

25th February 2014

The General Manager
Penrith City Council
601 High Street
PENRITH NSW 2760

Attention: Gavin Cherry

Dear Gavin,

**DEVELOPMENT APPLICATION (DA)
PROPOSED VILLAGE OVAL RECREATION FACILITIES, AMENITIES BLOCK,
PLAYGROUND AND OPEN SPACE / PARK EMBELLISHMENTS, VILLAGE OVAL, JORDAN
SPRINGS, WESTERN PRECINCT, ST MARYS**

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council (PCC) in support of a Development Application (DA) for the proposed open space embellishment for The Village Oval on lot 8 in DP1176874 within Jordan Springs, Western Precinct, St. Marys, including the following:

- Turfed multi-functional outdoor playing surface and associated seating, lighting and irrigation;
- Amenities building, incorporating toilets, change rooms, storage areas, canteen and first aid facilities;
- Recreational equipment and structures, incorporating fitness stations, parkour structures, a learn to ride facility, "Adizone" sports activity area;
- Hardcourt Recreational Facilities;
- Park embellishments incorporating barbecue and picnic areas, shelters, shared paths and seating;
- 50 space car park, including 4 disabled spaces;
- Associated landscaping, including shade trees and garden bed mass planting; and
- Associated minor earthworks, mounding and tree removal.

This report has been prepared by the Applicant, Lend Lease (LL) as agent for Maryland Development Company.



This report should be read in conjunction with the following:

- DA form and application fees;
- Location Plan, prepared by Lend Lease, issue A dated 21st February 2014 (**Appendix A**);
- Neighbour Notification Plan, prepared by Lend Lease, issue A dated 21st February 2014 (**Appendix B**);
- Arborist Report, prepared by Arboreport, dated 20th February 2014 (**Appendix C**); and
- Landscape Design Plans, prepared by Clouston Associates, J. Wyndham Prince, dwp suters and Haron Robson, issue P2 dated 20th February 2014 (**Appendix D**).

This report describes the site and its environs, the proposed development and includes an assessment of the proposal in terms of the matters for consideration as listed under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Within this report, references to the 'subject site' mean the land to which this DA relates.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Background

The St Marys site was endorsed by the NSW Government for inclusion on the Urban Development Program (UDP) in 1993. The St Marys 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.

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

The St Marys site, which has been rezoned for a variety of uses, comprises 6 development precincts – Western (Jordan Springs), Central, North and South Dunheved, Ropes Creek and Eastern Precincts (Ropes Crossing). Developable areas within these Precincts are shown on Figure 1.



Figure 1 – St Marys Development Precincts



On 16 June 2003 the Minister for Infrastructure, Planning and Natural Resources announced the “release” of the Eastern, North and South Dunheved Precincts. Subsequently, on 29 September 2006, the Minister released the remaining precincts, allowing “Precinct Plans” to be released for each area.

A Precinct Plan for the Western Precinct (the WPP) and accompanying Development Control Strategy (DCS) were adopted by Penrith City Council on 23rd March 2009. Construction of roads, services, landscaping and housing has been undertaken. The WPP required the preparation and adoption by Council of a Concept Plan prior to the approval of any subdivision proposal within the Western Precinct. The Concept Plan provides the next level of specificity of detail in relation to the matters addressed in the WPP and is intended for use by Council as an assessment tool for the consideration of future DAs.

2.2 Site Description and Ownership

The land to which this DA refers is the suburb of Jordan Springs which comprises the Western Precinct of the St Marys development. The site is owned by St Marys Land Limited and is being developed by Lend Lease under the name of Maryland Development Company.

The subject land of this subdivision DA is located on the existing balance lot 8 in DP1176874, registered on 17th September 2012. A proposed subdivision of lot 8 creates four lots, including the proposed Village Oval site (lot 24).

For site context, refer to **Appendix A** for the Site Location Plan.

2.3 Relevant Western Precinct DAs

This DA will require consideration within the context of previous DAs lodged adjacent to the subject site (refer **Table 1**). The scope of each DA and its status is provided.

