

# Development Application Statement of Environmental Effects



**North Penrith Lot 3102**  
Subdivision for Terrace Housing  
Submitted to Penrith City Council  
On Behalf of UrbanGrowth NSW

October 2014 ■ 14543

Reproduction of this document or any part thereof is not permitted without prior written permission of JBA Urban Planning Consultants Pty Ltd.

JBA operates under a Quality Management System that has been certified as complying with ISO 9001:2008. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by:



Harry Quartermain

9/10/2014

This report has been reviewed by:



Stephanie Ballango

9/10/2014

# Contents

<b>1.0</b>	<b>Introduction</b>	<b>1</b>
1.1	Planning Background	1
1.2	Housing Density and Diversity Objectives	2
<b>2.0</b>	<b>Site Analysis</b>	<b>3</b>
2.1	Site Location and Context	3
2.2	Site Description	3
2.3	Proposed Surrounding Development	5
<b>3.0</b>	<b>Description of Proposed Development</b>	<b>6</b>
3.1	Subdivision Design Principles	6
3.2	Lot Types and Sizes	7
3.3	Easements	8
<b>4.0</b>	<b>Assessment of Planning Issues</b>	<b>9</b>
4.1	Compliance with Relevant Strategic and Statutory Plans and Policies	9
4.2	Consistency with the Concept Plan and Stage 3B Development Application	11
4.3	Urban Design and Future Built Form	12
4.4	Social and Economic Impacts	13
4.5	Site Suitability	13
4.6	Public Interest	14
<b>5.0</b>	<b>Conclusion</b>	<b>15</b>

## Figures

<b>1</b>	Location of North Penrith site	<b>3</b>
<b>2</b>	Aerial photograph	<b>4</b>
<b>3</b>	Development Blocks at North Penrith	<b>4</b>

## Tables

<b>1</b>	Proposed lot dimensions and type	<b>7</b>
<b>2</b>	Easement details	<b>8</b>
<b>3</b>	Summary of consistency with key strategic and statutory plans and policies	<b>10</b>

# Contents

## Appendices

---

- A** Existing Survey Plan  
*Craig and Rhodes*
- B** Subdivision Plans and Draft Section 88B Instruments  
*Craig and Rhodes*
- C** Terrace Design Kit – Canal Precinct  
*Peter Andrews & Associates Pty Ltd*

## 1.0 Introduction

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

This DA seeks approval for:

- subdivision of Lot 1302 to create 16 Torrens Title lots, comprising:
  - 15 Lots capable of accommodating terrace housing; and
  - 1 Lot capable of accommodating a dual occupancy and studio housing.

The SEE has been prepared by JBA on behalf of UrbanGrowth NSW, and is based on the subdivision plans and Terrace Design Kit appended to this report (see Table of Contents). DA consent is only being sought for the Building Envelope Plans within the Design Kit; the remaining documentation is provided for information purposes only.

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

## 1.1 Planning Background

### 1.1.1 Concept Plan and Rezoning

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

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

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

### 1.1.2 Stage 3B SSDA

The North Penrith site has been the subject of various staged Development Applications since the site was rezoned and the Concept Plan approved. The Stage 3B SSDA (SSD 5349) was approved by the then Minister for Planning and Infrastructure's delegate on 28 June 2013 and is most relevant to this DA, as Lot 3101 that is the subject of this DA, was created under that consent.

The approved, and now completed, Stage 3B works included bulk earthworks, superlot formation, remediation and infrastructure and utility works amongst other things.

