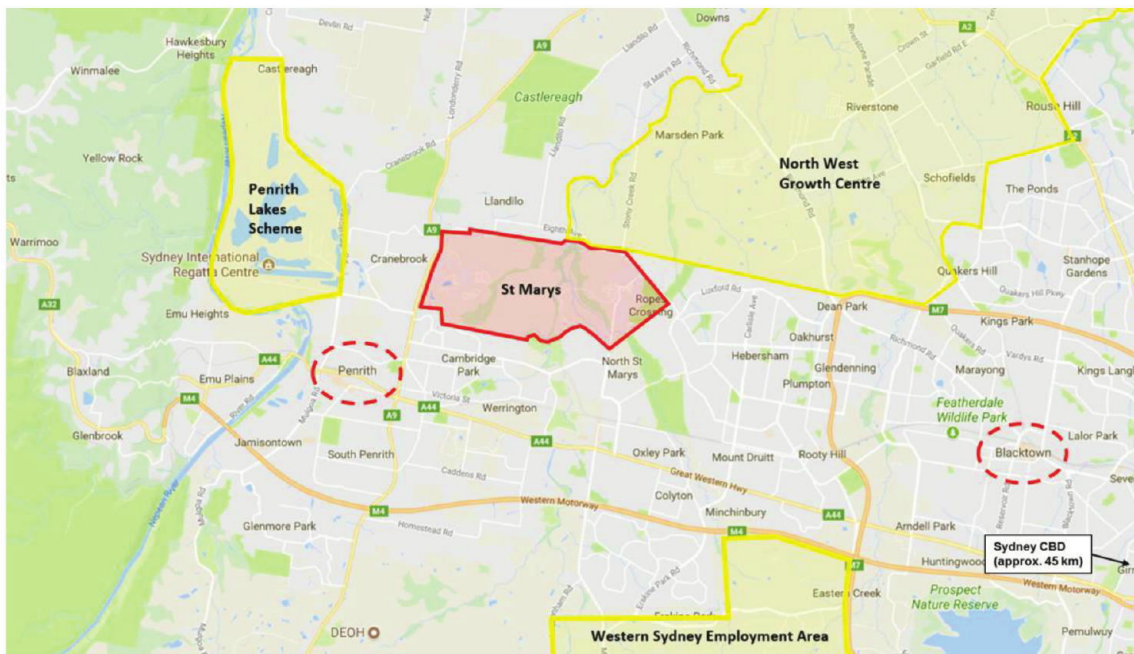


Figure 1: St Marys Development Site (Base source: Google Maps)

The St Marys Development site has an area of approximately 1,545ha. It extends approximately 7km east - west and 2km north - south. It is bounded by Forrester Road and Palmyra Avenue to the east, The Northern Road to the west, Ninth Avenue and Palmyra Avenue to the north, and to the south by the Dunheved Industrial Area, Dunheved Golf Club and the suburbs of Cambridge Gardens, Werrington Gardens and Werrington County.

The St Marys Development Site is bisected by the boundary between the Penrith and Blacktown LGAs, which generally follows South Creek in a north-south direction.



The St Marys Development Site includes 5 development areas, or “precincts” identified under *Sydney Regional Environmental Plan No. 30 – St Marys* (SREP 30). These include:

**Eastern Precinct:**

- Declared a release area under SREP 30 by the Minister Assisting the Minister for Infrastructure and Planning on 16 June 2003
- Precinct Plan adopted by Blacktown City Council (BCC) on 2 February 2004
- Currently being developed as the suburb of Ropes Crossing

**Ropes Creek Precinct:**

- Declared a release area under SREP 30 by the Minister for Planning on 29 September 2006
- Precinct Plan adopted by BCC on 11 March 2011
- Currently being developed as the suburb of Ropes Crossing

**North and South Dunheved Precincts:**

- Declared a release area under SREP 30 by the Minister Assisting the Minister for Infrastructure and Planning on 16 June 2003
- Precinct Plan adopted by Penrith City Council (PCC) on 8 December 2006 and BCC on 12 January 2007
- DAs approved by Councils and development anticipated to commence shortly

**Central Precinct:**

- Declared a release area by the Minister for Planning on 29 September 2006
- Precinct Plan adopted by PCC on 23 March 2009
- Several DAs approved for works in Precinct and bulk earthworks/civil works commenced

**Western Precinct:**

- Declared a release area by the Minister for Planning on 29 September 2006
- Precinct Plan adopted by PCC on 23 March 2009
- Currently being developed as the suburb of Jordan Springs
- The subject site is located in the Western Precinct

The site also includes an area of 900ha zoned Regional Park (Wianamatta Regional Park), as well as areas zoned Regional Open Space, Drainage and Roads.

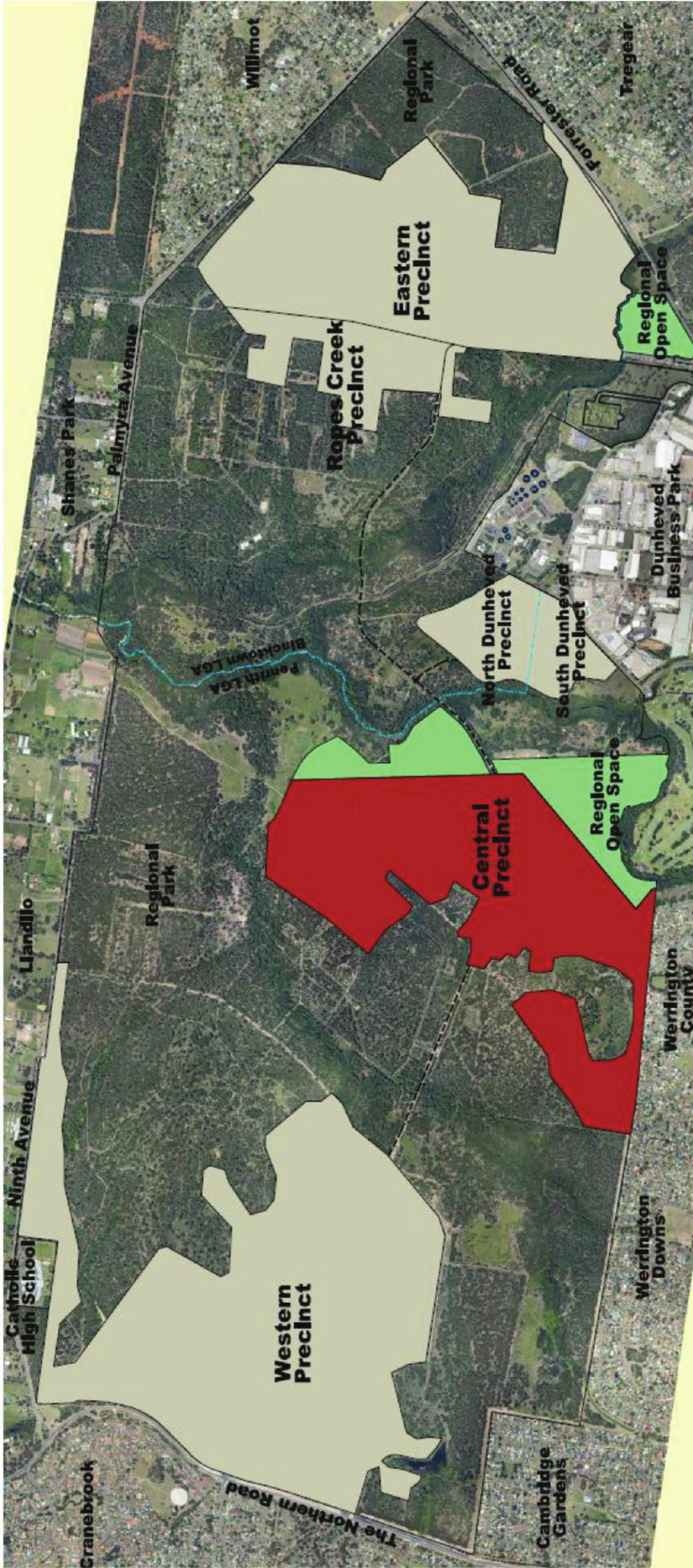


Figure 2: St Marys Development Site Precincts (Source: Lendlease)

### 3 The site and locality

#### 3.1 Site description and location analysis

The site is located in the St Marys Development Site within the Penrith Local Government Area (LGA). The site has an area of approximately 2.3ha. The land is legally described as Lots 3990 and 3991 DP 1190132. The location of the site is shown in the figures below.

The site is irregular in shape and has a primary street frontage to Jordan Springs Boulevard. Jordan Springs Boulevard is a two-way local road running east-west between the Northern Road and Lakeside Parade. The Northern Road runs north-south along the western fringe of Jordan Springs.

The site comprises large cleared areas. Vegetation on the site consists of a mix of young and mature Cumberland Plain Woodland, Cumberland plain woodland in various stages of regeneration and low diversity native grassland derived from Cumberland Plain Woodland.

The site is partially bushfire prone, with a Vegetation Category 1 and a Vegetation Buffer placed across the site (Figure 9).

There are no heritage items located on land subject to the project. Surrounding heritage items are discussed in Section 7.4.



Figure 3: Location of the site (Source: SIX Maps)



Figure 4: Location of the site (Source: SIX Maps)



Figure 5: Site looking south (Source: KEYLAN)



Figure 6: Site looking north (Source: KEYLAN)



Figure 7: Site looking east to lake (Source: KEYLAN)



Figure 8: Site looking west (Source: KEYLAN)

