



MONDAY, DECEMBER 20, 2021

Lauren Van Etten
E | lauren.vanetten@penrith.city
T | +612 4732 8222
M | PO Box 60, PENRITH NSW 2751

**HIGHLAND VIEWS STAGES 7 & 8 – DA20/0782
RESPONSE TO RFI #3 – LETTER DATED 16 JULY 2021**

Dear Lauren,

Please find enclosed our RFI response to Council’s letter provided on 16 July 2021 for DA20/0782. All requested items of information are attached in our submission and are to be read in conjunction with Appendix 2 – *DA20-0782_PCC RFI #3 Response Matrix*. This matrix responds to each of the RFI items and notes the relevant supporting appendix.

For your reference, we note:

RFI Letter #1	Issued 3 February 2021	Responded to 11 May 2021
RFI Letter #2	Issued 30 June 2021	Responded to 17 September 2021
RFI Letter #3	Issued 16 July 2021	Responded to 20 December 2021
RFI Email #4	Issued 28 July 2021	Responded to 10 September 2021

Further to the RFI items responded to in this submission, additional issues have been raised in subsequent GP2 meetings. As such, we would also like to note the following:

- **Pinnacle Park:**
 - The Pinnacle Park concept design and revised valuation has been included in this response.
 - It was noted by the applicant that the majority of the Pinnacle Park area had been incorporated in the stage 6 disturbance zone, and approved under DA18/0310. Council agreed to this area being removed from the BDAR and the applicant agreed to not removing any vegetation, even though this approval provided consent to do so.
 - In GP2 meeting held on 30 November 2021, Michelle Plant endorsed (in principle) the extended verge width proposed on Rd 113 to provide additional Cumberland Plain Woodland connectivity to Pinnacle Park. Furthermore, Michelle has also supported the concept design for the Pinnacle Park.
 - The concept plan was sent to Natalie Stanowski for presentation at the LICWG meeting held on 14 December 2021. The updated valuation attached will quantify the additional embellishment to be provided to offset the land shortfall of 456sqm. It has been confirmed that no VPA amendment will be required in this instance for the land shortfall.
 - As requested by the LICWG, a letter will be included in the Pinnacle Park DA submission to confirm that the applicant will not seek to have the cost of the land shortfall reimbursed.

- **SAIL issues:**
 - Further to the above, Michelle Plant has also confirmed that the SAIL issues around Cumberland Plain Woodlands have been addressed by way of designing an extended verge width. This will ensure additional CPW vegetation can provide connectivity between the north east green corridor and Pinnacle Park.



- **Riparian Corridor:**
 - Natalie Stanowski confirmed Council's LICWG would agree to a non-planted distance of approximately 20m from the southern boundary, to accommodate a future possible rezoning area, currently under the consideration of Council. This has been adopted in the engineering plans, VMP, and landscape plans.
 - It has been confirmed that no VPA amendment will be required in this instance for the reduction in planting.
- **Build To Boundary lots:**
 - As part of the stage 6 subdivision certificate application, 7 build-to-boundary lots were provided instead of 18 as originally specified in the DA approval.
 - The updated SEE attached to this response confirms the actual build to boundary lots provided in the Registered Deposited Plans for stages 1, 2, 3, 4A and 4B, as opposed to the build to boundary quantities nominated in the respective DAs.
 - In GP2 meeting held on 27 July 2021, the applicant requested a reduction in build to boundary requirements as there has been a shift in market demand and the preference is to have side setbacks. The uptake of BTB lots in stages 1 – 4 is indicative of this. Council advised there is no fundamental objection to this, provided that any lots less than 360m2 were build to boundary in accordance with the DCP.
 - The applicant tabled the draft dwelling type layout at the following GP2 meeting held on 25 August 2021 and it was approved in principle by Council. This updated plan has been submitted as part of this response.
 - Please refer to page 17 in the updated SEE file for a summary of build to boundary quantities.

We trust that the above summary and attached documents provide our responses to all RFI items and subsequent discussions.

Should you have any queries regarding the above, please contact the undersigned directly.