## 1.2 Housing Density and Diversity Objectives

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

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

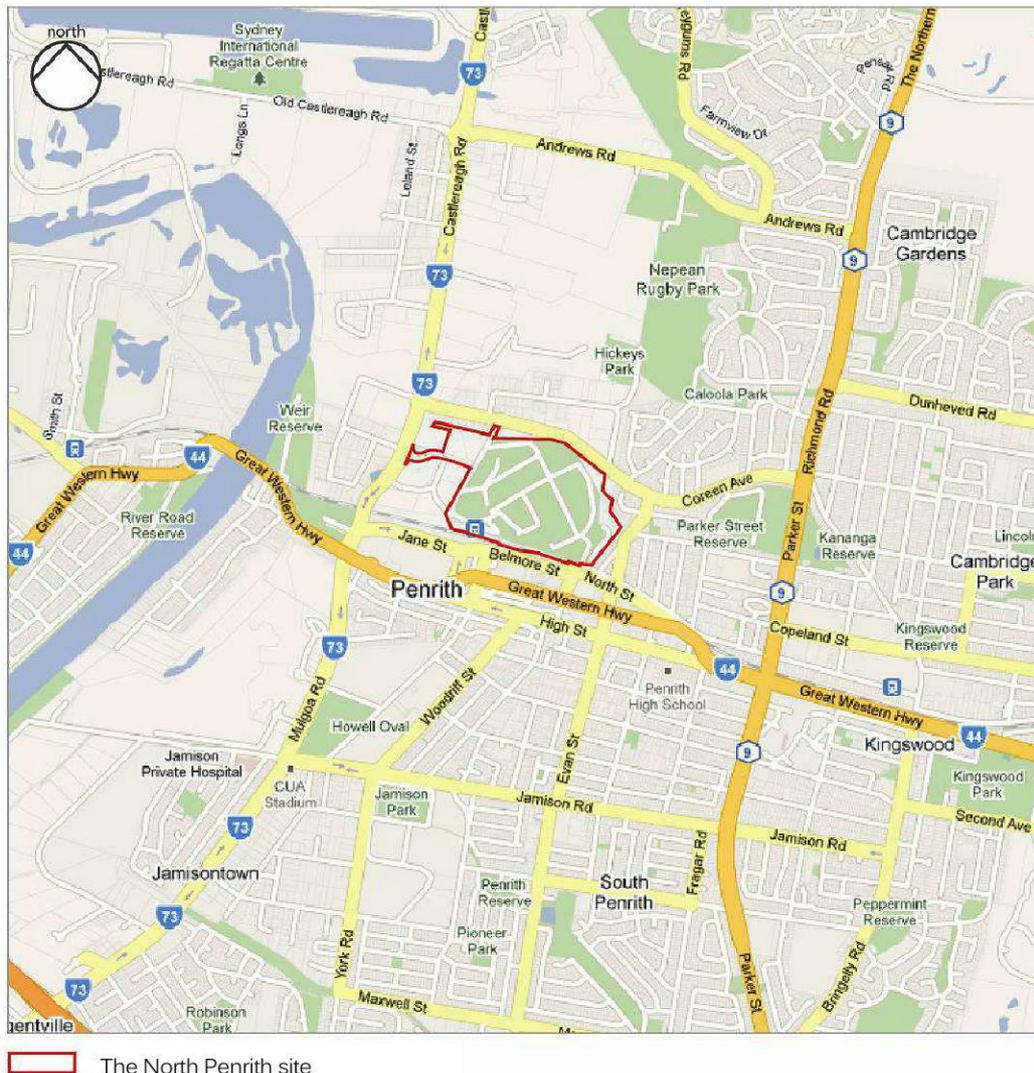
This DA together with the accompanying supporting documentation has therefore been prepared to provide Council with the necessary certainty and confidence that the proposed subdivision will facilitate a high quality development outcome that will positively contribute to the delivery of the North Penrith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

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

## 2.0 Site Analysis

### 2.1 Site Location and Context

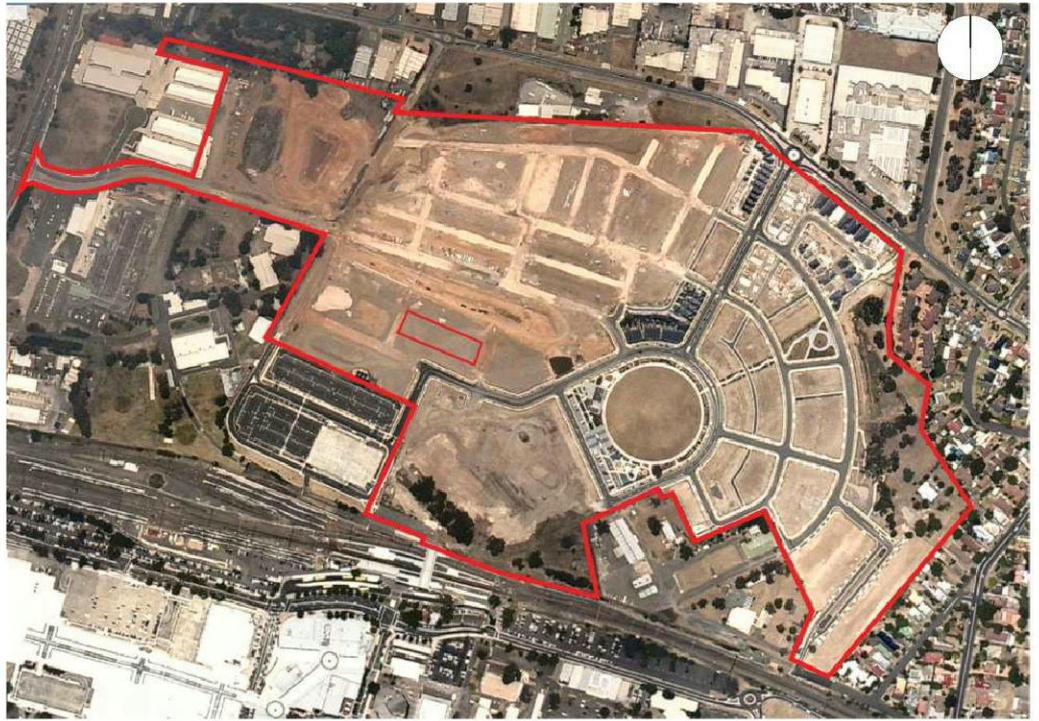
The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. It adjoins the Penrith Railway Station to the south and is situated between Lemongrove Road to the east, Castlereagh Road to the west and is accessible via Coreen Avenue to the north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