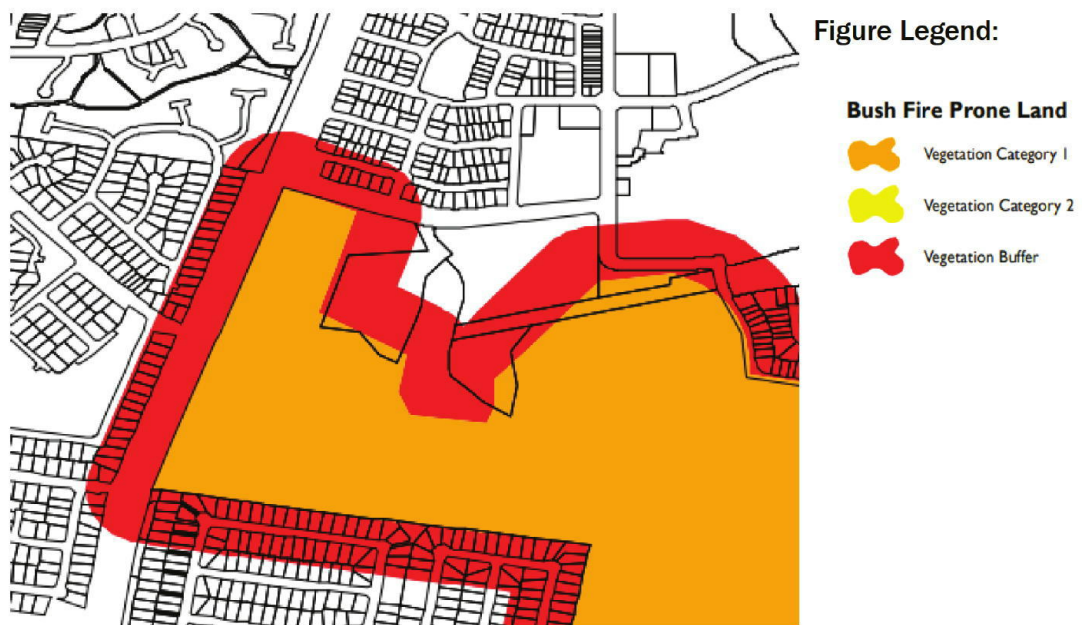


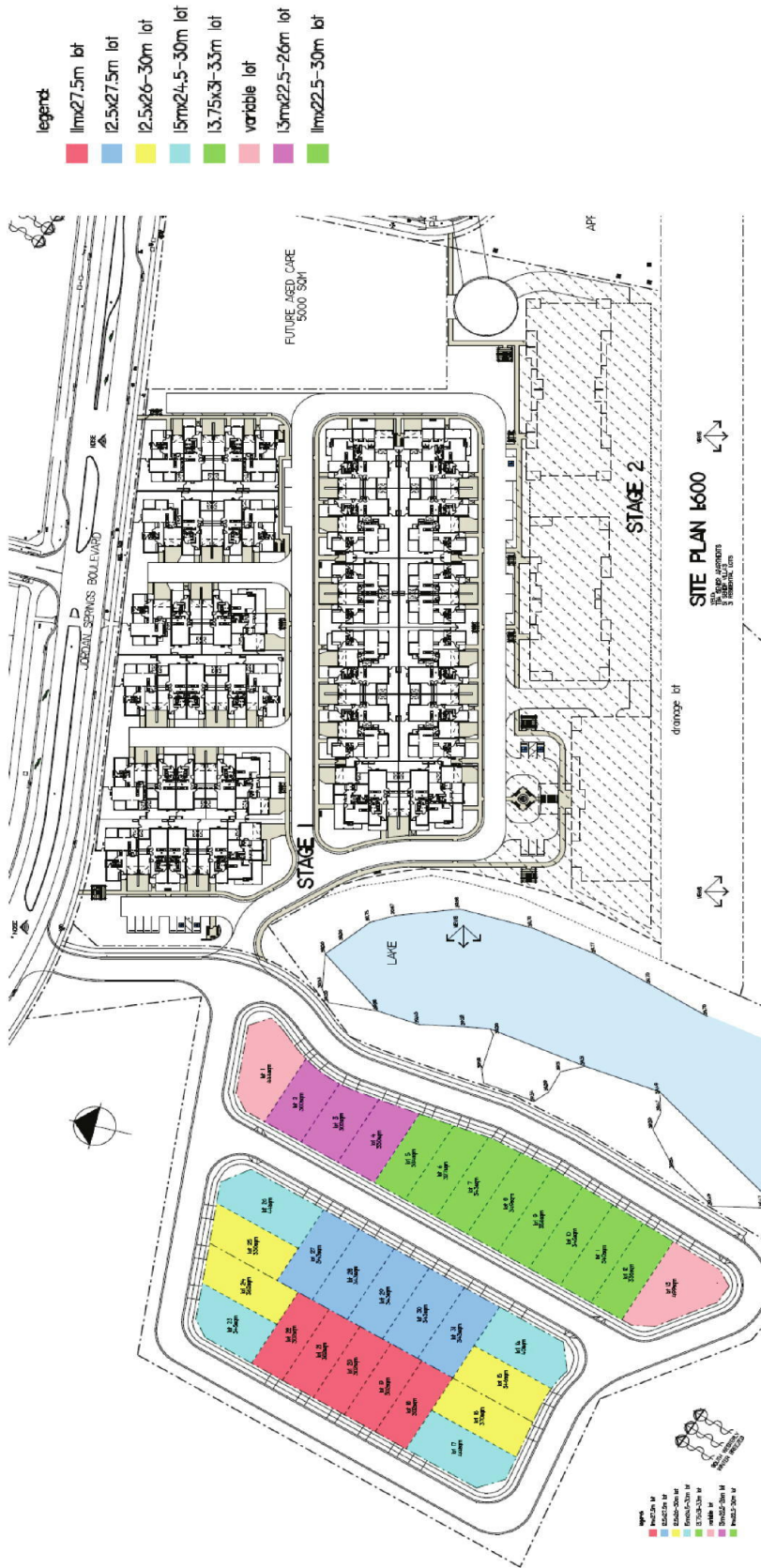
Figure 9: Bushfire Prone Land (Source: Penrith City Council)

## 3.2 Surrounding Development

The site is bound by the Wianamatta Regional Park on all sides, and an artificial waterbody (lake) to the east. The lake is a permanent water feature with limited vegetation, located within the Regional Park.

To the north of the site is the established suburb of Jordan Springs, comprising largely residential development. The lot sizes of the surrounding sites are similar to those being proposed in this application. The Jordan Springs Town Centre, comprising retail, commercial, community and residential uses, is located approximately 250 m north-west of the site.

To the east of the site, the Applicant is preparing an application on Lots 3991 and 3990 for a seniors housing development comprising 51 seniors villas and approximately 150 seniors apartment buildings (subject to a separate DA) (Figure 10). The lake and a proposed perimeter road will be situated between the proposed subdivision on Lot 3990 and the future seniors housing development on Lot 3991.





## 4 The proposal

The proposed development is described in the table below:

<b>Address/Property Description</b>	Lots 3990 and 3991, DP 1190132, Jordan Springs Boulevard, Jordan Springs
<b>Ownership</b>	Lendlease RL Jordan Springs Holding Pty Ltd as trustee of Lendlease RL Jordan Springs Trust
<b>LGA</b>	Penrith
<b>Zoning</b>	Urban (SREP 30)
<b>Permissibility</b>	Proposal is permissible with consent
<b>Project</b>	<p>The proposed development comprises:</p> <ul style="list-style-type: none"> <li>• subdivision of Lot 3990 for 31 residential lots associated civil works, roads including a new connection to Jordan Springs Boulevard and new internal roads, earthworks, landscaping and tree removal on Lots 3990</li> <li>• construction of culvert crossing and stormwater outlet pipe within Lots 3990 and Lot 3991</li> </ul>

Table 4: Project Overview

The Applicant is seeking approval for a DA, in accordance with section 4.12 of the EP&A Act, comprising residential subdivision on lot 3990 Jordan Springs Boulevard, Jordan Springs.

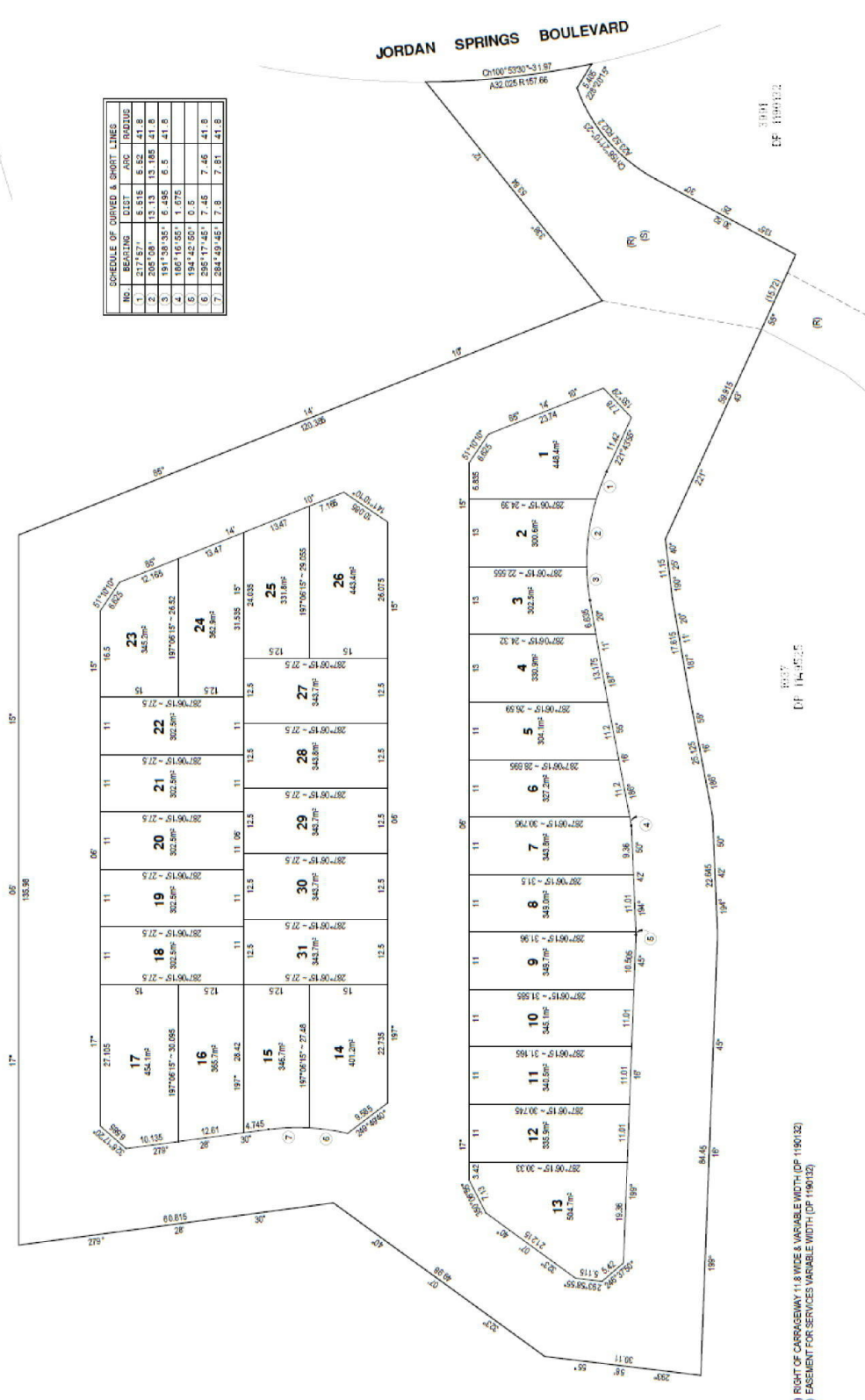
The design of the proposed works has been prepared in consultation with Council.

A plan of subdivision has been prepared by SDG and is provided at Appendix 2. The proposed plan of subdivision is provided below.

It is noted some works subject to this DA including the new intersection with Jordan Springs Boulevard, new internal roads and the construction of a culvert crossing and stormwater outlet pipe within Lots 3990 and 3991 are also the subject of a separate DA for seniors living development on Lot 3991.



SCHEDULE OF CURVED & SHORT LINES			
NO.	BEARING	LENGTH	AREA
1	271°27'17"	5.1515	0.29
2	200°1'08"	13.133	13.185
3	191°50'35"	6.495	6.5
4	165°16'55"	1.675	0.5
5	154°42'50"	0.5	0.5
6	256°17'45"	7.46	7.46
7	284°49'45"	7.8	7.81



(R) RIGHT OF CARRIAGEWAY 11.8 M WIDE & VARIABLE WIDTH (DP 1160132)  
 (S) EASEMENT FOR SERVICES VARIABLE WIDTH (DP 1160132)

Figure 11: Plan of Subdivision (Source: SDG)

## 5 Strategic Planning Context

### 5.1 NSW Making It Happen

*NSW Making it Happen* sets out the NSW 30 State Priorities for the State, which include the Premier's 12 Priorities. This replaces previous State plans and should be considered in the context of the Government's key areas of focus including transport, health, education, environment, police and justice, infrastructure, family and community services, economy and accountability. The Premier's 12 Priorities for the State include:

- Creating Jobs
- Delivering Infrastructure
- Driving public sector diversity
- Improving education results
- Improving government services
- Improving service levels in hospitals
- Keeping our environment clean
- Making housing more affordable
- Protecting our kids
- Reducing domestic violence reoffending
- Reducing youth homelessness
- Tackling childhood obesity

The proposal is considered to be consistent with the relevant priorities, in particular making housing more affordable.

The proposed works will include the provision of 31 new residential lots. This will positively contribute to the housing choice and type within the Western City, in which an additional 184,500 homes will be required in the District by 2036. By facilitating housing supply, the proposal will contribute to housing affordability.