Table 1- Associated Western Precinct DAs

Development Application	Proposal	Status
Stage 2A subdivision application (DA11/0514)	<ul style="list-style-type: none"> 75 Residential lots, 1 public reserve, 5 residue lots and public roads 	Approved 11 th April 2012
Stage 2B subdivision application (DA11/0515)	<ul style="list-style-type: none"> 70 Residential lots, 1 residue lot and public roads 	Approved 11 th April 2012
Stage 2C subdivision application (DA11/0516)	<ul style="list-style-type: none"> 111 Residential lots, 1 residue lot and public roads 	Approved 11 th April 2012
Stage 2D subdivision application (DA11/0517)	<ul style="list-style-type: none"> 102 Residential lots and public roads 	Approved 11 th April 2012
Stage 3A subdivision application (DA11/0511)	<ul style="list-style-type: none"> 139 Residential lots, 7 residue lots and public roads 	Approved 15 th August 2011
Stage 3B subdivision application (DA11/0512)	<ul style="list-style-type: none"> 138 Residential lots, 1 public reserve, 3 residue lots and public roads 	Approved 15 th August 2011
Riparian Corridor subdivision application (DA11/1088)	<ul style="list-style-type: none"> 5 residue lots 	Approved 13 th November 2012
Display Village Operations (DA13/0114)	<ul style="list-style-type: none"> Operation of a Builders Display Village in Village 2 and 30-space car park construction 	Approved 29 th July 2013
Northern Road Oval Landscape Embellishment (DA12/1363)	<ul style="list-style-type: none"> Landscape works for construction and embellishment of the Northern Road Oval 	Approved 30 th May 2013
Riparian Corridor Channel Construction (DA13/0065)	<ul style="list-style-type: none"> Construction of drainage channel within designated Riparian Corridor 	Approved 2 nd July 2013
Riparian Corridor Landscape Embellishment Works (DA13/0066)	<ul style="list-style-type: none"> Landscape embellishment works for Riparian Corridor 	Approved 2 nd July 2013
Village 13, Education site and Village Oval subdivision (DA13/1221)	<ul style="list-style-type: none"> 4-lot paper subdivision to create Village 13, residue lot for future Education site, Riparian Corridor lot and Village Oval lot 	Approved 13 th February 2014

3.0 DESCRIPTION OF PROPOSAL

This section of the report provides a detailed description of the proposed development. Specifically, the proposal will incorporate a range of recreation facilities for both formal and informal activities, and associated works as follows:

- A full size multi-functional outdoor turfed playing area, which will facilitate formal sports matches, and also provides an informal kick around space. The space accommodates two pitches of 70m wide and 116m long side by side for Rugby Union, Rugby League and Football, and one AFL and cricket oval 135m wide and 160m long. Each field has a 5m wide cleared safety zone around the edge;
- Sports lighting in the form of six 30m high light poles at locations of equal spacing around the playing fields;
- Informal and formal seating in the form of earth mounding and bench seats;
- Irrigation of the turfed playing fields;
- An amenities building, proposed in two parts, separated by a central external walkway and connected with various architectural roof forms. The two buildings will comprise a combination of materials on the external fascia, including black basalt cladding tiles, proprietary zinc seam cladding, galvanised mesh panels and painted compressed fibre cement sheet. The roof will comprise a skillion roof formation with colourbond roof sheeting and a painted roof structure over the centre walkway.
- The first part of the building comprises areas as follows:
 - A 26.9m² kiosk / canteen area, including a sink and service area fitted with a security shutter and grille;
 - A 74.8m² undercover area outside the kiosk service area, with a view to the playing fields;
 - A 24.1m² storage area for the kiosk;
 - A 14.8m² first aid / medical room;
 - A 16.1m² meeting room;
 - A 5.3m² utility room with basin;
 - A 21.1m² male toilet area comprising 3 urinals, 3 cubicles (1 ambulant accessible) and 2 basins;
 - A 20.3m² female toilet area comprising 4 cubicles (1 ambulant accessible) and 4 basins;
 - A 6.2m² wheelchair accessible toilet; and
 - Associated 4.6m² service duct.
- The second part of the building comprises the following areas:

- Two female change rooms, separated by a sliding panel, and both with shared bench space, 2 cubicles (1 ambulant accessible), 2 showers and 2 basins, with areas of 36m² and 33.5m²;
 - Two male change rooms, separated by a sliding panel, and both with shared bench space, 2 cubicles (1 ambulant accessible), 2 showers and 2 basins, with areas of 36m² and 33.5m²;
 - Two 7.3m² referee change rooms comprising bench space, a toilet, shower and basin;
 - A 24.5m² storage area, fitted with double opening doors and a roller shutter and security grille; and
 - Associated 15.7m² service duct.
- Recreational hard court facilities (2 courts) for basketball and netball;
 - An “adizone” sports activity area, incorporating a hard stand area and rebound wall with markings, which enable group or individual games such as soccer and cricket;
 - A children’s “learn to ride” facility, comprising a series of cycle paths with line marking and signage;
 - Four fitness stations, located approximately at each corner of the playing fields along the paths to create a fitness circuit focusing on strength, flexibility, cardiovascular and balance;
 - Informal structures for Parkour, which is an activity generally undertaken by teens involving the use of walls, platforms etc as obstacles for running, climbing and jumping;
 - Three shelters incorporating picnic tables and seating, two of which will also have barbecues. These shelters will be individually located around the northern activity section of the Village Oval as shown on the landscape plans;
 - Footpaths and shared paths (1.5m wide and 2.5m wide respectively), which link into the existing path network in the subdivision;
 - Ancillary furniture, including seating and bins. These will be consistent with those used throughout the Jordan Springs Development;
 - Construction of a 50-space car park, including 4 disabled spaces, and turning head facility for vehicles to enter and exit the car park in a forward motion;
 - Associated landscaping, including planting of shade trees and garden bed mass planting; and
 - Associated minor earthworks, grading and tree removal.