**Figure 1** – Location of North Penrith site

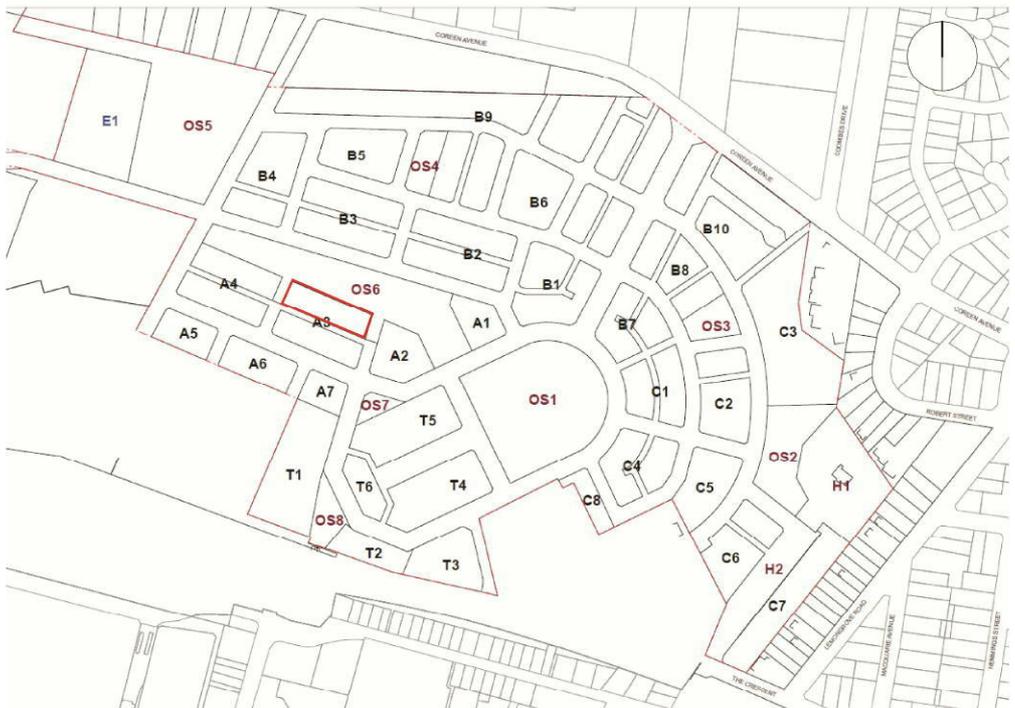
### 2.2 Site Description

The land the subject of this DA refers to Lot 3102 in DP1184499 (herein referred to as 'the Site'). The Site is located within Stage 3B that comprises the south-western portion of the broader North Penrith precinct (**Figure 2**). The Site is identified within Development Block A3, under the North Penrith Design Guidelines (refer to **Figure 3**).



 The Site

Figure 2 – Aerial photograph



 The Site

Figure 3 – Development Blocks at North Penrith

The site has frontage to new roads within the North Penrith Site including Kleinig Place to the east, Radcliff Place to the east, and a new 'rear lane' to the south. The site's northern frontage is to the new waterbody being constructed by UrbanGrowth NSW which forms a key aspect of North Penrith's public open space network, and also serves as a drainage purposes (refer to Existing Survey Plans prepared by Craig and Rhodes at **Appendix A**).

As outlined at **Section 1.1.2**, the approved Stage 3B SSSDA included bulk earthworks, remediation and the delivery of the adjoining road and infrastructure system that will service the proposed subdivision, and later the corresponding residential development on the proposed allotments.

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

## 2.3 Proposed Surrounding Development

The existing development surrounding the site will consist of the terrace development directly to the west of the site (Lot 3101 which is the subject of a separate concurrent DA), the proposed waterway to the north of the site (Public Reserve – Lot 2105) and the proposed town centre to the south of the site (Lot 3103).

## 3.0 Description of Proposed Development

This application seeks approval for the subdivision of Lot 1302 to create 16 Torrens Title lots, comprising:

- 15 Lots capable of accommodating terrace housing; and
- 1 Lot capable of accommodating a dual occupancy and studio housing.

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

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

### 3.1 Subdivision Design Principles

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

#### Subdivision and Lot Design

- To minimise 'front to back' dwelling siting and provide continuous lot frontage to the future water body to provide activation and surveillance.
- To optimise the corner allotments and taking advantage of dual frontage to local streets and open space.
- To provide a high quality and low maintenance environment along laneways.
- To provide an urban form density that is commensurate with the Site's location at the perimeter of the town centre, and within easy walking distance of public transport and the Penrith CBD.

#### Built Form

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

#### Housing Mix

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

## Residential Amenity

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

## Vehicle Access and Servicing

- To use laneways to achieve necessary density, provide access and servicing, and to remove the dominance of garages from main streetscapes, and particularly the new water body.
- To avoid driveways along major roads and street frontages where possible.