### 5.2 Greater Sydney Region Plan

The *Greater Sydney Region Plan* outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The Region Plan replaces *A Plan for Growing Sydney* as the leading region plan for Greater Sydney.

The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of three unique but connected cities; an Eastern Harbour City, the Western Parkland City and the Central River City with Greater Parramatta at its heart.

The Region Plan provides broad *Priorities and Actions* which focus on the following 4 key themes:

- *Infrastructure and collaboration*
- *Liveability*
- *Productivity*
- *Sustainability*

There are a number of Directions and Objectives that are of relevance to the Proposal and these are addressed below:

### **Direction 3 A city for people**

#### *Objective 7 Communities are healthy, resilient and socially connected*

- The proposal will facilitate the provision of homes conveniently located in proximity to transport, services and facilities.

### **Direction 4 Housing the city**

#### *Objective 10 Greater housing supply*

- The proposed development will facilitate the provision of new homes on a large and prominent infill site that is strategically placed to accommodate a residential led development.

#### *Objective 11 Housing is more diverse and affordable*

- The proposal seeks to provide lots which would facilitate the provision of detached dwellings, further contributing to the broad variety of housing types delivered in Jordan Springs.

## **5.3 Western City District Plan**

The Western City District Plan seeks to manage growth in the context of economic, social and environmental matters in the Western City. It provides the district level framework to implement the goals and directions outlined in the *Greater Sydney Region Plan* for the Western City District.

The proposed development is consistent with the District Plan as it will:

- Contribute to the expected increase in demand for housing in the Western City District.
- Provide for an additional 31 residential lots in an area in proximity to existing public transport, services and facilities.
- Contribute positively to the provision of housing in the Western City District, improving housing supply and choice in the region.
- Provide for a range of lot sizes in accordance with the Western Precinct Plan and accompanying Development Control Strategy (DCS) and would therefore foster housing diversity.
- Contribute to addressing housing affordability through additional housing supply in an area already identified for housing development and which is supported by local infrastructure contributions.
- Contribute to the design of a walkable development.

## **5.4 Penrith Urban Strategy Managing Growth to 2031**

The Penrith Urban Strategy Managing Growth to 2031 (PUSMG) sets out a framework to provide equity in access to a range of services and facilities, encourage increased diversity in housing stock and promote a range of lifestyle opportunities within established and new release areas. The PUSMG includes eight Guiding Principles for Penrith:

- A Diverse City meeting the needs of the people (in housing, built form and urban and rural uses), economy and environment.

- A Healthy and Vibrant City with quality spaces and recreation areas. A city that is integrated and whose residents have well-being. A city comprising strong neighbourhoods that build social capital.
- An Accessible City that is integrated and interconnected, where communities have access to shops, services, education, employment and transport, etc.
- A Cultural City that is a creative place with self-sustaining arts and culture.
- A Regional City that embraces its economic and service role for the region with strong links to the surrounding regions and metropolitan area.
- A Safe City where people feel confident in living.
- A Lifestyle City that is attractive and well designed, fun for all ages and abilities and creates cohesive communities.
- A City with a Unique Identity that enables lifelong learning, research and development and has a viable economy.

The proposal is consistent with the PUSMG. The proposed subdivision will supply an additional 31 residential lots in an area well located in relation to transport, services and facilities, open space and recreation areas, including the Wianamatta Regional Park. It will also be designed to integrate with the existing Jordan Springs community by being located within walking distance to the Jordan Springs Town Centre and established neighbourhoods. The proposal will contribute to the achievement of the guiding principles for Penrith, such as creating a diverse and accessible city.

## 6 Statutory Planning Framework

### 6.1 Environmental Planning and Assessment Act 1979

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment.

This section of the report provides the planning assessment against the key statutory environmental planning instruments and associated planning documents relevant to the development. The following detailed assessment of the proposal is provided and which is based on the heads of consideration contained in section 4.15 of the EP&A Act.

#### 4.15 (1) Matters for consideration—general

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	The relevant environmental planning instruments are addressed in Section 6.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Yes.  Draft SREP 30 (Amendment No 3) has been publicly exhibited but there are no direct implications for the site or proposal.  The Draft Remediation SEPP and Draft Environment SEPP has been exhibited but there are no direct implications for the site or proposal. The draft SEPPs are addressed in Section 6.7.
(iii) any development control plan, and	The Western Precinct Plan, Development Control Strategy and the Penrith Development Control Plan 2014 are addressed in Sections 6.9 and 6.10.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	As outlined in Section 6.12, the proposal is covered by the Penrith Planning Agreement which provides for contributions to open space, community services and other infrastructure for development in Jordan Springs.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The requirements of the EP&A Regulations are addressed in Section 6.13.
(v) (Repealed)	Not applicable.
(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 impacts of the proposal are addressed in Section 7.

Relevant Provision	Comment
(c) <i>the suitability of the site for the development,</i>	Site suitability is addressed at Section 7.12.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Any submissions made on this subject development application will be duly considered and addressed by the Applicant. In addition, the Council will consider any public submissions relating to the proposal during its assessment.
(e) <i>the public interest.</i>	Public interest is addressed at Section 7.14.

Table 5: Section 4.15(1) assessment

The SEE has been prepared in accordance with Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* (EPAR).

## 6.2 Rural Fires Act 1997

The site is identified on Council's Bushfire Prone Land map as part vegetation category 1 (orange) and part vegetation buffer (red) (Figure 9).

Under section 4.46(1) of the EP&A Act, the proposal is considered integrated development and requires approval under section 100B of the *Rural Fires Act 1997*, as the proposal comprises development for the purposes of subdivision of bush fire prone land that could lawfully be used for residential purposes.

## 6.3 Water Management Act 2000

Under section 4.46(1) of the EP&A Act, the proposal is integrated development as it comprises carrying out of a work 40m from a mapped waterbody and requires approval under section 91 of the *Water Management Act 2000* (Water Act):

### 91 Activity approvals

- (1) *There are two kinds of activity approvals, namely controlled activity approvals and aquifer interference approvals.*
- (2) *A controlled activity approval confers a right on its holder to carry out a specified controlled activity at a specified location in, on or under waterfront land.*
- (3) *An aquifer interference approval confers a right on its holder to carry out one or more specified aquifer interference activities at a specified location, or in a specified area, in the course of carrying out specified activities.*

**Note.** *Examples of where an aquifer interference approval may be needed include mining operations, road construction and any other large scale activity that involves excavation.*

## 6.4 Roads Act 1993

The proposal includes construction of a new road which will connect to and therefore disturb the surface of Jordan Springs Boulevard, a public road, and requires approval under section 138 of the *Roads Act 1993* (Roads Act):

### 138 Works and structures

- (1) *A person must not:*
  - (a) *erect a structure or carry out a work in, on or over a public road, or*
  - (b) *dig up or disturb the surface of a public road, or*
  - (c) *remove or interfere with a structure, work or tree on a public road, or*
  - (d) *pump water into a public road from any land adjoining the road, or*

(e) connect a road (whether public or private) to a classified road, otherwise than with the consent of the appropriate roads authority.  
Maximum penalty: 10 penalty units.

Under section 4.46(3) of the EP&A Act, the proposed works are not considered integrated development and do not require approval under the Roads Act, as Council is both the consent authority and the relevant road authority.

## **6.5 National Parks and Wildlife Act 1974**

An Aboriginal Heritage Impact Permit (AHIP) can be issued by the Chief Executive of the Office of Environment and Heritage (OEH) under the *National Parks and Wildlife Act 1974* (NPW Act) for development which will cause harm to an Aboriginal object or Aboriginal place and cannot be avoided.

Development is integrated development under the EP&A Act if it requires an approval under the NPW Act for a grant of an AHIP.

An Aboriginal Heritage Impact Permit (AHIP) was granted on 13 February 2009 (AHIP No. 10996059) to all land within the Western Precinct in the St Marys Development Site. The consent covers impacts on all Aboriginal objects identified within the Western Precinct, except for items which comprise burials.

## **6.6 NSW Threatened Species Conservation Act 1995 & NSW Biodiversity Conservation Act 2016**

A Species Impact Statement (SIS) has been prepared by Cumberland Ecology to accompany the development application (Appendix 3).

The SIS confirms the *NSW Threatened Species Conservation Act 1995* (TSC Act) was repealed and replaced by the *NSW Biodiversity Conservation Act 2016* (BC Act) on 25 August 2017. The associated *Biodiversity Conservation (Savings and Transitional) Regulation 2017* includes a transitional period which allows development applications (DAs) within the Penrith Local Government Area to be assessed under the TSC Act for an additional fifteen months from 25 August 2017. Therefore, an assessment of all ecological matters required under NSW legislation have been assumed within the SIS to be conducted under the TSC Act.

The SIS is a detailed assessment of the proposed works within Lots 3990 and 3991 in DP1190132 of the Jordan Springs Retirement Village development area. The SIS assesses the impacts of development across the Western Precinct as a whole, as detailed in the approved Precinct Plan. It contains specific assessment of threatened species, populations and ecological communities listed in the schedules of the TSC Act.

This SIS found the proposed development of the subject site and subject land will remove a relatively small area of habitat for Cumberland Plain Woodland (CPW). The SIS confirms the impact of the proposed development will be balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park. The Regional Park comprises CPW in a consolidated land holding, which will be transferred into public ownership and subject to a fully funded Plan of Management.

This SIS concludes the proposed development will not result in any local populations of threatened species or occurrences of ecological communities becoming extinct.



## 6.7 State Environmental Planning Policies

The proposal has been designed with regard to the objectives and standards of the relevant planning instruments and policies that apply to the site. Under the provisions of the EP&A Act, the key applicable state environmental planning policies are:

- *Sydney Regional Environmental Plan No. 30 – St Marys;*
- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas;*
- *State Environmental Planning Policy No.55 – Remediation of Land;*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;*
- *Draft State Environmental Planning Policy (Environment); and*
- *Draft Remediation of Land State Environmental Planning Policy.*

### 6.7.1 Sydney Regional Environmental Plan No. 30 – St Marys

Sydney Regional Environmental Plan No.30 – St Marys (SREP 30) is a deemed SEPP and the main environmental planning instrument applying to the St Marys Development site. SREP 30 was originally gazetted in January 2001. In summary, the key provisions of the SREP include:

- Identifying areas for development, known as “precincts”, on the site. These precincts and their development status are discussed in Section 2.1 of this report.
- Requirement for the Minister for Planning to declare precincts to be a release area and for precinct plans to be prepared and adopted prior to development occurring within a precinct.
- Identification of Performance Objectives relating to a range of environmental, social and economic outcomes for development on the site.
- A Structure Plan which outlines the general pattern of development on the site.
- Zoning of the site for a range of uses including Regional Park, Regional Open Space, Employment, Urban, Road and Road Widening, and Drainage.
- Outline of development controls relating to a range of issues, including consultation, subdivision, development near zone boundaries, demolition, interim uses, development on land below the probably maximum flood (PMF) level, filling of land, salinity and soils, tree preservation, heritage (including identification of heritage items on the Heritage Map), access and services, bushfire hazard reduction works and specific development restrictions and prohibitions.