3.1 Location of subject site

The subject site is located in the central portion of Jordan Springs. It is bound on the Western side by the Riparian Corridor, Cullen Avenue to the South, Alinta Promenade to the East and Greenwood Parkway to the North.

Refer to the Site Location Plan at **Appendix A**.

3.2 Existing site conditions

The subject site generally slopes from North to South. The proposed grading will follow the general gradient of the site where possible. As part of the Village Centre Bulk Earthworks Development Application (DA13/0686), site earthworks and grading has been undertaken on the site. Therefore, the site has been modified from its original form since the activation of the approval of DA13/0686.

There are existing trees on the site, most of which will be removed. An assessment of these trees is included at the arborist report included at **Appendix C**.

3.3 Consultation with Council

A pre-lodgement meeting was held between Lend Lease and Penrith City Council on 29th August 2013. The matters discussed are summarised below with brief responses provided in italics. Further information which addresses these matters is detailed throughout the DA.

The provision of turf playing fields instead of synthetic playing fields is supported.

Turf playing fields are proposed.

The Development Application should include embellished detail for the intended activities within the 'parkour'.

An indicative parkour materials palette is provided in the landscape concept plans at **Appendix D**. A presentation has also been held at Council involving several relevant staff to demonstrate parkour materials to generate an understanding of the proposal.

Bicycle racks should be included.

Racks will be included. Locations and quantities will be provided at Construction Certificate stage.

Lighting details to be provided including location of light poles and potential light spill. Lux levels: 100 lux preferred.

100 lux lighting will be provided. A lighting plan is included in the engineering plan at **Appendix D**.

The provision of shade structures should be indicated. This includes shading of the grassed mound (structures or trees).

Shade trees have been included in the design and are indicated on the landscape plans. Shelters are also provided in the northern activity area of the park.

View corridors towards and surrounding the amenities block are to be maintained.

The amenities block has been designed as two sections to reduce the bulk of the building.

A concept stormwater drainage plan and indicative planting / furniture plan (further detail with the construction certificate) is to be submitted.

A stormwater drainage plan is included in the engineering plans at **Appendix D**.

The retention of existing trees around the amenities block is encouraged. Tree removal should be addressed by way of an arborist report.

Trees have been retained where possible. Tree removal will be necessary where earthworks are required for the playing fields. Most of the trees on site are located in the northern section of the reserve, and will be retained amongst the activity areas. Refer to **Appendix C** for the arborist report.

Appropriate tree selection should consider drop branches, root zone impacts to the courts etc.

An indicative tree palette is included in the landscape plans at **Appendix D**. These trees have been picked in consideration of the matters mentioned above.

Physical barriers around the oval should be incorporated to prevent equipment / balls etc running onto the road.

It is expected that fencing around the playing fields will specifically reflect the use. To avoid excessive and potentially unnecessary fencing, installation of barriers and fencing will be undertaken at a later stage and will be dependent on the type of sports utilising the fields. This will provide the opportunity for temporary fencing or netting to be installed as required by the sports club, depending on the sports code.

Spectator / casual seating around the facilities (such as tiered seating) to be considered and incorporated.

Bench seats will be installed at various locations around the oval to be determined at Construction Certificate stage. An earth mound will be built on the western side of the playing fields for casual viewing. The slope of the land from north to south also affords good viewing opportunities for spectators on the northern side.

Irrigation connections from the lake and the provision of pumps and holding tanks etc are to be investigated and incorporated where possible.

Irrigation is proposed for the playing fields. Details will be provided at Construction Certificate stage.

BBQ facilities to be indicated if proposed.

BBQ facilities and shelters are indicated on the landscape plans at **Appendix D**.