## 3.2 Lot Types and Sizes

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

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

**Table 1** – Proposed lot dimensions and type

Original Lot (& Concept Block)	Proposed Lot	Lot size	Lot Width (range in m)	Lot Depth (range in m)	Lot/ Dwelling Type
1302 (A3)	194	253.7m <sup>2</sup>	8.6m	29.5m	Terrace
1302 (A3)	195	194.7m <sup>2</sup>	6.6m	29.5m	Terrace
1302 (A3)	196	194.7m <sup>2</sup>	6.6m	29.5m	Terrace
1302 (A3)	197	194.7m <sup>2</sup>	6.6m	29.5m	Terrace
1302 (A3)	198	180m <sup>2</sup>	6.1m	29.5m	Terrace
1302 (A3)	199	194.7m <sup>2</sup>	6.6m	29.5m	Terrace
1302 (A3)	200	132.8m <sup>2</sup>	4.5m	29.5m	Terrace
1302 (A3)	201	194.7m <sup>2</sup>	6.6m	29.5m	Terrace
1302 (A3)	202	132.8m <sup>2</sup>	4.5m	29.5m	Terrace
1302 (A3)	203	194.7m <sup>2</sup>	6.6m	29.5m	Terrace
1302 (A3)	204	180m <sup>2</sup>	6.1m	29.5m	Terrace
1302 (A3)	205	150.5m <sup>2</sup>	5.1m	29.5m	Terrace
1302 (A3)	206	126.8m <sup>2</sup>	4.5m	29.5m	Terrace
1302 (A3)	207	206.8m <sup>2</sup>	5.1m	29.5m	Terrace
1302 (A3)	208	157.1m <sup>2</sup>	5.1m	29.5m	Terrace
1302 (A3)	209	402.2m <sup>2</sup>	12.11m	29.5m	Dual occupancy and studio dwelling

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

However, the proposed development seeks to provide the paper lot subdivision, with development approval for each dwelling over each allotment to be sought separately. Each dwelling will still be subject to detailed assessment (as would be the case for any integrated housing development) in accordance with the relevant

planning instruments and the approved Design Guidelines. This represents a consistent approach to that of DA13/0731 and DA13/1120 applying to the Smith's Paddock precinct and various other super-lots within the North Penrith site.

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

To provide Council with an understanding of the likely dwelling footprints over each proposed allotment and satisfy the requirements of the North Penrith Design Guidelines, Peter Andrews & Associates Pty Ltd has prepared a Building Envelope Plan (BEP) as part of the Terrace Design Kit included at **Appendix C** to illustrate the likely and indicative built form and open space arrangements over each allotment. This also helps to illustrate which allotments are preferred to include ancillary dwellings.

### 3.3 Easements

The proposed subdivision includes Easements for Access, Maintenance and Overhang of 0.9m wide burdening and benefiting lots as outlined in **Table 2** below. The easements are necessary to allow service access for maintenance and repair of the future dwellings on the lots benefitting from the easement, and are informed by the BEP at **Appendix C**.

Further detail regarding the easements is included in the Section 88B Instrument at **Appendix B**.

**Table 2** – Easement details

Easement	Burdened lots	Benefited lots
Easement for Access, Maintenance and Overhang 0.9m Wide	198	199
	204	203
	205	206

## 4.0 Assessment of Planning Issues

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

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

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Stage 3B SSDA Assessments. As the proposed development is consistent with the Concept Approval and SSDA 5349, these issues do not require further assessment (see Section 4.2). These issues include:

- Urban Design Concept and Subdivision
- Transport and Accessibility
- Water Cycle Management
- Flooding
- Contamination
- Geotechnical
- Environmentally Sustainable Development
- Contributions
- Construction Management