The proposal is located on land zoned Urban under SREP 30 and is permissible with consent. The relevant provisions of SREP 30 are detailed below:

Provision	Response
<b>Part 1 Introduction</b>	
<b>3 Aims of this plan</b>	<ul style="list-style-type: none"> <li>• The proposal is consistent with the aims of SREP 30.</li> <li>• The proposal achieves desirable environmental, social and economic outcomes, as outlined in this Statement of Environmental Effects.</li> </ul>
<b>Part 4 Development applications</b>	
<b>19 Consent Authority</b>	<ul style="list-style-type: none"> <li>• The cost of works for the purpose of determining the DA fee for the proposal is calculated in accordance with Clause 255(1) of the Environmental Planning and Assessment Regulation 2000 (EP&amp;A Regulation) as</li> </ul>

Provision	Response
	approximately \$4,210,979 including GST. Penrith City Council is the consent authority for the proposal.
<b>Part 5 Performance objectives</b>	
<b>21 Requirement outcomes for any development</b>	<ul style="list-style-type: none"> <li>The proposal is consistent with the performance objectives outlined below.</li> </ul>
<b>22 Ecologically sustainable development</b>	<ul style="list-style-type: none"> <li>The proposal is consistent with the goal of ecologically sustainable development as it involves a subdivision that has been designed to minimise potential environmental impacts and will provide for additional residential development on land close to transport and services.</li> </ul>
<b>23 Air Quality</b>	<ul style="list-style-type: none"> <li>A construction management plan will be prepared prior to works being undertaken on the site to address air quality impacts as a result of construction.</li> <li>The proposal will facilitate the provision of housing in proximity to public transport and in walking distance to the Jordan Springs Town Centre and existing services and facilities.</li> </ul>
<b>24 Conservation</b>	<ul style="list-style-type: none"> <li>A Species Impact Statement has been prepared by Cumberland Ecology (Appendix 3) which notes that the proposal will result in the removal of a relatively small area of habitat for Cumberland Plain Woodland, however, the proposal is not likely to have a significant impact on Cumberland Plain Woodland.</li> <li>The impact of the proposal will also be more than balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park.</li> <li>Large and continuous remnant areas of vegetation in the surrounding Regional Park will be protected and enhanced through a range of mitigation measures identified and retained in perpetuity in public ownership.</li> <li>The St Marys Development Site has been previously assessed by the Australian Heritage Commission pursuant to the requirements of the <i>Australian Heritage Commission Act 1975</i> and does not require further consideration.</li> <li>No lots are directly fronting the Regional Park boundary.</li> <li>A fencing plan has been prepared by Sprout for the proposal which will separate the proposal and the Regional Park (Appendix 15).</li> <li>The proposal will not have any adverse impact on Regional Open Space, which is not located near the subject site.</li> <li>A landscape plan has been prepared which will consist of native street tree and mass planting.</li> </ul>
<b>25 Heritage</b>	<ul style="list-style-type: none"> <li>The proposed subdivision will not have any adverse impacts on any heritage item in the site locality due to the distance of the site from the heritage items.</li> <li>An Aboriginal Heritage Impact Permit (AHIP) was granted on 13 February 2009 (AHIP No. 10996059) to all land within the Western Precinct in the St Marys Development Site. The consent covers impacts on all Aboriginal objects identified within the Western Precinct, except for items which comprise burials.</li> <li>The proposal requires a referral to the Director General of the National Parks and Wildlife Service.</li> </ul>

Provision	Response
26 Community services	<ul style="list-style-type: none"> <li>• The Western Precinct Plan is supported by a Community Plan, which identifies the characteristics of the surrounding and anticipated population and the existing services and identified needs of the future population.</li> <li>• The area surrounding the Western Precinct is generally well serviced by and proximate to a number of community services.</li> <li>• The proposal will facilitate the provision of homes conveniently located in proximity to the Jordan Springs Town Centre and existing services located in the surrounding area of the Western Precinct.</li> <li>• As outlined in Section 6.12, the proposal is covered by the Penrith Planning Agreement which provides for contributions to open space, community services and other infrastructure for development in Jordan Springs.</li> </ul>
27 Open space and recreation	<ul style="list-style-type: none"> <li>• The provision of open space, recreation areas and facilities for passive and active recreation for this site as part of the Western Precinct has already been planned for across the Western Precinct Plan.</li> <li>• The proposal will facilitate the provision of homes conveniently located in proximity to open space, recreation areas and facilities.</li> <li>• The site is also surrounded by Regional Park in which general access and recreation opportunities, consistent with the St Marys Development Agreement and draft Regional Park Plan of Management, will be available.</li> <li>• As outlined in Section 6.12, the proposal is covered by the Penrith Planning Agreement which provides for contributions to open space and other infrastructure for development across the suburb of Jordan Springs.</li> </ul>
28 Watercycle	<ul style="list-style-type: none"> <li>• A Flood Study has been prepared by Northrop (Appendix 11) which analyses the flood behaviour.</li> <li>• The 1%AEP level in the dam is approximately 39.92m AHD and the PMF level is approximately 40.39m AHD;</li> <li>• The roads, lots and finished floor levels will be able to be accommodated above these levels.</li> <li>• The development causes minor localised redistribution of flow in the 1%AEP and PMF events. The impacts within the dam and in the channel downstream have negligible changes.</li> <li>• The intent of Penrith City Council Pre-DA minutes and DCP can be satisfied in the design of the subdivision.</li> </ul>
29 Soils	<ul style="list-style-type: none"> <li>• An erosion and sediment control plan is provided in Appendix 13.</li> <li>• A geotechnical investigation is provided in Appendix 14. The report recommends procedures to prepare the site for the construction of structures and pavements and include: <ul style="list-style-type: none"> <li>○ Strip topsoil and remove fill material.</li> <li>○ Deeper stripping of soils underlying topsoil or where water softened soils are present. Prior to stripping of these materials a geotechnical engineer should be consulted to provide advice.</li> <li>○ Where fill is to be placed, a test roll to the exposed upper surface should be undertaken on the exposed</li> </ul> </li> </ul>

Provision	Response
	<p>subgrade with a smooth drum roller of at least 8 tonne static deadweight capacity, during the presence of a geotechnical engineer and a maximum of six passes of the roller.</p> <ul style="list-style-type: none"> <li>○ Where soft spots or unacceptable subgrade conditions are encountered, remove the unsuitable material to a further 300 mm and inspect.</li> </ul>
<b>30 Transport</b>	<ul style="list-style-type: none"> <li>● The proposed subdivision will comprise of roadworks, which will connect to an existing road, Jordan Springs Boulevard, which has access to public transport and is in close proximity to the Jordan Springs Town Centre.</li> <li>● The proposal is within walking distance to public transport opportunities.</li> <li>● Pedestrian access is provided along the western boundary of the lake and around the residential lots to improve pedestrian access and maximise the potential for walking.</li> <li>● The proposal will meet the overall net neighbourhood density target of at least 15 dwellings per hectare.</li> </ul>
<b>31 Urban form</b>	<ul style="list-style-type: none"> <li>● The proposal facilitates the provision of 31 detached dwellings, contributing to the overall dwelling mix and diversity of Jordan Springs.</li> <li>● The proposed subdivision is in keeping with existing subdivision layouts in Jordan Springs.</li> <li>● The subdivision has been designed to provide a safe and efficient road network.</li> <li>● The development proposes street tree planting throughout the subdivision and a perimeter road which enhances views towards the regional park and lake adjacent to the subdivision.</li> <li>● The proposal is in close proximity to the Jordan Springs Town Centre and transport services and recreation areas.</li> <li>● A clear legible street layout has been proposed.</li> <li>● Footpaths have been proposed throughout the subdivision to provide accessibility for pedestrians.</li> <li>● Passive surveillance of the regional park and waterbody is provided from the perimeter road.</li> <li>● Crime prevention through environmental design (CPTED) will be addressed in future Das for the dwellings.</li> </ul>
<b>32 Employment and business development</b>	<ul style="list-style-type: none"> <li>● N/A</li> </ul>
<b>33 Housing</b>	<ul style="list-style-type: none"> <li>● The proposal facilitates the provision of 31 detached dwellings, contributing to the overall dwelling yield and diversity of Jordan Springs.</li> </ul>
<b>34 Energy efficiency</b>	<ul style="list-style-type: none"> <li>● Best practice energy management will be incorporated in the future development of the residential lots.</li> </ul>
<b>35 Waste management</b>	<ul style="list-style-type: none"> <li>● A construction management plan will be prepared prior to works being undertaken on the site to address construction waste management.</li> <li>● All recommended waste management plans will comply with council codes and any statutory requirements.</li> <li>● The subdivision has been designed to ensure adequate access and turning paths are provided for Council's waste collection vehicles.</li> </ul>

Provision	Response
<b>Part 6 Zoning</b>	
<b>40 Urban zone</b>	<ul style="list-style-type: none"> <li>The proposal is permissible with consent within the Urban Zone.</li> <li>The proposed subdivision facilitates the future development for 31 detached dwellings.</li> </ul>
<b>Part 7 Development controls</b>	
<b>44 Consultation with National Parks and Wildlife Service</b>	<ul style="list-style-type: none"> <li>The proposal is for development of land adjoining land within the Regional Park zone.</li> <li>The proposal requires a referral to the Director General of the National Parks and Wildlife Service.</li> </ul>
<b>45 Subdivision</b>	<ul style="list-style-type: none"> <li>The proposal is for the subdivision of 31 residential lots. The proposal complies with this clause.</li> </ul>
<b>46 Development near zone boundaries</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>47 Demolition</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>48 Interim Uses</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>49 Land below the PMF level</b>	<ul style="list-style-type: none"> <li>The site is above the PMF level.</li> </ul>
<b>50 Filling of land</b>	<ul style="list-style-type: none"> <li>The roads, lots and finished floor levels will be able to be accommodated above PMF levels.</li> <li>An imported fill protocol was prepared for both developments on Lots 3990 and 3991 DP 1190132 and is provided in Appendix 16.</li> </ul>
<b>51 Salinity and highly erodible soils</b>	<ul style="list-style-type: none"> <li>An erosion and sediment control plan is provided in Appendix 13.</li> <li>A geotechnical investigation is provided in Appendix 14. The report recommends procedures to prepare the site for the construction of structures and pavements.</li> <li>The proposed development incorporates appropriate mitigation measures to mitigate adverse environmental and economic impacts.</li> </ul>
<b>52 Tree preservation</b>	<ul style="list-style-type: none"> <li>The proposed works will require the removal of trees and vegetation.</li> <li>A Species Impact Statement (SIS) has been prepared by Cumberland Ecology (Appendix 3) which identifies threatened species issues and identifies and provides appropriate amelioration strategies to minimise adverse impacts resulting from the proposal.</li> <li>Appropriate strategies will be adopted for the removal of any trees and vegetation.</li> </ul>
<b>53 Items of environmental heritage</b>	<ul style="list-style-type: none"> <li>No heritage items are identified on or in the immediate vicinity of the site.</li> <li>An Aboriginal Heritage Impact Permit (AHIP) was granted on 13 February 2009 (AHIP No. 10996059) to all land within the Western Precinct in the St Marys Development Site. The consent covers impacts on all Aboriginal objects identified within the Western Precinct, except for items which comprise burials.</li> </ul>
<b>54 General heritage considerations</b>	<ul style="list-style-type: none"> <li>As above.</li> </ul>
<b>55 Conservation of items of environmental heritage</b>	<ul style="list-style-type: none"> <li>As above.</li> </ul>

Provision	Response
<b>56 Demolition of items of environmental heritage</b>	<ul style="list-style-type: none"> <li>The proposal will not demolish, deface or damage an item of environmental heritage.</li> </ul>
<b>57 Access</b>	<ul style="list-style-type: none"> <li>The proposal does not enable vehicular access to the Northern Road, Palmyra Avenue or Forrester Road.</li> <li>The proposal does not enable direct vehicular access to Ninth Avenue.</li> </ul>
<b>58 Certain development prohibited</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>59 Retail and commercial development restricted</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>60 Services</b>	<ul style="list-style-type: none"> <li>Service arrangements will be made in accordance with future residential DAs.</li> </ul>
<b>61 Subdivision without consent</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>62 Bush fire hazard reduction works</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>

Table 6: Assessment against relevant SREP 30 provisions

An amendment to SREP 30 (Amendment No. 3) is currently under assessment with the DP&E. It was publicly exhibited between 4 April – 11 May 2018. The amendment proposes the following:

- Rezone approximately 38.4 ha of land within the Central Precinct from Employment to Urban creating approximately 500 additional dwelling lots
- Revise the size and location of Drainage zones to reflect amended urban development boundaries and the progression of the stormwater management strategy for the site
- Rezone approximately 1.2 ha of land within the Western Precinct (to the south-east of the site, below Lot 3991) from Urban to Regional Park

The proposed amendments do not directly impact on the site.