Indication of agreed bus stop locations should be indicated where possible.

Bus stop locations will be determined by the bus company.

The design of the car park is to incorporate a turn head facility as the car park is a long blind aisle. The turn head shall be designed to accommodate a B99 car as per AS2890.1 :2004

Noted. A turning head has been provided at the end of the car park. The turning head has a radius of 8.5m in accordance with Council guidelines.

The fields are to be designed as a dome - grading away from the cricket pitch at a minimum of crossfall of 1 % on all sides.

Noted. The oval has been graded away from the centre at a 1% gradient as requested.

Details of site drainage are to be provided including the interface between batters and the playing surface.

Noted. Refer to the drainage details provided in the engineering plans.

Design contours and finished surface levels are to be shown.

Noted. Refer to the engineering plans.

Cross sections through the north-south and east-west of the playing fields are to be shown

Refer to the landscape plans for cross sections as requested.

All batter slopes are to be a maximum of 1 in 6 (vertical to horizontal)

Noted. The designed batters comply with the maximum required grade of 1 in 6.

As the site is constrained, it is suggested that when preliminary design levels and concept drainage lines are being determined, a meeting be held with Council's Development Engineering Section to undertake a preliminary assessment of the grading and site drainage.

Due to time constraints, Council's Engineering Section has not been provided a drainage plan for preliminary assessment. However, Lend Lease will be able to address any comments that the Engineering Department provide in relation to drainage during the assessment period. It is assumed that minor matters will be able to be addressed during the Construction Certificate stage when detailed plans are produced.

The overall quantity of seating is low with only 3 picnic settings shown. This should be embellished. Seating adjacent to fitness equipment is encouraged along with pathways.

The location of seating will be fully determined as part of the Construction Certificate details.

The pathway widths across the concept are to ensure vehicle access is capable of being provided.

The shared pathways are provided with the standard width of 2.5m, with flat turfed areas adjacent to the paths and across much of the site enabling maintenance vehicles to drive through the park where required.

The proposed bicycle path would benefit from road markings, ie centre broken line.

The shared path will be consistent with the remainder of Jordan Springs, where shared paths are not line marked.

The quantity of car parking indicated should be justified as additional parking may be beneficial for the use of the facilities. Commentary on the availability of street parking (giving consideration to road widths) should also be addressed within the application.

A total of 80 car spaces are provided in two separate car parks, in accordance with the St. Marys Penrith Planning Agreement. 50 spaces are provided in the northern car park, which is proposed for construction as part of this application. The southern car park comprising 30 car spaces is included in a separate application for the proposed Builders Display Village (DA13/0114).

Suitable turning arrangements (such as a roundabout) should be addressed within the northern car park (for larger vehicles).

A turning head has been provided at the end of the car park to allow vehicles to turn around and exit the car park in a forward motion. The southern car park, which is part of a separate application (DA13/0114) is designed with one road in and one road out.

Value of both netball and basketball hard courts should be justified. It was suggested that a multi court could be pursued (interchangeable from basketball to a second netball court)

Noted. The proposed hard courts have been designed to be adaptable, depending on their required use.

The tree density along the street frontage appears excessive. This should be reduced as agreed to in the meeting.

The tree planting along the street frontage is indicative only. Standard tree spacing will be adopted. The landscape plans lodged with this application have been modified to show a greater separation between trees.

Boom gates would be helpful on car park entries in terms of security.

Subject to detailed design at Construction Certificate stage.

Amenities/canteen could benefit from a hardstand area to the south.

Noted. Included on the landscape plans at **Appendix D**.

Remove plantings between amenities and oval, possible hardstand or turfed area.

Refer note above.

The application should confirm if rubber wetpour is proposed for in the playground.

To be confirmed at Construction Certificate stage.

Sub surface drainage type and configuration details to be submitted.

Noted. Refer to the engineering plans.

Lighting controller system to suit our preferred type (to be advised)

Subject to detailed design at Constuction Certificate stage.

4.0 ASSESSMENT OF PLANNING ISSUES

Section 79C(1) of the Environmental Planning and Assessment Act 1979 declares that the Consent Authority, in assessing a DA, must take into account a range of issues relevant to the proposal, including the suitability of the site, and the impacts of the site and surrounds imposed by the proposal.

The following matters are reviewed in accordance with the proposed subdivision.