Kind regards,

Rachell Hewitt

DEVELOPMENT MANAGER



CCL DEVELOPMENT
specialist development management

APPENDIX 1 – DA20-0782_PCC RFI #3 LETTER

CCL DEVELOPMENT PTY LTD

ABN 43 100 828 742
ccldevelopment.com.au

Document Set ID: 9861733

Version: 1, Version Date: 21/12/2021

Office

Suite 2, 580 High Street
Penrith NSW 2750

Mail

PO Box 4099
Penrith Plaza NSW 2750

Contact

02 4702 1215
admin@ccldevelopment.com.au

PENRITH CITY COUNCIL

Our Reference: DA20/0782

Contact: Lauren Van Etten

Telephone: +612 4732 8222

Email: lauren.vanetten@penrith.city

16 July 2021

Vianello Holdings Pty Ltd
PO Box 4099
PENRITH PLAZA NSW 2750

Dear Sir/Madam

Development Application No.: DA20/0782
Proposed: Torrens Title Subdivision into 90 Residential Lots, 1 Public Reserve Lot, 1 Drainage Corridor Lot, 3 Residue Lots, including Bulk Earthworks, Construction of New Roads, Landscaping in Street & Riparian Corridor, Retaining Walls, Stormwater Management Works & New Services (Stages 7-8, Precinct H, Glenmore Park Stage 2)
Address: 2183 The Northern Road MULGOA NSW 2745

Further assessment of your Development Application has been undertaken and I wish to advise that the following issues are outstanding for your consideration and action. **Please note a meeting can be held to discuss this letter and whether the various matters can be resolved efficiently or by way of condition.**

Landscape Architect Comments

General

1. A plan is requested to demonstrate whether the existing and proposed mounds lie within your property boundaries. Owner's consent is required from Roads and Maritime Services should their land be affected.
2. Regarding the mounds proposed, these shall be incorporated into the landscape plans. Such documentation needs to include cross sections, visual impact and analysis, photo montages, spot levels, any services/utilities, the percentage of canopy to be provided and interface conditions with The Northern Rd upgrade.

Riparian Corridor Plan

1. The riparian corridor planting required by the VPA is to be provided for the full length of the corridor to the southern boundary of the E2 zone. While previous discussions indicated this could be delayed if there was such a provision within the VPA, no such provision has been identified by the applicant. It is also understood that Councils Local Infrastructure Contributions Working Group would need to consider this and yet no process is underway in this regard.
2. While a pathway has been provided within the park, as requested, the pathway is to be provided along both edges of the corridors rather than through it as per 7.4.3.4.3 B of E7 of the DCP. In addition, the revised

plan is required to demonstrate that the paths through the park have had regard to Section 7.4.3.2.4 of the DCP, particularly to ensure they are accessible for all users, a minimum of 2.5m wide and aligned approximately parallel with the street to take advantage of the street lighting and allow for casual surveillance by residents and drivers.

3. In accordance with 7.4.3.1.1, the riparian corridor is to be fully structured with trees, shrubs and groundcovers at a density that would occur naturally, for defined widths. The planting plan must be consistent with this requirement.
4. The tree planting is sparse and clustered. You are requested to include more trees throughout the meadow and alongside the path, particularly given all other vegetation has been lost within the corridor, contrary to the VPA and DCP.
5. Where there are single rows of trees this should be altered to provide a more informal natural variation.
6. More planting north of Randall street is requested and to the east and west of both basins.
7. The species diversity shall increase and at a minimum match those provided in the existing riparian corridor immediately north of Highland Views.
8. In accordance with 7.4.3.4.3 Riparian Corridor Edge Parks, the park is to be provided with an open and low perimeter fence or bollard type barrier along the entire edge to prevent inadvertent damage to riparian corridors and also provide facilities including seating, shade, and interpretive signage at regular intervals along the edges. Dimensions of the workout areas are also to be provided on the amended plans.