### 6.7.2 State Environmental Planning Policy No. 19 – Bushland in Urban Areas

*State Environmental Planning Policy No. 19 – Bushland in Urban Areas* (SEPP 19) aims to protect and preserve bushland within urban areas.

The proposed works will require the removal of trees and vegetation. A species impact statement (SIS) has been prepared by Cumberland Ecology (Appendix 3) for Lots 3990 and 3991 to identify threatened species issues and identify and provide appropriate amelioration strategies to minimise adverse impacts resulting from each proposal.

Vegetation on the site consists of a mix of young and mature Cumberland Plain Woodland (CPW), CPW in various stages of regeneration and low diversity native grassland derived from CPW.

The SIS undertakes a conservative approach and assumes that all vegetation on the subject site will be removed for the purposes of the proposed development. The SIS finds the proposed development will remove a relatively small area of habitat for CPW. However, and with due consideration of the distribution of this CEEC in the region, the proposed development is not likely to have a significant impact on CPW such that the large and viable representatives in the Regional Park would be placed at risk of extinction. The large and continuous remnants present in the Regional Park will be protected and enhanced through a range of mitigation measures identified and retained in perpetuity in public ownership.

The major affected CEECs/species impacted by the proposed development includes the Cumberland Plain Land Snail. The mature and young regenerating CPW, and to a lesser degree the low diversity DNG, on the subject site provide an area of approximately 5.22 ha of potential habitat for the Cumberland Plain Land Snail as well as some potential foraging habitat for wide ranging threatened fauna species. The SIS compared these habitats with those of the Regional Park and concluded the habitat within the site is degraded, is of a lesser significance due to the level of disturbance, sparse nature and comparatively small size. Therefore, the loss of this habitat on the subject site is not considered to be significant.

The SIS concludes the impact of the proposed development will be balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park. The Regional Park comprises CPW of quality and scale in a consolidated land holding.

This SIS concludes that the proposed development of the subject site will not result in any local populations of threatened species or occurrences of ecological communities becoming extinct.

### **6.7.3 State Environmental Planning Policy No.55 – Remediation of Land**

*State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) applies to the State and states that where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A contamination report has been prepared by Alliance Geotechnical (Appendix 4) and finds that the site is considered suitable for the proposed land use. The contamination report prepared for this proposal concludes the following:

- the contamination status of the broader site is considered unlikely to have materially changed since the issue of the site audit statement in 1999; and
- the site is considered suitable for the proposed land use setting subject to conditions, as recommended in the site audit statement issued for the site in 1999.

### **6.7.4 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

SEPP (Vegetation in Non-Rural Areas) 2017 applies to the Penrith LGA.

As discussed in Section 6.6, the SIS prepared by Cumberland Ecology (Appendix 3) found the proposed development of the subject site and subject land will remove a relatively small area of habitat for Cumberland Plain Woodland (CPW).

The SIS confirms the impact of the proposed development will be balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park. The Regional

Park comprises CPW in a consolidated land holding, which will be transferred into public ownership and subject to a fully funded Plan of Management.

This SIS concludes the proposed development will not result in any local populations of threatened species or occurrences of ecological communities becoming extinct.

#### **6.7.5 Draft State Environmental Planning Policy (Environment)**

Draft *State Environmental Planning Policy (Environment)* (Environment SEPP) aims to promote the protection and improvement of key environmental assets for their intrinsic value and the social and economic benefits they provide. Once adopted it will consolidate the following existing SEPPs:

- *State Environmental Planning Policy No.19 – Bushland in Urban Areas*
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*
- *State Environmental Planning Policy No.50 – Canal Estate Development*
- *Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment*
- *Sydney Regional Environmental Plan No.20 – Hawkesbury-Nepean River (No.2-1997)*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Willandra Lakes Regional Environmental Plan No.1 – World Heritage Property*

It is noted that the preliminary maps accompanying the Draft Environment SEPP do not identify the site as urban bushland or a critical habitat area.

#### **6.7.6 Draft Remediation of Land State Environmental Planning Policy**

Draft *Remediation of Land State Environmental Planning Policy* (Remediation SEPP) aims for better management of remediation works by aligning the need for development consent with the scale, complexity and risks associated with the proposed works.

Once adopted, the Draft Remediation SEPP will:

- Provide a state-wide planning framework for the remediation of land
- Require consent authorities to consider the potential for land to be contaminated when determining DAs
- Clearly list the remediation works that require development consent
- Introduce certification and operational requirements for remediation works that can be undertaken without development consent

As discussed in Section 6.7.3, the contamination report prepared concludes the following:

- the contamination status of the broader site is considered unlikely to have materially changed since the issue of the site audit statement in 1999; and
- the site is considered suitable for the proposed land use setting subject to conditions, as recommended in the site audit statement issued for the site in 1999.

### **6.8 St Marys Environmental Planning Strategy 2000**

The *St Marys Environmental Planning Strategy 2000* (EPS) accompanies SREP 30. One of the aims of SREP 30 cl 3(a) is to support the EPS by providing a framework for the sustainable development and management of the land.



The EPS identifies:

- The aims for the future use and management of the site
- Specific performance objectives
- Actions to be undertaken by local and State governments
- Development controls the obligations of developers

The EPS, together with SREP 30 and the St Marys Development Agreement (Section 6.7.1) establish the planning, urban design and environmental conservation principles to guide the long-term development and conservation of the site.

The performance objectives relating to the proposal are addressed in Table 7 in Section 6.7.1 of this SEE.

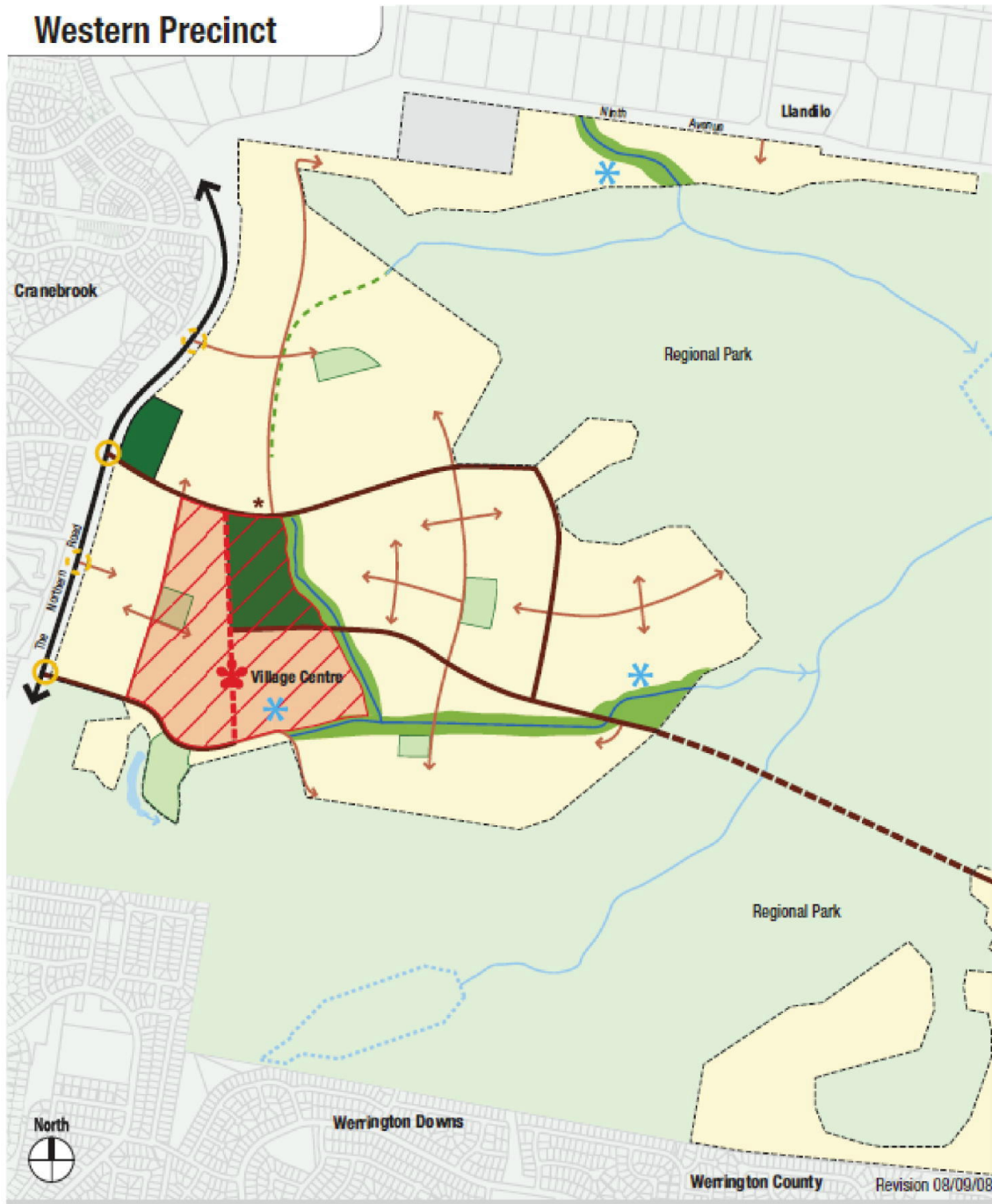
## **6.9 Western Precinct Plan and Development Control Strategy**

The Western Precinct Plan (WPP) establishes the planning framework, principles and controls to provide clear and coordinated guidance for the development of land within the Western Precinct (Figure 12). It is a key tool for Council to use in its assessment and determination of development proposals within the Western Precinct.

The proposed development will be carried out in accordance with the key principles and controls of the Western Precinct Plan and accompanying Western Precinct Development Control Strategy (DCS).

The proposal is generally consistent with the Bushland Edge Character Area as it proposes to provide future low density residential development through the subdivision of the site. The proposed 31 lot subdivision is proposed within the bushland setting. Future development will be consistent with the character area and consist of 1-2 storey dwellings. Suitable setbacks for the residential dwellings from the bushland will be provided.

An assessment against the relevant WPP and Western Precinct DCS controls are provided in Appendix 5.



### Framework Plan

(Plans subject to refinement through detailed design at DA stage)

Scale 1:15,000m @ A4 (approximate)  
0 100m 200m 500m


















 Village Centre	 Water Management Basin/Lake	 Possible Location of Electrical Substation	 Precinct Boundary
 Village Centre Character Area	 Riparian Corridor	 Collector Roads	 Urban Zone
 Signalled Intersection	 Active Open Space	 Main Street	 Xavier College
 Left in - Left out Intersection	 Passive Open Space	 Local Street	 Zoned Drainage Basins
	 Green Pedestrian and Cycle Link		

Figure 12: Western Precinct Framework Plan (Source: Western Precinct Plan)

## 6.10 Penrith Local Environmental Plan 2010

The *Penrith Local Environmental Plan 2010* (PLEP 2010) does not apply to the site.