4.1 Landscaping and Maintenance

A planting palette of landscaping treatments is detailed in the Landscaping Plans prepared by Clouston and included at **Appendix D**. Overall, the palette contains a range of possible native and exotic species including:

- *Acer freemanii* 'Autumn Blaze' (Red Maple)
- *Eucalyptus crebra* (Narrow-Leaved Ironbark)
- *Cupaniopsis anacardioides* (Tuckeroo)
- *Jacaranda mimosifolia* (Jacaranda tree)
- *Brachychiton acerifolius* (Illawarra Flame tree)
- *Pyrus ussuriensis* (Manchurian Pear)
- *Eucalyptus sclerophylla* (Scribbly Gum)
- *Angophora costata* (Smooth barked apple)

Shrubs and ground cover will be planted in proposed garden bed areas around the site. Refer to the landscape plans for details and proposed locations of planting areas. All species proposed on the landscape plans have been chosen in response to Council's previous advice on suitable vegetation types.

The maintenance regime for the Village Oval is specified in the Landscape Maintenance and Handover Plan for Jordan Springs, contained within the Western Precinct Plan. Figure 3.3 in the Plan specifies the open space maintenance requirements, and these are detailed below in Table 2.

Table 2- Maintenance requirements for the Village Oval

Ongoing recurrent Maintenance task for Council	How Serviced	Frequency Oct-Apr	Frequency May-Sept
Playing field grass cutting	Day labour	Once per week	Once per 2 wks
Cutting of surrounds	Day labour & contract	Once per week	Once per 4 wks
Paved area weeding	Day labour & contract	Once per 4 wks	Once per 8 wks
Edging of paths and kerbs	Day labour & contract	Once per 4 wks	Once per 8 wks
Weeding of gardens	Day labour	Once per 4 wks	Once per 8 wks
Litter collection	Day labour & contract	Once per 4 wks	Once per 8 wks
Dumped rubbish removal	Day labour & contract	Before mowing	Before mowing
Amenities block clearing	Day labour	Twice weekly	Twice weekly
Irrigation repair and maintenance	Day labour	Every six months	Every six months

The design proposes an appropriate selection of hard and soft materials to avoid maintenance requirements which are over and above Council's existing regimes. Additionally, all lawn areas will have a maximum gradient of 1 in 6 to ensure an adequate slope for maintenance.

4.2 Tree Retention and Removal

An arborists report has been produced for the trees on site which are able to be retained (ie. not situated within the playing fields etc). The report has been produced by Arboreport Vegetation Management Consultants, and is included at **Appendix C**.

The report had been produced to assess the draft layout. The recommendations to modify the location of some aspects of the design have been addressed to minimise the impact on the tree protection zone, and now enable most trees to be retained. The trees to be removed are indicated on plan 934315/DA03 (cut fill plan) in the engineering plans at **Appendix D**.

The condition and level of significance of the trees is specified in the arborists report.

4.3 Visual impact and views

The design of the Park is being undertaken by qualified landscape architects to ensure a high degree of visual amenity is achieved. There are no existing views or vistas which will be impeded by the proposal; conversely, it is considered that the proposal will have a positive visual impact on the adjacent development areas.

4.4 Crime Prevention through Environmental Design (CPTED)

The proposal has been designed with CPTED principles in mind. Opportunities for passive surveillance have been incorporated into all facets of the design to maximise safety and security in the Park for all users, particularly through the choice of vegetation species, avoidance of dark or concealed areas and ensuring that potential gathering spaces are visible from distances.

The proposed park is in close proximity to adjacent future allotments within Stage 2 and 3, and bordered on three sides by public road. In this regard, these locations will provide good natural surveillance of the park and those using the park. This level of visibility is expected to reduce the incidence of vandalism of fixtures and landscape elements within the Park, and reduce the potential for other crime as a result of the area being open and visible.

In addition, the park will be partially lit by light spill from street lighting to ensure further and adequate legibility and sightlines within the park. Flood lighting for the playing fields will be operated only during times of use at night.

The embellishments and associated street buffer planting will be of high quality such that it is expected to be frequently visited by residents and visitors, and therefore provide a pleasant and vibrant place for residents and visitors.

A further assessment of CPTED principles is included in Section 5 below.

4.5 Accessibility

Accessibility through the Park is provided through wide, flat paths and accessible concrete ground planes. Pathways through the Park are 2.5m wide, and wheelchair access is available to each aspect of the park in compliance with accessibility requirements.

The shared paths through the park will link up with the existing shared path network to ensure that the facility is equally accessible to pedestrians and cyclists.

4.6 Traffic and parking

The facility provides 80 car parking spaces in total, which is split into two separate car parks. 30 car spaces are constructed in the southern part of the Village Oval as part of the Builders Display Village DA (DA13/0114). The subject proposal includes the construction of a 50-space car park.