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

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

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

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

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

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

**Table 3** – Summary of consistency with key strategic and statutory plans and policies

<b>Instrument/Strategy</b>	<b>Comments</b>
<b>State Planning Instruments and Controls</b>	
<b>SEPP 55</b>	Remediation was undertaken as part of the approved Stage 2B and 2C DA which included earthworks and remediation for the entire North Penrith site to ensure the site is suitable for the proposed residential use. A Site Auditors Statement was issued by Environ in May 2009. The site is therefore suitable for the proposed development with regard to the issue of contamination.
<b>State and Regional Development SEPP</b>	The proposed subdivision is not identified as State Significant Development under Clause 11 of Schedule 2 of the State and Regional Development SEPP, and accordingly Council is the consent authority.
<b>SREP No. 20 Hawkesbury Nepean River</b>	The provisions of SREP20 were considered during assessment of the Concept Plan and Stage 3B SSDA before the preparation of this application and deemed to be acceptable. The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the Site, which the SREP seeks to preserve.
<b>Local Planning Instruments and Controls</b>	
<b>Penrith City Centre LEP 2008 (Part 7)</b>	
Clause 49 - Zoning	The land subject of this DA is zoned as R1 General Residential. The proposal is consistent with the objectives of the zone as it will provide for: <ul style="list-style-type: none"> <li>▪ the housing needs of the community; and</li> <li>▪ a variety of housing types and densities.</li> </ul>
Clause 50 – Land Use Table	The site is zoned Zone R1 General Residential. Subdivision for residential purposes is permissible in the R1 General Residential Zone.
Clause 51 - Height of Buildings	Preliminary plans available for the dwellings proposed to be constructed on these lots comply with the 12m height maximum. Dwelling height will be reaffirmed as part of the future DAs for the dwellings.
Clause 54 – Heritage Conservation	There are no heritage items located on or in the vicinity of the land that is the subject of this DA.
<b>North Penrith Design Guidelines</b>	
Section 3.1 - Housing Density and Diversity	The proposed subdivision pattern will facilitate the delivery of compact lots. This will then provide the opportunity for 18 dwellings that will contribute to the overall dwelling target of 900-1000 over the North Penrith precinct. In addition, Section 3.1 sets out a dwelling target per Development Block. The site is within Development Block A3, which is identified as Sub-precinct A1-A4 and having a target of between 128 -142 dwellings. The proposed subdivision will ultimately result in the creation of a minimum of eighteen new dwellings and in this regard will positively contribute to the achievement of the dwelling targets set for Development Block.
Section 3.2 – Subdivision	Section 3.2 identifies opportunities for compact lots, and requires dwelling designs to accompany DAs seeking Torrens Title subdivision of super lots shown in Figure 7 of the Design Guidelines (i.e.: integrated housing developments) and/or with a site area of less than 235m <sup>2</sup> and with a front façade line lot width of less than 8m. The Site in its entirety is identified in Figure 7 of the Design Guidelines as a super lot that is required to be undertaken as an Integrated Housing Development Application. The proposed DA does not provide the corresponding dwelling designs for each proposed allotment, but has been informed by designs that are provided with the Design Kit at <b>Appendix C</b> will be constructed by UrbanGrowth NSW's builder teams. Adequate justification for this approach is outlined in Section 3.3 of the SEE.  The location of the zero lot line is located with regard to the allotment orientation and the ability of each lot to achieve the solar access provisions of the Design Guidelines. Zero lot lines are shown on the BEP plans at <b>Appendix C</b> .  The site is zoned R1, as such the rectangular lot depths and minimum lot widths have been designed to comply with control 3.2 (4) and are oriented according to control 3.2(5) of the Design Guidelines.

Section 3.3 - Building Envelopes	Peter Andrews & Associates Pty Ltd has prepared a Building Envelope Plan (BEP) as required by Section 3.3 of the Design Guidelines ( <b>Appendix C</b> ) to illustrate the ability for lots to accommodate future dwellings. It should be noted that approval is not sought for the building envelope shown in the BEPs.
Section 3.4 - Building Design and Articulation	Detailed architectural features of dwellings for each proposed lot will be included in separate and future DAs for each respective lot. Features and colours will be required to comply with the Residential Design Palette appended to the Design Guidelines.
Section 3.5 - Private Open Space and Landscaping	The BEP at <b>Appendix C</b> illustrates that the each proposed allotment is capable of providing adequate and suitably embellished private open space for each future dwelling.
Section 3.6 -Fencing	Details of boundary fencing will be provided with each respective and future dwelling DA.
Section 3.7 - Garages, Site Access and Parking	Lots 194 – 209 are rear loaded and will be directly accessed from 'Rear Lane'. Lot 209 could also be accessed from Kleinig Place. This is illustrated in the BEP included at <b>Appendix C</b> . Detailed design aspects of these garages will be included in the subsequent DAs for each of the dwellings.
Section 3.8 - Visual and Acoustic Amenity	Detailed dwelling designs will demonstrate that a satisfactory interface can be achieved with adjoining properties to then address visual and acoustic privacy matters.
Section 3.10 – Specific Provisions – Key Sites	The site is identified as Canal Edge Lots within the Design Guidelines. As such the proposed subdivision provides lots to facilitate terrace housing that will form a strong consistent edge to the canal, with rear lane garages and that take advantage of the location overlooking the canal.
Section 3.12 - Specific Provisions - Ancillary Dwellings	The proposed subdivision pattern enables the provision of an ancillary dwelling on Lot 209 in the same manner as has been provided on other residential lots throughout the North Penrith development. The designs for these will be the subject of separate DAs for the respective dwellings.
Section 4.0 – The Village Centre	The proposed subdivision is identified as being within the Village Centre. The proposed subdivision is consistent with the controls in the Design Guidelines through providing for: <ul style="list-style-type: none"> <li>▪ medium density residential housing as identified in Figure 18 of the Design Guidelines, through providing small lots;</li> <li>▪ development with a 4m built-to line as identified in Figure 18 of the Design Guidelines; and</li> <li>▪ a consistent streetscape along the canal.</li> </ul>
Section 4.1 – Built Form Controls	The proposed subdivision lots will provide medium density accommodation in close proximity to commercial and /or retail uses within the future Village Centre.

## 4.2 Consistency with the Concept Plan and Stage 3B Development Application

The North Penrith Concept Plan and Stage 3B DA Approvals have established the vision and planning framework, which is to be used by Penrith City Council to assess the detailed design of the future development within the North Penrith site.

The Concept Plan Approval contains:

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

The Stage 3B DA provides the infrastructure framework that will support the delivery of residential development as intended by the Concept Plan.

The proposed residential subdivision development is consistent with the Concept Plan Terms of Approval and Statement of Commitments and the Stage 3B DA as the indicative proposed pattern of residential subdivision is consistent with that anticipated by the Concept Plan. Further, the lots have been designed to accommodate small lot/medium density housing as envisaged for this portion of the North Penrith site.