Street Tree Plan

1. In accordance with Section 7.4.3.3.1 Landscape Character of Part E7 of the DCP, streets are designed to establish or enhance the unique character of the precinct by responding to its topography, desirable views or local features. Further, species selection is appropriate to the character and constraints of the locality.
2. The species arrangement proposed is unclear. Regarding the east-west streets one species is requested per street for consistency. While different species are supported at the termination of these streets, i.e. where Road 120 and 119 meet Pinewood Drive, this has not been replicated consistently i.e. where Road 118 meets Greenlink Drive. You are requested to review the species design, remove exotic species, provide native species and provide a rationale for the design.
3. It is noted there are no trees proposed where there are pram ramps however trees could still be located adjacent these. The absence of trees on corners is also questioned.
4. In terms of species, *Corymbia eximia* and *Euc crebra* are both too large to be used as street tree species. If the street verges are standard width, then alternative species should be carefully considered relative to their size, noting the request for native species remains to define the character of Precinct H.
5. Brushbox is requested along Riverflat Drive given it has been used further north within Riverflat Drive.
6. It is understood that Stage 6 species have changed as part of the construction certificate documentation. You are requested to show the final species on the landscape plan for stage 7-8 for completeness.
7. You are requested to ensure species and pot sizes can be sourced from nurseries – Council's experience is that HAR PEN is one species that nurseries do not like to carry as it doesn't handle potting up to larger sizes.
8. Note: the RFS GTA's state preference should be given to smooth barked and evergreen trees

Acoustic Matters

1. The Acoustic Report assesses noise from The Northern Road. It states in section 3.5 that 'existing roads in and around the subdivision, including Gunyah Drive, currently carry a negligible amount of traffic volumes and are expected to have AADTs of much lower than 20,000 vehicles in the Year 2031. Therefore, projected traffic volumes along these roads have not been considered further'. The report does not comment or discuss collector roads associated with the subdivision, including the two roads identified in the initial Environment Team response and which the Environment Team sought an assessment of – these being the East-West Road and Riverflat Drive.
2. Accordingly, an amended Acoustic Report is required, prepared by a suitably qualified acoustic consultant, that includes an assessment of the noise impacts associated with traffic movements on the collector roads associated with the subdivision (East West Collector Road – Road 108 and Riverflat Drive). The amended report is to identify the collector roads and consider potential future traffic volumes and anticipated dwelling construction and make recommendations to ensure future dwellings are not impacted by traffic noise. The report is to refer to (and include as reference) the most current proposed lot layout. (The latest version of lot layout plans submitted to Council indicate amendments to that included in the December 2020 version of the Acoustic Report).

You are advised that Council will not support the application in its current form. Accordingly, you are requested to submit the requested information by **August 27, 2021**. Should this information not be received by this date, Council will proceed to determine the development application based on the information already submitted.

Should you have any further queries on this matter, please contact me on +612 4732 8222.

Yours sincerely

Lauren Van Etten
Environmental Planner



CCL DEVELOPMENT
specialist development management

APPENDIX 2 – DA20-0782_PCC RFI #3 RESPONSE MATRIX

CCL DEVELOPMENT PTY LTD

ABN 43 100 828 742
ccldevelopment.com.au

Document Set ID: 9861733

Version: 1, Version Date: 21/12/2021

Office

Suite 2, 580 High Street
Penrith NSW 2750

Mail

PO Box 4099
Penrith Plaza NSW 2750

Contact

02 4702 1215
admin@ccldevelopment.com.au

DA2010/0872 - Penrith City Council			
Item #	Council Comments	Applicant Response	Relevant Appendix
Response to PCC RFI #3 issued on 16 July 2021			
Landscape Architect Comments General			
19	1. A plan is requested to demonstrate whether the existing and proposed mounds lie within your property boundaries. Owner's consent is required from Roads and Maritime Services should their land be affected.	The proposed mounds lie wholly within our boundaries. Please refer to engineering plans, sheet DA-030.	"DA20-0782_ITEM #19_Sight mounds within boundary"
20	2. Regarding the mounds proposed, these shall be incorporated into the landscape plans. Such documentation needs to include cross sections, visual impact and analysis, photo montages, spot levels, any services/utilities, the percentage of canopy to be provided and interface conditions with The Northern Rd upgrade.	The landscape plans have been revised to include the extension of the sight mounds.	"DA20-0782_Updated Scott Carver Landscape Set December 2021"
Riparian Corridor Plan			
21	1. The riparian corridor planting required by the VPA is to be provided for the full length of the corridor to the southern boundary of the E2 zone. While previous discussions indicated this could be delayed if there was such a provision within the VPA, no such provision has been identified by the applicant. It is also understood that Councils Local Infrastructure Contributions Working Group would need to consider this and yet no process is underway in this regard.	The following has been confirmed by Natalie Stanowski as the LICWG response: <i>"In respect to the riparian corridor and the VPA, we can agree to a non-planted distance of approximately 20m from the boundary, to accommodate a future possible resoning area, currently under the consideration of Council. This shall not impact the delivery of the corridor edge park. This should be considered in conjunction with any other advice from Council."</i> This has been incorporated into the engineering plans, VMP, and landscape plans.	"DA20-0782_ITEM #21_Email from LICWG"
22	2. While a pathway has been provided within the park, as requested, the pathway is to be provided along both edges of the corridors rather than through it as per 7.4.3.4.3 B of E7 of the DCP. In addition, the revised plan is required to demonstrate that the paths through the park have had regard to Section 7.4.3.2.4 of the DCP, particularly to ensure they are accessible for all users, a minimum of 2.5m wide and aligned approximately parallel with the street to take advantage of the street lighting and allow for casual surveillance by residents and drivers.	We held a Council meeting on 27 July 2021 and requested clarity on this matter as there are no paths to connect to in stage 6, or further north on the adjoining owner's land. Lauren Van Etten clarified that the intention for this query was to minimise the amount of paths cutting through the corridor by ensuring that the paths are constructed along both edges of the corridor wherever possible. It was agreed that the proposed path cutting through the riparian corridor at the southern end would be removed, and that the full loop would be connected as part of future stage 9 works. Following this decision, LICWG only allowed a 20m buffer from the southern boundary in order to meet VPA planting requirements, so a full loop pathway has been provided in this instance, but the southern path cutting through the corridor has been removed	"DA20-0782_ITEM #22_Engineering Plan DA004"
23	3. In accordance with 7.4.3.1.1, the riparian corridor is to be fully structured with trees, shrubs and groundcovers at a density that would occur naturally, for defined widths. The planting plan must be consistent with this requirement.	This has been considered in the revised VMP and landscape set, and incorporated accordingly.	"DA20-0782_Updated Scott Carver Landscape Set December 2021" & "DA20-0782_Updated VMP Rev G"
24	4. The tree planting is sparse and clustered. You are requested to include more trees throughout the meadow and alongside the path, particularly given all other vegetation has been lost within the corridor, contrary to the VPA and DCP.	This has been considered in the revised VMP and landscape set, and incorporated accordingly.	"DA20-0782_Updated Scott Carver Landscape Set December 2021" & "DA20-0782_Updated VMP Rev G"
25	5. Where there are single rows of trees this should be altered to provide a more informal natural variation.	This has been considered in the revised VMP and landscape set, and incorporated accordingly.	"DA20-0782_Updated Scott Carver Landscape Set December 2021" & "DA20-0782_Updated VMP Rev G"
26	6. More planting north of Randall street is requested and to the east and west of both basins.	This has been considered in the revised VMP and landscape set, and incorporated accordingly.	"DA20-0782_Updated Scott Carver Landscape Set December 2021" & "DA20-0782_Updated VMP Rev G"
27	7. The species diversity shall increase and at a minimum match those provided in the existing riparian corridor immediately north of Highland Views.	This has been considered in the revised VMP and landscape set, and incorporated accordingly.	"DA20-0782_Updated Scott Carver Landscape Set December 2021" & "DA20-0782_Updated VMP Rev G"