Plan no. 934315/DA02 at **Appendix D** provides details of the car park, including:

- 2.5m wide parking bays
- 5.4m long bays
- 5.8m wide driveway
- A 8.5m radius turning head

The access point for the car park is located on Greenwood Parkway, from the northern side of the site. The car park includes 4 accessible car spaces.

It is considered that the traffic and car parking arrangements are sufficient to cater for the needs of patrons of the park as follows.

- The park has a large catchment of dwellings in Jordan Springs within walking distance to the facility, and therefore it is inevitable that a number of park users will not need to drive to the park. The park is very accessible for pedestrians and cyclists along the network of shared paths. It is considered that the car park will generally only be utilised by regional visitors to the facility.
- The Planning Agreement requires *approximately 80 car spaces are to be provided on site and on the road directly adjoining the open space frontage*. Greenwood Parkway on the Northern side, Alinta Promenade on the Eastern side, and Cullen Avenue on the Southern side have been designed with an 8m wide road carriageway to facilitate parallel parking on both sides of the road, and catering for well in excess of 80 cars overall.
- It is recognised that there may be times when all facilities in the park are utilised, including the playing field. It is expected that the peak usage would occur on weekends, however it is anticipated that the number of car spaces provided is sufficient that will not cause undue burden on the surrounding road network, or have a detrimental impact on the amenity of the surrounding residential area.

4.7 Stormwater management

The Water, Soils and Infrastructure Report that forms part of the WPP and prepared by SKM contains an analysis of the existing water, drainage and soil characteristics of the Western Precinct. The report establishes that the site is not affected by the Probably Maximum Flood level from the Hawkesbury Nepean River system, or the 100 year ARI level in South Creek, located to the west of the subject site.

Drainage details are included at **Appendix D**. Site drainage on the Village Oval incorporates the following:

- Subsoil drainage around the playing fields directing stormwater to catch drains at specified locations;
- Overland flow paths as demonstrated;
- Drainage pits and lines at required points around the Village Oval, including the car park; and
- Two stormwater outlet points into the Riparian Corridor.

4.8 Flora and Fauna

A Species Impact Statement (SIS) was prepared by Cumberland Ecology as part of the Village Centre Bulk Earthworks DA. This report was endorsed by Council under that application.

4.9 Earthworks and Ground Contouring

Earthworks and grading are proposed to create the playing field and batters on the subject site. The engineering plans and landscape plans at **Appendix D** provide details and cross sections on the height, layout and visual appearance of the different components of the Village Oval.

4.10 Erosion and Sediment Control

Erosion and sediment control measures will be implemented during the construction phase. These measures are documented on plan no 934315/DA05 in the engineering plans at **Appendix D**, and include:

- Sediment fences;
- Straw bale filters;
- Kerb inlet filters;
- Geotextile inlet filters; and
- Stabilised construction site entry.

4.11 Soil Salinity

The Soil and Water Management Plan contained within the Western Precinct Plan includes possible measures to address potential soil salinity issues, should they occur.

A salinity review has previously been undertaken for the entire Western Precinct by Geotech Testing Pty Ltd. This has been endorsed by Penrith City Council as part of previous DAs.

4.12 Explosive Ordnance Material

In accordance with the Contamination Management Plan (CMP), processes are in place in the unlikely event that potential ordnance material is uncovered. These processes have previously been approved as part of the Western Precinct Plan by Penrith City Council.

As part of the rezoning process for the site, an independent audit of the decontamination works was undertaken by an independent EPA accredited Auditor under the direction of the then Department of Urban Affairs and Planning. Comprehensive Site Audit Statements were issued by the Auditor under the provisions of the Contaminated Land Management Act, lodged with the EPA and are publicly available documents.

4.13 Heritage

There are 4 European Heritage items located within the Western Precinct, as listed under SREP30. None of these sites are located within the subject site.

There will be no impact on the identified Aboriginal Heritage sites in the Western Precinct. In any event, an AHIP exists for all Urban Zoned land in the Precinct.

4.14 Contamination

The St Marys Precinct has been subject to extensive investigation and remediation to ensure that the land is suitable for development. The Environmental Protection Agency (EPA), now DECCW, has been involved in the process of preparing the Site Audit Statements (SAS) for the Precinct. The specific SAS which encompasses the subject site is CHK001/1. A copy of this SAS has been submitted to Penrith City Council previously.