### 4.3 Urban Design and Future Built Form

The Design Guidelines require a Building Envelope Plan to be prepared for any residential lots between 225m<sup>2</sup> and 300m<sup>2</sup>. Notwithstanding this a Building Envelopes Plan (BEP) has been prepared for the whole of Lot 3102 despite the lot sizes falling outside the specified range to illustrate the likely layout and pattern of future residential development. The BEP provides Council with an understanding of the likely dwelling orientation, access arrangements, building footprints and open spaces for the future dwelling on this lot. The BEP does not establish, or seek approval for, the building a footprint for future dwelling development.

The indicative layout shown in the BEP is considered appropriate as it is very similar and compatible with the established pattern of subdivision and development now being successfully delivered across the North Penrith site. UrbanGrowth NSW's partner builders have helped inform the proposed subdivision layout and Building Envelopes Plan. Accordingly, the controls within the BEP have been informed by the tested product already being successfully delivered to the market.

The proposed subdivision layout is considered suitable as:

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

#### 4.3.1 Streetscape

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

- the future dwelling will be orientated to appropriately respond to the microclimate including sun, shade, breeze and general weather;
- the dwelling will have direct views over the public domain and adjacent water way; and
- the future dwellings are capable of being provided with a suitable private outdoor space in the form of courtyards or soft landscaped areas.

### 4.3.2 Amenity

The BEP demonstrates that the future residential lots will be able to provide suitable at grade private open space areas for future dwellings, and rear lane access. This outcomes and the orientation of the lots towards the public domain will ensure that corresponding dwelling designs will have the capacity to be designed to:

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

## 4.4 Social and Economic Impacts

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

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

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

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

## 4.5 Site Suitability

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

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

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

- is permissible within the R1 General Residential zone and satisfies all relevant controls of the Concept Plan, Stage 3B DA and Design Guidelines;
- facilitates the delivery of diverse and affordable housing development to be delivered throughout the North Penrith site;
- marries with the desired streetscape pattern for this part of the North Penrith site;
- the development generally complies with the relevant development controls within the North Penrith Design Code; and
- will contribute to providing additional housing choice for local populations.

## 4.6 Public Interest

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

## 5.0 Conclusion

This DA seeks approval for residential subdivision of Lot 1302 located within Stage 3B of the North Penrith Project into 16 Torrens Titled residential allotments. The proposed development is consistent with the approved Concept Plan and the *Penrith City Centre LEP 2008 (Part 7)*.

Furthermore, the development:

- is generally consistent with the relevant provisions of the North Penrith Design Guidelines, and other environmental planning instruments that apply to the site and development;
- will deliver an efficient subdivision layout that is consistent with the principles established by the approved Concept Plan and within the super lot footprint approved and constructed under the Stage 3B DA;
- will help further commence the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- will facilitate dwelling designs that are of a high quality, contemporary architectural design, and generally comply with Design Guidelines built form development controls;
- will contribute to delivering a diverse streetscape within North Penrith site; and
- will facilitate the delivery of additional affordable dwelling designs that will also add to a greater range of housing choice to the Penrith community.

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

DEPOSITED PLAN ADMINISTRATION SHEET

Office Use Only	Office Use Only
Registered: Title System: TORRENS Purpose: SUBDIVISION	
<b>PLAN OF</b> SUBDIVISION OF LOT 3102 DP1184499	LGA: PENRITH Locality: PENRITH Parish: CASTLEREAGH County: CUMBERLAND
Crown Lands NSW/Western Lands Office Approval  I, ..... (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.  Signature: ..... Date: ..... File Number: ..... Office: .....	<p style="text-align: center;"><b>Survey Certificate</b></p> I, GRAHAM JOHN HALL ..... of CRAIG & RHODES PTY LTD ..... a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i> , is accurate and the survey was completed on 28 AUGUST 2014 ..... <del>*(b) The part of the land shown in the plan(*being/*excluding ^.....)</del> <del>.....</del> <del>was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>, is accurate and the survey was completed on, ..... the part not surveyed was compiled in accordance with that regulation.</del> *(c) The land shown in the plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2012</i> . Signature ..... Dated: ..... Surveyor ID: 1181 ..... Datum Line: 'A' - 'B' ..... Type: *Urban/*Rural- The Terrain is *Level Undulating / *Steep Mountainous-  *Strike through if inapplicable. ^Specify the land actually surveyed or specify and land shown in the plan that is not the subject of the survey.
<p style="text-align: center;"><b>Subdivision Certificate</b></p> I, ..... *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.  Signature: ..... Accreditation number: ..... Consent Authority: ..... Date of endorsement: ..... Subdivision Certificate number: ..... File number: .....  *Strike through inapplicable parts.	
SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads, public reserves and drainage reserves or create easements, restrictions on the use of land and positive covenants   <div style="border: 2px solid red; padding: 10px; text-align: center; margin: 10px auto; width: 80%;"> <p><b>PRELIMINARY DEPOSITED PLAN NOT FOR LPI (NSW) EXAMINATION</b></p> <p>THIS PLAN HAS BEEN COMPILED FROM ARCHITECTURAL PLANS SUPPLIED BY URBANGROWTH NSW. DIMENSIONS AND AREAS SHOWN ARE INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND COMPLIANCE WITH COUNCILS CONDITIONS OF APPROVAL</p> </div>	Plans used in the preparation of survey/compilation  DPII84494 DPII84499   If space is insufficient continue on PLAN FORM 6A
Signatures, Seals and Section 88B Statements should appear on <p style="text-align: center;">PLAN FORM 6A</p>	Surveyor's Reference: <p style="text-align: center; font-size: 1.2em;">72-10-3102</p>