28	8. In accordance with 7.4.3.4.3 Riparian Corridor Edge Parks, the park is to be provided with an open and low perimeter fence or bollard type barrier along the entire edge to prevent inadvertent damage to riparian corridors and also provide facilities including seating, shade, and interpretive signage at regular intervals along the edges. Dimensions of the workout areas are also to be provided on the amended plans.	Council confirmed that after further consideration, no fences are required south of the basins	"DA20-0782_ITEM #28_Riparian Corridor Fencing"
Street Tree Plan			
29	1. In accordance with Section 7.4.3.3.1 Landscape Character of Part E7 of the DCP, streets are designed to establish or enhance the unique character of the precinct by responding to its topography, desirable views or local features. Further, species selection is appropriate to the character and constraints of the locality.	Note only	N/A
30	2. The species arrangement proposed is unclear. Regarding the east-west streets one species is requested per street for consistency. While different species are supported at the termination of these streets, i.e. where Road 120 and 119 meet Pinewood Drive, this has not been replicated consistently i.e. where Road 118 meets Greenlink Drive. You are requested to review the species design, remove exotic species, provide native species and provide a rationale for the design.	Smaller species have been chosen for inner streets and medium sized trees align the outer/main streets. Exotic species have been replaced with native species and one species per street has been applied.	"DA20-0782_Updated Scott Carver Landscape Set December 2021"
31	3. It is noted there are no trees proposed where there are pram ramps however trees could still be located adjacent these. The absence of trees on corners is also questioned.	Trees have been offset a minimum 10m from intersections as per Section 7.5 of Penrith Council Street and Park Tree Management Plan	"DA20-0782_Updated Scott Carver Landscape Set December 2021"
32	4. In terms of species, Corymbia eximia and Euc crebra are both too large to be used as street tree species. If the street verges are standard width, then alternative species should be carefully considered relative to their size, noting the request for native species remains to define the character of Precinct H.	Noted, larger species have been replaced with smaller species	"DA20-0782_Updated Scott Carver Landscape Set December 2021"
33	5. Brushbox is requested along Riverflat Drive given it has been used further north within Riverflat Drive.	Noted, this has been incorporated into the revised plans	"DA20-0782_Updated Scott Carver Landscape Set December 2021"
34	6. It is understood that Stage 6 species have changed as part of the construction certificate documentation. You are requested to show the final species on the landscape plan for stage 7-8 for completeness.	Please find attached street tree masterplan showing final installed trees in stage 6	"DA20-0782_ITEM #34_Street Tree Masterplan"
35	7. You are requested to ensure species and pot sizes can be sourced from nurseries - Council's experience is that HAR PEN is one species that nurseries do not like to carry as it doesn't handle potting up to larger sizes.	HAR PEN is no longer being used for this pack. GWL have advised that trees are subject to availability at the time of procurement, and that this can be weather dependent. However, the trees that have been specified are generally readily available.	"DA20-0782_Updated Scott Carver Landscape Set December 2021"
36	8. Note: the RFS GTA's state preference should be given to smooth barked and evergreen trees	Note only	N/A
Acoustic Matters			
37	1. The Acoustic Report assesses noise from The Northern Road. It states in section 3.5 that 'existing roads in and around the subdivision, including Gunyah Drive, currently carry a negligible amount of traffic volumes and are expected to have AADTs of much lower than 20,000 vehicles in the Year 2031. Therefore, projected traffic volumes along these roads have not been considered further'. The report does not comment or discuss collector roads associated with the subdivision, including the two roads identified in the initial Environment Team response and which the Environment Team sought an assessment of these being the East-West Road and Riverflat Drive.	Rd 108 has been removed from this application as it formed part of stage 9 which was omitted. Riverflat Drive (Rd 112) has been assessed in line with PCC specifications being 2000 - 4000 AADT for collector roads. The acoustic report has been updated	"DA20-0782_ITEM #37 & 38_Acoustic Report"
38	2. Accordingly, an amended Acoustic Report is required, prepared by a suitably qualified acoustic consultant, that includes an assessment of the noise impacts associated with traffic movements on the collector roads associated with the subdivision (East West Collector Road - Road 108 and Riverflat Drive). The amended report is to identify the collector roads and consider potential future traffic volumes and anticipated dwelling construction and make recommendations to ensure future dwellings are not impacted by traffic noise. The report is to refer to (and include as reference) the most current proposed lot layout. (The latest version of lot layout plans submitted to Council indicate amendments to that included in the December 2020 version of the Acoustic Report).	The report has been prepared by Renzo Tonin (ABN 29 117 462 861) and updated to include the most recent subdivision plan. Road 108 was not addressed as it has been removed from this application, as stage 9 was removed, however Riverflat Drive has been incorporated into the report	"DA20-0782_ITEM #37 & 38_Acoustic Report"