4.15 Site suitability

The proposed development is considered suitable and within the interest of the public in that it:

- Is permissible within the Urban Zone;
- Provides a high level of amenity for the future residents within Jordan Springs and the surrounding areas;
- Provides access links through shared paths to interconnect with all stages beyond the Village Oval;

- Provides an attractive character contributing to the identity of Jordan Springs;
- Contributes to the identity and sense of place of St. Marys and the broader Penrith LGA;
- Provides high quality embellished open space for the use of residents of both Jordan Springs and the adjoining residential areas; and
- Promotes Jordan Springs as a pleasant, attractive, vibrant and safe place to live and visit.

4.16 Social and Economic Impacts

The proposed development will provide an important recreational open space asset to the wider community, in addition to the residents of Jordan Springs. It will provide the positive flow on effects within the area that a well-designed public space can create, including an increased sense of community, sense of place and a healthy and active community. The provision of an all-abilities playground will also ensure that the facility is inclusive of a wider proportion of the community.

The proposal is in accordance with the development framework established under SREP 30 for the Precinct, which, on the whole, is delivering economic development and employment opportunities. Further, the proposed development will continue the utilisation of construction jobs as well as longer term economic benefits associated with flow on effects from establishing a new residential community.

5.0 DEVELOPMENT ASSESSMENT UNDER RELEVANT PLANNING INSTRUMENTS AND CONTROLS

Section 79C(1) of the Environmental Planning and Assessment Act states that the consent authority must take into account a range of matters relevant to the development in determining an application, and specifically the provisions of environmental planning instruments.

The following planning instruments and documents are relevant to the proposed development:

- St Marys Development Agreement and St Marys Penrith Planning Agreement;
- Sydney Regional Environmental Plan No. 30 – St Marys (SREP 30);
- St Marys Environmental Planning Strategy (St Marys EPS);
- Western Precinct Plan (including Development Control Strategy and Concept Plan); and
- Penrith Development Control Plan 2006 (DCP).

The following assessment of these instruments only includes those matters under Section 79C(1) that are relevant to the proposal. These planning instruments have been used to determine the social, economic and natural and built environmental impacts.

5.1 St. Marys Development Agreement and St Marys Penrith Planning Agreement

The Planning Agreement specifies the objectives and requirements for the development, and in this case, the requirements for the facility referred to as the “Western Village Oval” in the Planning Agreement.

The requirements in the Planning Agreement are as follows:

- A level 1 neighbourhood park of 5.5 ha;
- A notional value of \$5,598,450;
- Playing field with irrigation and night lighting;
- hard courts with night lighting;
- Amenities block with associated services;
- Play space with shade structures / shelters;
- Picnic facilities;
- Pathways;
- Associated landscaping; and
- Approximately 80 car parking spaces provided on site (with night lighting) and on road directly adjoining the open space frontage to Village Centre area.

The Village Oval provides these facilities as required.

The timing on the provision of the Village Oval is one year after Development Consent has been granted for the 1200th lot. This trigger was surpassed with the approval of the Village 2 consent on 11th April 2012.

5.2 Sydney Regional Environmental Plan No. 30 – St Marys (SREP 30)

SREP 30 contains planning objectives, principles and provisions to control development within the Precincts shown in figure 1. Overall, the proposed subdivision is not inconsistent with the achievement of the performance or zone objectives, and reflects the aims of the development control strategies of SREP 30.

The site is zones Urban under DREP 30. The proposed embellishments to the park are ancillary development to the permissible uses of parks. The embellishments are considered consistent with the objectives of the zoning as it is associated with the surrounding residential development of the Precinct. Additionally, the proposal is also consistent with the open space and recreation performance objectives prescribed within Part 5 of SREP 30 in that it:

- Contributes to the range of facilities provided for passive open space and recreation;
- Supports the provision of open space in areas that are highly accessible by the surrounding community; and
- Is located and designed to maximise conservation of the natural environmental values for the Precinct.

5.3 St Marys Environmental Planning Strategy (St Marys EPS)

The St Marys EPS establishes guidelines and strategies for the future development of land under SREP 30, specifically in relation to matters of conservation, cultural heritage, water cycle and soils, transport, urban form, energy and waste, human services, employment and contamination.

Section 8 in the EPS identifies the urban form objectives for the St. Marys site. In accordance with these objectives, the proposal will:

- Result in an attractive and safe environment which satisfies the need for community recreational facilities;
- Protect stands of significant and native vegetation on site;
- Defines the village boundaries of Northridge (Village 3) and Illoura (Village 2), serving to provide an open space facility at the centre of the development to provide a high level of accessibility, rather than dissecting the community; and
- Includes existing mature trees which do not prevent casual surveillance from nearby residences.