CAD REF: Z:\072-10 North Penrith - Survey\AutoCAD Files\07210PS251001

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

Registered:

Office Use Only

Office Use Only

PLAN OF  
SUBDIVISION OF LOT 3102 DP1184499

- This sheet is for the provision of the following information as required:
- A schedule of lots and addresses - See 60(c) *SSI Regulation 2012*
  - Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
  - Signatures and seals - see 195D *Conveyancing Act 1919*
  - Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Subdivision Certificate number: .....

Date of Endorsement: .....

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919 AS AMENDED AND IN TERMS OF THE ACCOMPANYING INSTRUMENT IT IS INTENDED TO CREATE:-

1. EASEMENT FOR ACCESS, MAINTENANCE AND OVERHANG 0.9 WIDE

**PRELIMINARY DEPOSITED PLAN  
NOT FOR LPI (NSW) EXAMINATION**  
THIS PLAN HAS BEEN COMPILED FROM ARCHITECTURAL PLANS SUPPLIED BY URBANGROWTH NSW. DIMENSIONS AND AREAS SHOWN ARE INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND COMPLIANCE WITH COUNCILS CONDITIONS OF APPROVAL

SIGNED BY :  
AS A DELEGATE OF LANDCOM AND I HEREBY CERTIFY THAT I HAVE NO NOTICE OF REVOCATION OF SUCH DELEGATION

.....  
SIGNATURE

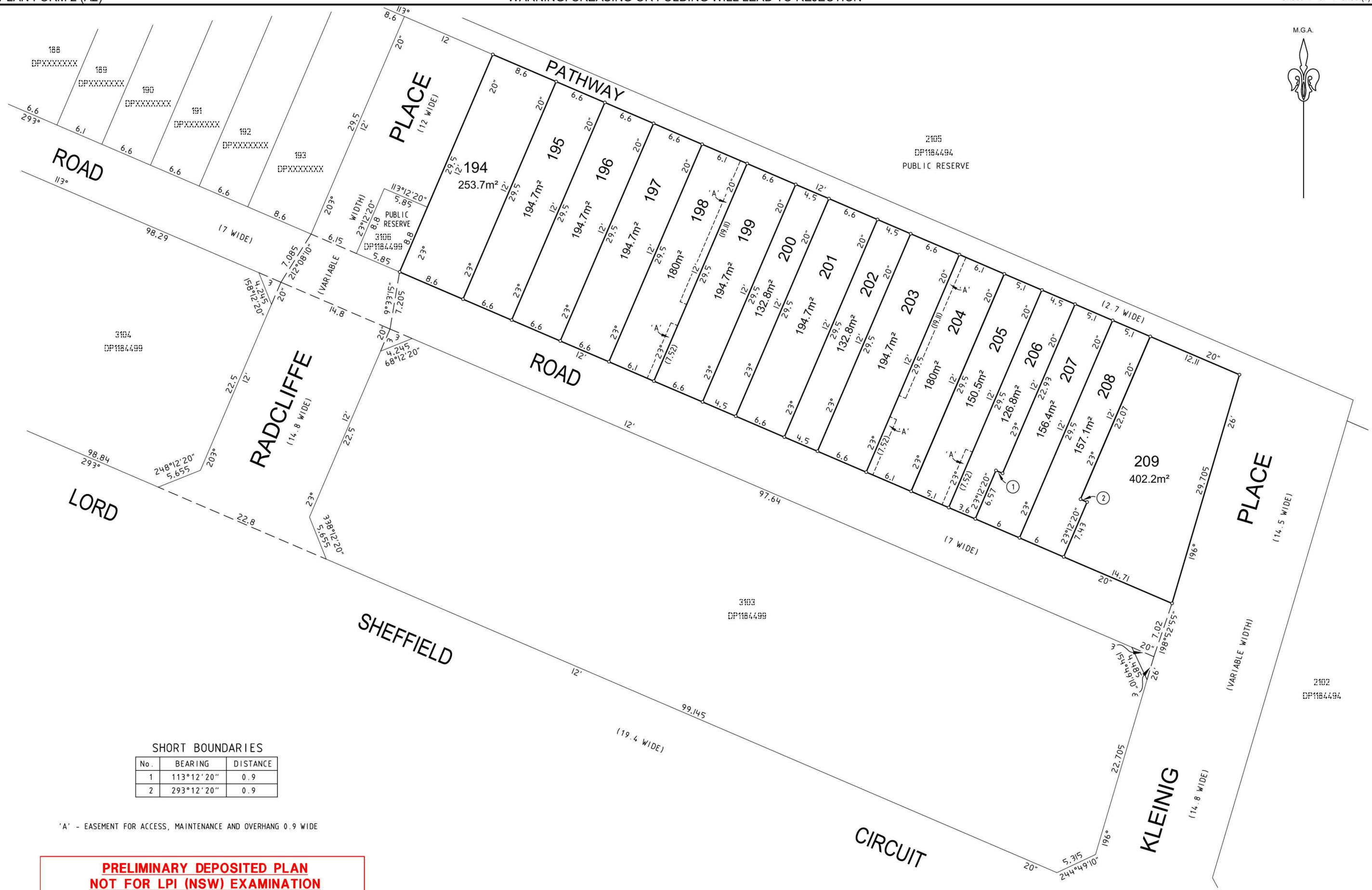
SURVEYING AND SPATIAL REGULATION 2012 CLAUSE 60(C)  
STREET ADDRESS INFORMATION IS UNAVAILABLE AT DATE OF SURVEY