## 6.11 Development Control Plans

The *Penrith Development Control Plan (DCP) 2014*, which supplements the PLEP 2010, also applies to the project. In any case of an inconsistency between the DCP and SREP 30, the provisions of SREP 30 prevail.

The proposal generally complies with the DCP. An assessment against the relevant DCP controls are provided in the table below.

Relevant Provision	Comment
<p><b>2.3 Bushfire Management</b></p> <p>Relevant Objectives:</p> <ul style="list-style-type: none"> <li>• <i>To minimise the risk to life, property and the environment in the event of a bushfire, including the lives of emergency personnel</i></li> <li>• <i>To ensure that all development on bush fire prone land makes adequate provision for access for emergency personnel, vehicles and equipment</i></li> <li>• <i>To balance the risk to bushfire to life and property with the other principles in this Plan, including the need to protect and enhance existing vegetation where possible</i></li> <li>• <i>To recognise that land not classified as 'bushfire prone land' may still be subject to the impact from bushfire, particularly through ember attack</i></li> </ul> <p>Relevant Controls:</p> <p><b>Planning for Bushfire Protection</b></p> <ul style="list-style-type: none"> <li>• <i>If land is identified as 'bushfire prone land' on the Bushfire Prone Land Map, then any development application on that land must address the bush fire protection measures set out in the document 'Planning for Bushfire Protection 2006 (PBP).</i></li> <li>• <i>If the development proposes the subdivision of land for residential and rural-residential purposes or is a development which has been identified as 'special fire protection purposes', then the development will be Integrated Development under the Environmental Planning and Assessment Act 1979.</i></li> </ul> <p><b>Bushfire Assessment Report</b></p> <ul style="list-style-type: none"> <li>• <i>A Bushfire Assessment Report, prepared in accordance with the PBP, must accompany all development applications on land identified as bush fire prone land.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The site is partially bushfire prone, with a Vegetation Category 1 and a Vegetation Buffer placed across the site.</li> <li>• The proposal will have compliant asset protection zones and bushfire attack levels.</li> <li>• The Bushfire Assessment Report and Bushfire management for the proposal is addressed in Section 7.7 of this SEE.</li> </ul>

Relevant Provision	Comment
<p><b>11.3.3 Allotment Dimensions</b></p> <p>Relevant Objectives:</p> <ul style="list-style-type: none"> <li>To encourage variety and choice in housing forms by providing for a broad range of dwelling sizes</li> <li>To meet the projected requirements of people with different housing needs</li> </ul> <p>Relevant Controls:</p> <p><b>Residential lots greater than 400m<sup>2</sup></b>            1) Allotment dimensions shall be capable of containing a rectangle suitable for building purposes measuring 10m x 12m or 8m x 15m behind the building line.</p> <p><b>Residential lots less than 400m<sup>2</sup></b>            2) In determining the suitability of any subdivision application for small lots (i.e. less than 400m<sup>2</sup>), special consideration of the following matters will also be taken:</p> <ul style="list-style-type: none"> <li>Cost of providing services and the capacity of existing services;</li> <li>The advantages of building to a boundary and using attached and semi-detached forms of housing;</li> <li>That adequate privacy can be assured for each proposed dwelling; and</li> <li>That adequate provision is made for access to natural light for each proposed dwelling.</li> </ul>	<ul style="list-style-type: none"> <li>The development proposes the subdivision of land for residential lots ranging from 300 – 505 m<sup>2</sup>.</li> <li>The provision of essential infrastructure and services will be addressed in a services and utilities report prepared for future residential DAs. The site is capable of being serviced.</li> <li>The building typology, privacy and access to natural light for each proposed dwelling will be addressed in a future DA/s.</li> <li>The proposed subdivision is capable of containing a rectangle suitable for building purposes.</li> </ul>

Table 7: Assessment against relevant DCP controls

## 6.12 Contributions

In 2006, Lend Lease Development Pty Ltd/St Marys Land Limited entered into a planning agreement with Council. The Penrith Planning Agreement (PPA) sets out obligations for the Applicant to meet and includes providing contributions towards key public benefits including:

- Regional and local transport infrastructure
- Regional and local open space
- Local community facilities and services

The PPA covers all development in Jordan Springs. The proposal does not trigger any additional contributions.

## 6.13 Environmental Planning and Assessment Regulations

There are no known matters prescribed by the *Environmental Planning and Assessment Regulations 2000* (EP&A Regulation) that are relevant to the consideration of this application.

## 7 Environmental Planning Assessment

Section 4.15(1)(b) of the EP&A Act requires an assessment of the impact of development on environmental impacts (natural and built), and social and economic impacts.

### 7.1 Built Form

There are no building works proposed with this application. Approval for future construction works will be sought via future DA/s or complying development certificate.

In response to issues raised by Council officers in the pre-DA meeting, the subdivision layout was revised to include a perimeter road and reduction in the number of irregular shaped and constrained lots.

The proposed subdivision is located within the Bushland Edge character area as identified in the WPP and Western Precinct DCS. The proposed subdivision responds to the bushland setting as it provides an interface between the Regional Park and the subdivision. The proposed internal road, ensuring lots do not back directly onto the Regional Park.

The proposal is consistent with the objectives and design principles of the Bushland Edge area as it will enable the future provision of high quality detached dwellings of 1-2 storeys generally within a 5 minute walking distance to local and neighbourhood parks. The proposed lots range from 300 to 505m<sup>2</sup>, with frontages that comply with the Western Precinct DCS. The lots are capable of containing future residences which will meet the relevant setback and private open space requirements of the DCS.

Accordingly, the proposed subdivision will facilitate the achievement of a high quality built form outcome for the site and will have no impact on the Regional Park.

### 7.2 Traffic, Access and Parking

#### 7.2.1 Traffic Generation

A Traffic Impact Assessment (TIA) has been prepared by Bitzios Consulting (Appendix 6). The TIA applies the Roads and Maritime Services' (RMS) *Technical Direction 2013/04a (Guide to Traffic Generating Developments – Updated Traffic Surveys)* to determine the traffic generation rates for the future development of the 31 residential lots and the adjoining seniors villas development.

The TIA confirms the proposed development including the proposed new access from Jordan Springs Boulevard and new internal roads will not have any significant impacts on traffic or transport conditions of the local road network.

The residential development of the 31 lots is estimated to generate 30 AM trips and 31 PM trips in peak periods. The estimated traffic generated by the residential development is low volume and is, therefore, not expected to produce any significant impacts on the existing road network.

The traffic report has also considered traffic generation for the ultimate developed site including the residential subdivision, seniors villas and seniors apartment buildings and aged

care facility. The TIA estimates a maximum of 51 trips in the AM peak period and 112 trips in the PM peak period would be generated.

The adjoining seniors development incorporates a turning circle providing access from Lakeside Parade to the future seniors aged care development. The turning circle would also provide emergency access to the seniors villas and access to the future seniors apartment buildings basement parking.

The TIA concludes that the ultimate developed site, including the seniors living development, aged care facility and the residential subdivision, will not have any unacceptable traffic implications on the local road network

The TIA does not address construction traffic. A construction traffic management plan (CTMP) will be prepared before works are undertaken on the site to address construction traffic and access requirements.

### **7.2.2 Vehicular Access**

A new site entry intersection with Jordan Springs Boulevard is proposed to access the subject site. Access to the site will also include a new road connection to Jordan Springs Boulevard. A new internal road will be accessed via a new site entry intersection with Jordan Springs Boulevard (Figure 13). The entry is proposed approximately 50 metres east of the existing Jordan Springs Boulevard/McGarritys Parade intersection and 120 metres west of the Jordan Springs Boulevard/Tyler Street intersection. This new entry is included within this proposal and also within the separate application for seniors villa development adjoining the site to the east (Lot 3991). This approach will enable flexibility in the construction and delivery of the project.

Future access to the aged care site will be from the proposed site access on Lot 3990. Additional access to the future aged care site (subject to a separate DA) is proposed via a turning circle off Lakeside Parade.

The internal circulating roadway is two-lane, two-way and approximately 8 metres wide along the entire length.

The proposed site access allows all movement manoeuvres onto and from Jordan Springs Boulevard. The TIA recommends the existing road median on Jordan Springs Boulevard to include a gap allowing for the right-in and right-out manoeuvres, as shown in the figure below.

The TIA confirms vehicles up to 12.5m long heavy rigid vehicles can enter and leave the site in a forward direction.

The proposed subdivision will not result in any changes to existing access and transport arrangements.

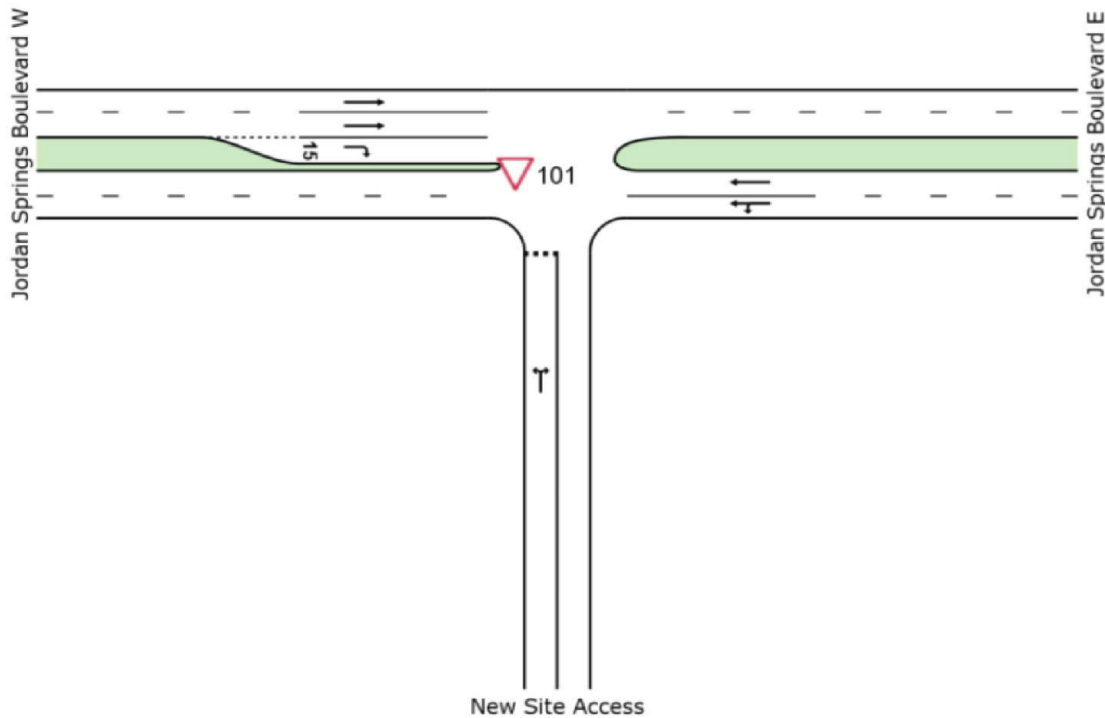


Figure 13: Proposed new intersection (Source: Bitzios Consulting)

### 7.2.3 Road Safety Audit

Bitzios Consulting has also prepared a Stage 2 Road Safety Audit (RSA) for the proposal (Appendix 7). The RSA identifies safety issues of the proposed design layout and measures that will be implemented to address these issues. A summary of these issues is provided in the table below.


Issue	Suggested Treatment
An existing driveway currently exists for the subject site which is located directly opposite Tyler Street/ Jordan Springs Boulevard.	Remove/close off the existing driveway at this location to improve safety.
Sight distances from the proposed development access onto Jordan Springs Boulevard are adequate and meet the relevant sight distance criteria.	No action required.
<p>The existing vegetation and a tree with low branches may potentially obstruct the sightlines of drivers of any approaching eastbound vehicle on Jordan Springs Boulevard (refer to figure below).</p> 	Clear and remove vegetation for sightlines for any approaching eastbound vehicles on Jordan Springs Boulevard. No tree removal is proposed in the Regional Park.

Table 8: RSA - Findings and suggested treatments (Source: Bitzios Consulting)

### 7.2.4 Parking

Unrestricted on-street parallel parking will be provided on both sides of the proposed internal roadway, similar to existing provisions in Jordan Springs. Pavement markings identifying parking spaces will not be provided due to the expected low demand. Each subdivided lot will be provided with a driveway and personal parking facilities.

The TIA has assessed the driveway width and position for each of the residential lots and concludes that the driveways comply with a minimum driveway width of 3m for a single garage, and a maximum 4.5m wide for a double garage. The driveways have also been located at a minimum 6m from the tangent point of the nearest kerb return.

## 7.3 Open Space, Public Domain and Landscaping

### Open space

The proposed subdivision will provide for improved pedestrian links within Jordan Springs. Pedestrian links around the lake frontage will also be provided. Future residents will have good access to open space within Jordan Springs.

The proposal is covered by the Penrith Planning Agreement which provides for contributions to open space (and other infrastructure) for development across the suburb of Jordan Springs.

### Landscaping

A landscape plan has been prepared by Sprout (Appendix 8). The landscaping works will consist of street tree and mass planting. All species identified in the landscape plans are native species, as identified in Council's *Native Plant Species* fact sheet and the *Draft Penrith Street Tree Palette 2018*.

The landscape plan is consistent with the landscape design principles for subdivision outlined in the WPP as it:

- strengthens the visual recognition of the street hierarchy through landscape treatments;
- provides space for street trees and landscape treatment while accommodating footpaths; and
- ensures landscape character dominates the street and trees provide shade and amenity.

## 7.4 Heritage and Archaeology

The SREP 30 heritage map identifies 4 items of local environmental heritage within the Western Precinct as listed in the table below:

Site number	Item name
Site 9	House, western part portion 104
Site 14	Dumbles new house and out buildings
Site 15	Dumbles Old House
Site 16	Mrs Smiths House

Table 9: Surrounding heritage items in the Western Precinct



No items identified in the table above are located on or near the site and will therefore not be impacted by the proposal.

### **Archaeology**

An Aboriginal Heritage Impact Permit (AHIP) was granted on 13 February 2009 (AHIP No. 10996059) to all land within the Western Precinct in the St Marys Development Site. The consent covers impacts on all Aboriginal objects identified within the Western Precinct, except for items which comprise burials.

## **7.5 Waste Management**

The TIA prepared by Bitzois Consulting (Appendix 6) recommends a suggested route for waste collection vehicles, as shown in figures 14 and 15.

The proposed road layout was assessed to determine accessibility of the necessary refuse vehicle movements on the designated route. The 10.3m design vehicle performed satisfactorily around all bends on the internal circulating roadway.

The TIA finds that certain turns (most notable the south-most road bend) required the refuse vehicle to cross the centreline of the roadway, potentially conflicting with oncoming vehicles in the other lane, however, it is demonstrated that two B99 vehicles could simultaneously make the turn and navigate past each other.

Therefore, under normal operating conditions, the geometry of the road is sufficient and the route allows for easy movement of the refuse collection vehicles around bends and allows for side-loading collection vehicles.

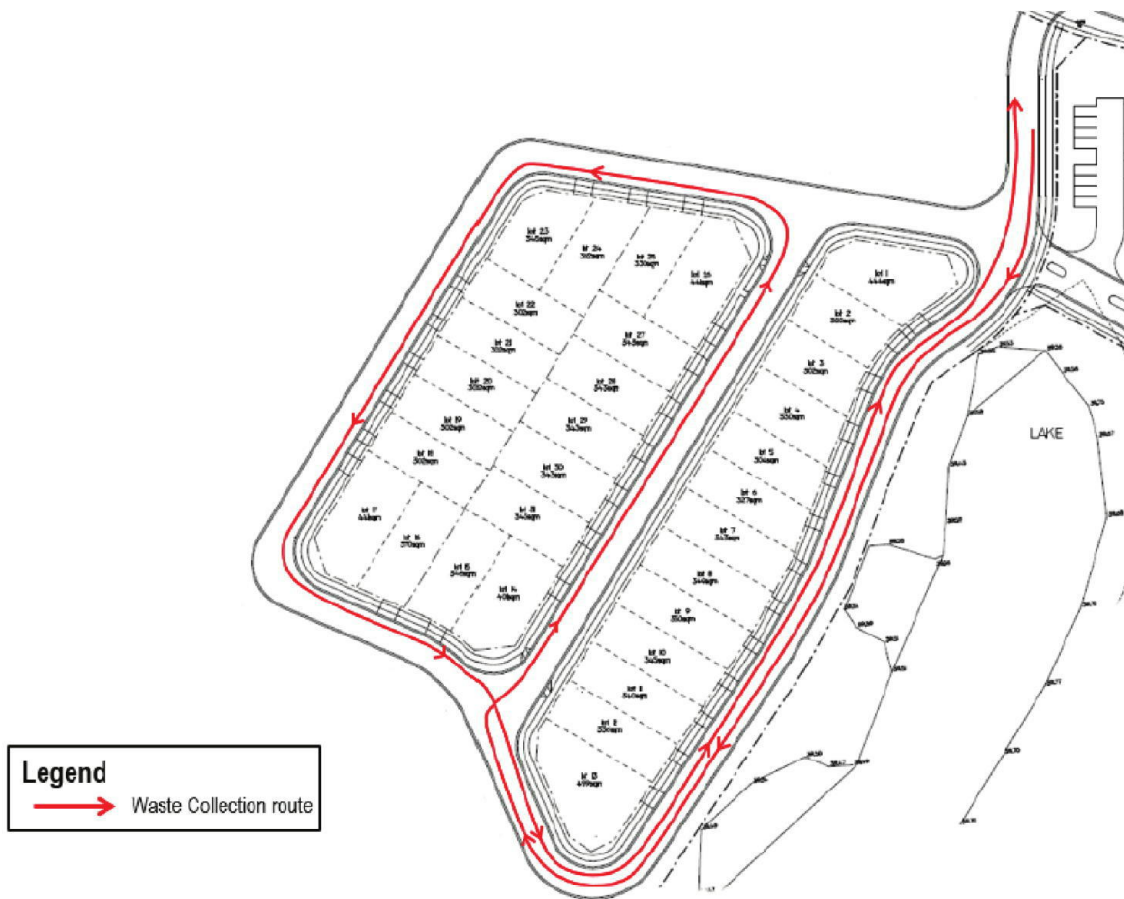


Figure 14: Suggested route for waste collection vehicles (Source: Bitzios Consulting)

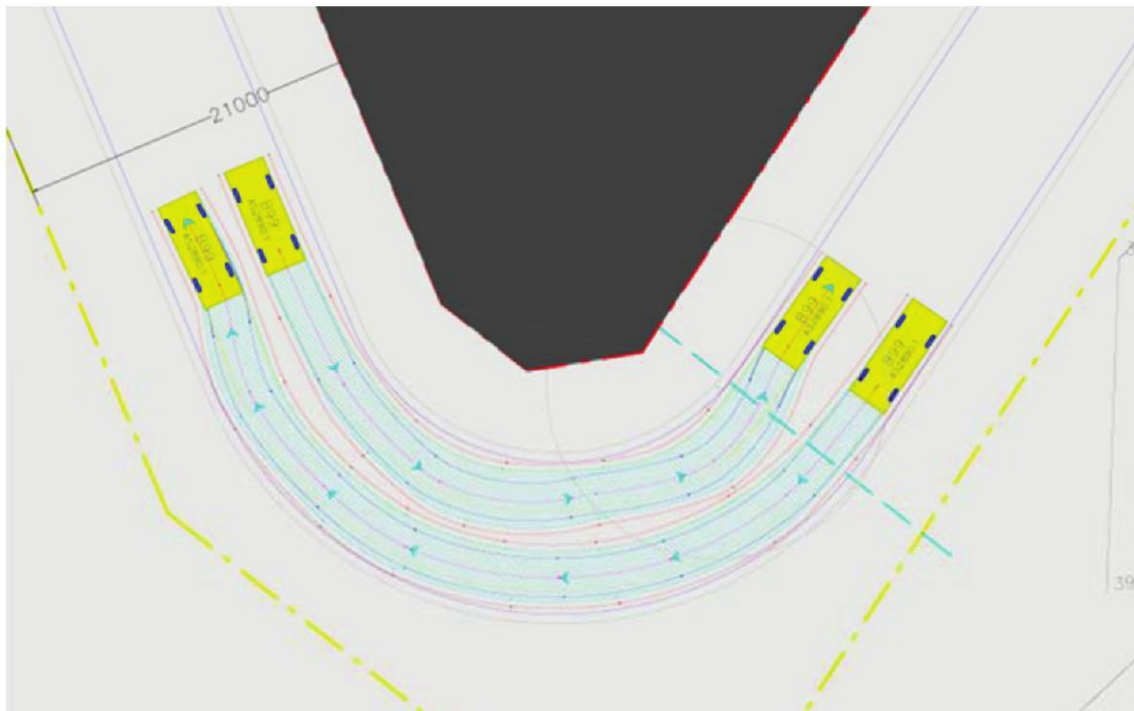


Figure 15: B99 Swept Paths (Source: Bitzios Consulting)

## 7.6 Noise

A noise assessment has been prepared by Renzo Tonin & Associates (Appendix 9) in accordance with Penrith City Council's Development Control Plans, *State Environmental Planning Policy (Infrastructure) 2007*, NSW Environment Protection Authority (EPA) Noise Policy for Industry (NPfI) and Australian Standards.

The assessment identifies existing traffic noise on The Northern Road and Jordan Springs Boulevard as a potential impact on the proposal. Long-term noise monitors were installed approximately 26m south of Jordan Springs Boulevard and approximately 150m east of The Northern Road at the south-west boundary of the site (Figure 16). The long-term noise monitors recorded noise levels of both day and night road traffic noise levels and background noise levels.

The assessment reviewed the internal noise goals and existing external noise on the site and has proposed treatments to minimise the impact of external noise during use. The report concludes the proposal will comply with adopted noise emission guidelines at all times if the recommended treatments are adopted.



Figure 16: Location of long-term noise monitor (Source: Renzo Tonin & Associates)

Renzo Tonin & Associates recommend the following treatments to minimise the impact of external noise during use:

- recommended glazing treatment for the proposed lots and relevant glazing assembly requirements for all facades of future dwellings on the proposed lots
- recommended that the external walls have a sound isolation rating ( $R_w$ ) at least 15dB higher than that of the glazing specified, to maintain the acoustic integrity of the overall façade system
- recommended that the roof construction should have a sound isolation rating ( $R_w$ ) at least 10dB higher than that of the glazing on its façade.

## 7.7 Bushfire Prone Land

The site is partially bushfire prone, with a Vegetation Category 1 and a Vegetation Buffer placed across the site (Figure 9).

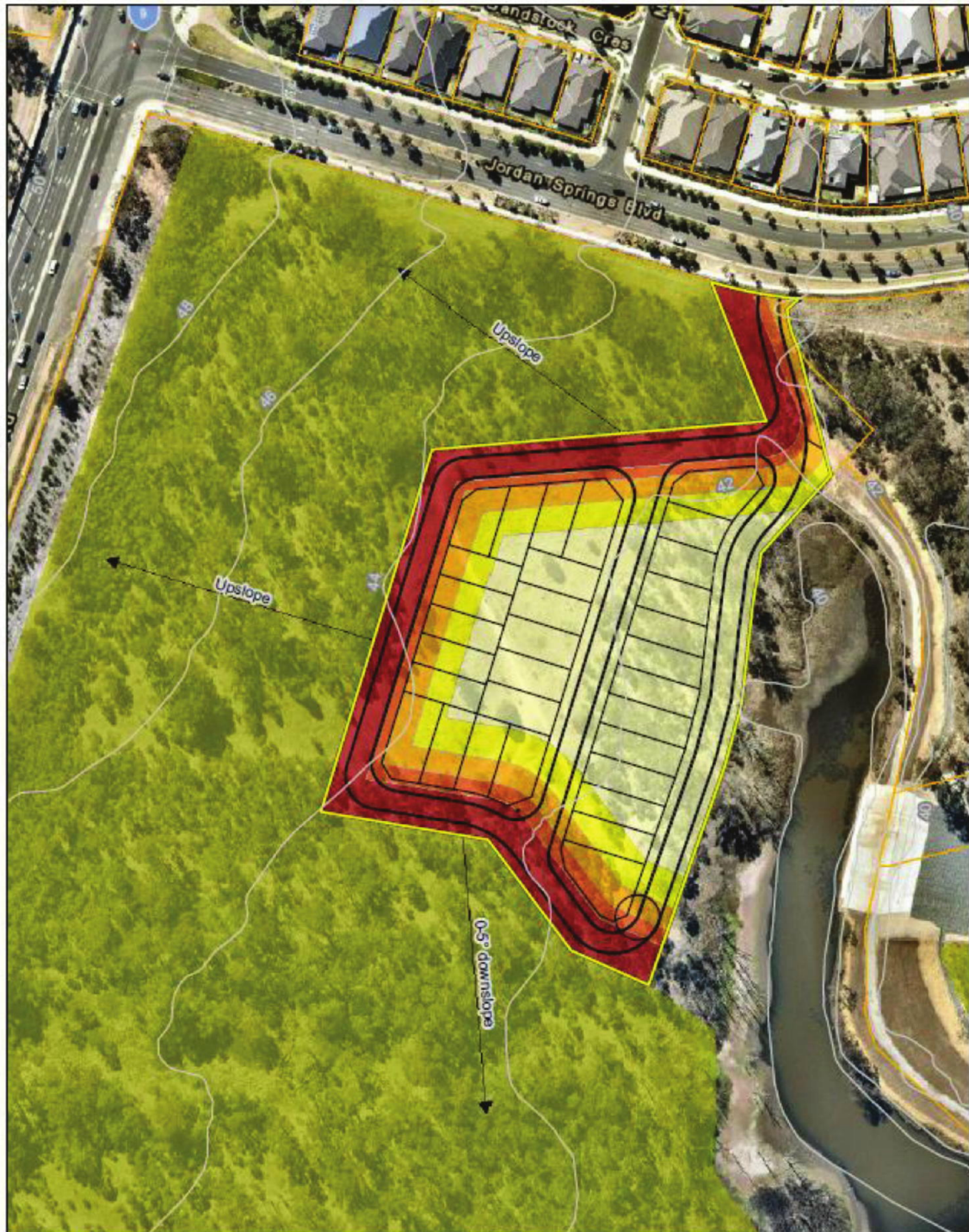
A bushfire assessment has been prepared by Peterson Bushfire (Appendix 10) which identifies the site as bushfire prone.

The proposal will have compliant asset protection zones (APZs) to the adjoining woodland in the form of a perimeter road and building setbacks.

A small portion of the lots located on the south of the subdivision have a bushfire attack level (BAL) of 40 (Figure 17). The bushfire assessment has designed the APZs to be larger than that required by *Planning for Bushfire Protection 2006* (PBP) (Figure 18). This satisfies the Council's requirement to have an APZ dimension whereby the highest Bushfire Attack Level (BAL) experienced by a dwelling is BAL-29. Proposed Lots 13 to 17 inclusive can achieve suitable dwelling envelopes within appropriate setbacks and street address.

The bushfire assessment demonstrates that the proposal complies with s100B of the *Rural Fires Act 1997*, Clause 44 of the *Rural Fires Regulation 2008* and PBP, assuming the proposal undertakes the following recommendations:

- APZs are to be applied to the subdivision as listed in the bushfire assessment
- Any landscaping proposed across the subdivision is to achieve performance objectives of an inner protection area as described by PBP
- The proposed subdivision roads are to be designed in accordance with the PBP acceptable solutions for the design and construction of public roads in bushfire prone areas. Minimum carriageway widths are 6.5m for non-perimeter roads and 8m for perimeter roads
- The subdivision will require fire hydrants to be installed to comply with AS 2419.1 – 2005 *Fire Hydrant Installations - System Design, Installation and Commissioning* (AS 2419) so that all sides of a building envelope are within 70 m of a hydrant by lay of the hose (or 90 m with a tanker parked in-line maximum 20 m from the hydrant).
- Electricity should be underground wherever practicable. Where overhead electrical transmission lines are installed, the vegetation clearance distances are to comply with *ISSC 3 Guideline for Managing Vegetation Near Power Lines* (Industry Safety Steering Committee 2005)
- Any gas services are to be installed and maintained in accordance with AS/NZS 1596-2008 *The storage and handling of LP gas*



**Legend**




Figure 17: Bushfire Attack Level (Source: Peterson Bushfire)



**Legend**

	Subject Land	<b>Vegetation Formation</b>	<b>Asset Protection Zone</b>
	Contour - 2m		
	Site Plan	Woodland	
			Asset Protection Zone - 16m
			Asset Protection Zone - 21m



Date: 13/04/2018




Figure 18: Bushfire Hazard Analysis and Asset Protection Zone (Source: Peterson Bushfire)

## 7.8 Infrastructure and Utilities

Detailed infrastructure and utility reports will be submitted with future development applications.

## 7.9 Flooding and Stormwater

### Flooding

A Flood Study has been prepared by Northrop and is provided at Appendix 11.

The study concludes the following:

- The 1% Annual Exceedance Probability (AEP) level in the dam (lake) is approximately 39.92m AHD and the PMF level is approximately 40.39m AHD
- The roads, lots and finished floor levels will be able to be accommodated above these levels. Consideration should also be given the gully to the south of the development when determining minimum levels
- The development causes minor localised redistribution of flow in the 1%AEP and PMF events. The impacts within the dam and in the channel downstream have negligible changes
- The intent of Penrith City Council Pre-DA minutes and DCP can be satisfied in the design of the subdivision

### Stormwater

A Stormwater Management Plan (SMP) and civil drawings have been prepared by J. Wyndham Prince and are provided at Appendices 12 and 13.

The proposal is generally in accordance with the overarching water quality strategy prepared by SKM in 2009, which was adopted for the Western Precinct of Jordan Springs.

The Stormwater Management Plan finds that the development footprint remains consistent with the original developed area extents whilst water quality and quantity treatment is provided in the downstream East Lake.

The design of the subdivision allows for all developed flows to drain around the dam. In accordance with best industry practice, a gross pollutant trap (GPT) has also been proposed to form part of the proposal to provide treat runoff prior to discharge to the corridor.

The proposal includes the construction of culvert crossing and stormwater outlet pipe within Lots 3990 and Lot 3991.

## 7.10 Geotechnical Investigation

A geotechnical investigation has been undertaken by Alliance Geotechnical Pty Ltd (Appendix 14).

The following procedures have been suggested to prepare the site for the construction of structures and pavements:

- Strip topsoil and remove fill material.
- Deeper stripping of soils underlying topsoil or where water softened soils are present. Prior to stripping of these materials a geotechnical engineer should be consulted to provide advice.
- Where fill is to be placed, a test roll to the exposed upper surface should be undertaken on the exposed subgrade with a smooth drum roller of at least 8 tonne static deadweight capacity, during the presence of a geotechnical engineer and a maximum of six passes of the roller.
- Where soft spots or unacceptable subgrade conditions are encountered, remove the unsuitable material to a further 300 mm and inspect.

An erosion and sediment control plan is provided in Appendix 13. The proposed development incorporates appropriate mitigation measures to mitigate adverse soil impacts.

An Imported Fill Protocol prepared by JBS&G accompanies the SEE (Appendix 16) and outlines the procedures to be followed for assessing soil and/or rock materials imported to the site during development works. The Protocol includes provisions to ensure contaminated materials are not imported to the site in contravention of the Protection of the Environment Operations Act and Regulations (POEO 1997).

### **7.11 Contamination**

A contamination report has been prepared by Alliance Geotechnical Pty Ltd (Appendix 4). The contamination report undertakes a review of previous contamination reports and a desktop review to establish the suitability of the proposed residential use.

The Western Precinct falls within the former Australia Defence Industries (ADI) facility in St Marys. The contamination report prepared for the ADI facility advises that the subject site falls within the south western corner of the Western Precinct.

The report prepared for the ADI facility notes that the majority of the Western Precinct poses a negligible risk to the public or the environment with regard to chemical contamination and/or explosive ordnance.

The contamination report prepared for this proposal concludes the following:

- the contamination status of the broader site is considered unlikely to have materially changed since the issue of the site audit statement in 1999; and
- the site is considered suitable for the proposed land use setting subject to conditions, as recommended in the site audit statement issued for the site in 1999.



## 7.12 Suitability of the site

The characteristics of the site, context and location are described in Sections 2 and 3 of this report. The site is suitable for the proposed subdivision for the following reasons:

- The site is zoned for urban purposes and is identified for residential development in the WPP
- The proposed subdivision will result in an efficient and functional lot configuration
- The proposal will provide for a vibrant new neighbourhood by providing 31 new residential lots in close proximity to the Jordan Springs Town Centre, local and regional recreation facilities.
- The site is capable of being developed in a manner that will minimise impacts on the site and surrounds with any impacts appropriately managed and mitigated.
- There are no physical or environmental constraints on or near the site that preclude the proposal.

Accordingly, it is concluded that the site is entirely suitable to accommodate the proposal.

## 7.13 Submissions

The proposal will be notified in accordance with the Council's notification policy. Council officers will consider any submissions received prior to the determination of the application.

## 7.14 Public interest

The proposal is in the public interest as it will achieve the following:

- A subdivision that is a permissible use and consistent with the existing urban zone objectives
- A subdivision that is compatible with the surrounding and emerging residential areas
- Contribute to housing supply and affordability in the Penrith LGA and Western City District
- A more efficient and functional subdivision pattern
- Contribute to Council's open space network through the dedication of the roads and pedestrian links

In addition, Council will consider any public submissions relating to the proposal during its assessment. Accordingly, at this stage, it can be concluded that the proposed development is entirely in the public interest.

## 8 Conclusion

This SEE supports a land subdivision to create 31 new residential lots.

This SEE has been prepared and is submitted to Council pursuant to the provisions of Part 4 of the EP&A Act. A detailed examination of the residential subdivision in its legislative and physical context has found that the subdivision:

- Is consistent with the current legislative framework
- Is consistent with the Western Precinct Plan
- Is suitable for the site and the area, after an assessment against the heads of consideration of section 4.15(1) of the EP&A Act
- Meets the objectives of the Urban Zone in the SREP 30
- Is designed to contribute to the Bushland Edge Character Area
- Does not give rise to any adverse impacts on nearby heritage items
- Will not lead to any adverse traffic or pedestrian safety issues
- Will not result in any environmental impacts or adverse impacts on the amenity of surrounding land

Consequently, approval of this residential subdivision development application is recommended.