5.4 St Marys Western Precinct Plan (WPP)

The Western Precinct Plan (WPP) identifies the distribution of major land uses including the location and function of open space and public facilities within the Western Precinct.

The WPP identifies the Village Oval as a District Park, and an “active open space” in the Open Space Master Plan. The proposal addresses the locational Principles detailed in Section 4.9 by:

- Providing a high level of accessibility with its location on Greenwood Parkway (the main collector through the subdivision);
- Adjoining the Riparian Corridor to maximise opportunities for linkages to the shared path network through the subdivision;
- Optimising tree retention on the site, with the proposed recreational aspects of the Village Oval utilising the trees as part of the design; and
- Ensuring the high visual exposure of the Village Oval by bordering on three sides with public road.

The plan states that the Open Space and Landscape Masterplan prepared by Environmental Partnerships sets the direction for the landscaping of public domain areas of the Western Precinct. This Masterplan forms part of the WPP and contains guidelines for the provision of landscaping and streetscape embellishments. The guidelines contained in Section 3.0 of the Landscape Masterplan are of relevance to the proposed development and are addressed below.

In accordance with Section 3.1(c) of the Landscape Masterplan, the proposal will:

- Be located in a central position as the focus of the neighbourhood, and along a major trunk road to maximise accessibility;
- Be close to the retail centre, education site and community facilities located in the Village Centre;
- Integrate with the cycle and pedestrian access path network;
- Provide adequate car parking;
- Provide the agreed range of recreation facilities in accordance with the Planning Agreement;
- Optimise the existing trees on site as shade trees, as well as providing additional tree planting to increase shade cover; and
- Have a parkland landscape character with a higher presentation and a suburban level maintenance scheme as the major recreation facility in the subdivision.

Further to providing a quantum of quality open space for the residential catchment of Jordan Springs, the proposed embellishments support integrated access routes by providing shared 2.5m wide concrete path for shared pedestrian / cycleway access from a number of points around the park.

In light of the above, the proposed development is consistent with the relevant sections of the Precinct Plan and Landscape Masterplan.

5.5 Western Precinct Development Control Strategy (DCS)

The DCS contains specific development standards for urban design, built form and environmental management to ensure the implementation of the development principles as specified in the WPP.

In accordance with the requirements in the DCS, the proposal will:

- Comply with the Landscape Character requirements as desired for the Village Oval and as stated in previous sections;
- Incorporate CPTED principles in accordance with Penrith City DCP 2006 (refer to Section 5.6 below);
- Maintain adequate sight lines for vehicles on public roads, particularly around the corners of the subject site;
- Maximise actual and perceived safety in the park through specific landscape types around the edges of the park to ensure surveillance from the adjacent residential area;
- Enhance the character and appearance of the public domain, whilst minimising ongoing maintenance requirements; and
- Provide quality materials and finishes to ensure longevity and high amenity value.

5.6 Penrith Development Control Plan 2006 (DCP)

The 2006 DCP was amended in 2010, however the subject site is located on land which was excluded from the Penrith Development Control Plan 2010. Where the Precinct Plan does not specify development objectives, the DCP will provide guiding principles.

A review of the relevant criteria of the Penrith Development Control Plan 2006 confirms that the proposed development is consistent with the relevant controls and objectives of all Parts in the 2006 DCP. In accordance with the CPTED principles defined in Section 2.2, the proposal will:

- Ensure clear sight lines between the public realm and the private homes adjacent to the park;
- Avoid the creation of hiding places for offenders with direct paths and visually permeable landscaping; and
- Include a number of access points to the park for pedestrians.

Additionally, the proposal is consistent with the landscape principles stated in Section 2.6, particularly as follows:

- Use of native species to identify with the local area;
- Use of quality and long lasting materials to minimise maintenance;
- Providing equal access in accordance with DDA requirements for paths, landings, seating and the amenities building; and
- Undertaking landscape works in accordance with Council's guidelines.

6.0 Conclusion

The proposed development is consistent with the objectives and controls within the planning instruments relevant to this site.

The proposal is in accordance with the Development Control Strategy and Western Precinct Plan, and represents Council's planning objectives for the Western Precinct. Under SREP 30 objectives, the proposal is consistent with the Urban Zone objectives specified in clause 40.

In light of the merits of the proposal, and in absence of any significant adverse environmental, social or economic impacts, we request that the application be approved, subject to appropriate conditions of consent.

Should you require further clarification on any of the above items or require additional plans or documentation, please do not hesitate to contact me on 0439 094 730.

Yours faithfully,



Angus Fulton
Statutory Planner NSW / ACT
COMMUNITIES