If space is insufficient use additional annexure sheet

Surveyor's Reference: 72-10-3102

CAD REF: Z:\072-10 North Penrith - Survey\AutoCAD Files\07210PS251011

M.G.A.



SHORT BOUNDARIES

No.	BEARING	DISTANCE
1	113°12'20"	0.9
2	293°12'20"	0.9

'A' - EASEMENT FOR ACCESS, MAINTENANCE AND OVERHANG 0.9 WIDE

**PRELIMINARY DEPOSITED PLAN  
NOT FOR LPI (NSW) EXAMINATION**  
THIS PLAN HAS BEEN COMPILED FROM ARCHITECTURAL PLANS SUPPLIED BY LANDCOM. DIMENSIONS AND AREAS SHOWN ARE INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND COMPLIANCE WITH COUNCILS CONDITIONS OF APPROVAL

Surveyor: GRAHAM JOHN HALL Date of Survey: 28 AUGUST 2014 Surveyor's Ref: 72-10-3102	PLAN OF SUBDIVISION OF LOT 3102 DP1184499	LGA: PENRITH Locality: PENRITH Subdivision No. Lengths are in metres. Reduction Ratio 1: 300	Registered	D.P.
--	--	---	------------	------

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act 1919.

Lengths are in Metres

Sheet 1 of 3 Sheets

Plan:

Plan of Subdivision of Lot 3102  
DP1184499 covered by Council's  
Subdivision Certificate No.

<u>Full Name and address of Proprietor of land:</u>	Landcom Level 14 60 Station Street PARRAMATTA NSW 2150
---	---

**Part 1**

	Identity of Easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan:-	Burdened lot(s) or parcel(s):-	Benefited lot(s), road(s), bodies or Prescribed Authorities:-
<b>1.</b>	Easement for Access, Maintenance and Overhang 0.9 Wide	198 204 205	199 203 206

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer

Plan:

Plan of Subdivision of Lot 3102  
DP1184499 covered by Council's  
Subdivision Certificate No.

**Part 2**

**Terms of easement, profit à prendre, restriction or positive covenant numbered 1 in the plan.**

An Easement for Overhang as set out in Schedule 8 Part 10 together with:-

The proprietor of the lot benefited and persons authorized by him may:

- (a) enter upon the burdened lot but only within the site of this easement.
- (b) do anything reasonably necessary for the purpose of renewing, replacing, painting, repairing and maintaining the dwelling adjacent to this easement.
- (c) remain on the site of this easement for any reasonable time for the said purposes.

In exercising those powers the proprietor of the lot benefited must:

- (a) ensure that all work is done properly and carried out as quickly as practicable; and
- (b) cause as little inconvenience to the proprietor or occupier of the burdened lot; and
- (c) cause as little damage as possible to the burdened lot and any improvement on it and
- (d) restore as nearly as is practicable the burdened lot to its former condition; and
- (e) make good any collateral damage; and

The proprietor of the burdened lot shall not place any obstructions within the site of the easement nor erect any building or other structure of any kind on or over the site of the easement except for any eave and/or gutter and/or roof structure attached to any dwelling that has been granted development approval by Penrith City Council, and

The owner of the lot burdened and the owner of the lot benefited acknowledge that it is not the responsibility of Penrith City Council to determine any dispute in relation to the Easement for Access & Maintenance and any dispute is a civil matter to be resolved with the relevant parties.

The Authorities having the power to release, vary or modify the terms of the easement numbered 1 in the abovementioned plan are the Director General, Department of Planning and Infrastructure and Penrith City Council.

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer

Plan:

Plan of Subdivision of Lot 3102  
DP1184499 covered by Council's  
Subdivision Certificate No.

**Part 2 (cont)**

SIGNED by : )  
as Delegate of LANDCOM who hereby declares )  
that he/she has no notice of the revocation of such )  
delegation in the presence of : )

.....  
Landcom  
by its Delegate

.....  
Signature of WITNESS

.....  
Name of Witness (BLOCK LETTERS)

.....  
Address of Witness

.....  
Date of execution

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer