

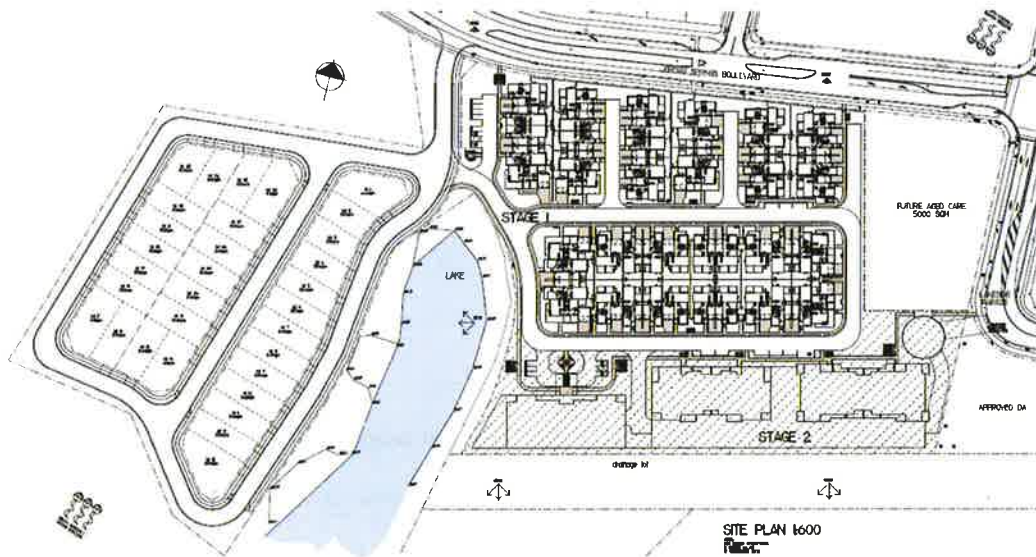


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Statement of Environmental Effects

**Jordan Springs Seniors Living
3990 & 3991 Jordan Springs Boulevard, Jordan
Springs**



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

July 2018

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Table of Contents

1	Introduction	15
1.1	Report Structure	16
1.2	Consent authority	17
1.3	Pre-lodgement meetings with Council	17
2	Background	22
2.1	St Marys Development Site	22
3	The site and locality	25
3.1	Site description and location analysis	25
3.2	Surrounding Development	29
3.3	Existing Consent	30
4	The proposal	33
5	Strategic Planning Context	37
5.1	NSW Making It Happen	37
5.2	Greater Sydney Region Plan	37
5.3	Western City District Plan	39
5.4	Penrith Urban Strategy Managing Growth to 2031	39
5.5	Better placed – An integrated design policy for the built environment of NSW	40
6	Statutory Planning Framework	41
6.1	Environmental Planning and Assessment Act 1979	41
6.2	Rural Fires Act 1997	42
6.3	Water Management Act 2000	43
6.4	Roads Act 1993	43
6.5	NSW Threatened Species Conservation Act 1995 & NSW Biodiversity Conservation Act 2016	43
6.6	National Parks and Wildlife Act 1974	44
6.7	State Environmental Planning Policies	44
6.7.1	Sydney Regional Environmental Plan No. 30 – St Marys	45
6.7.2	State Environmental Planning Policy No. 19 – Bushland in Urban Areas	51
6.7.3	State Environmental Planning Policy No. 55 – Remediation of Land	51
6.7.4	State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development	52
6.7.5	State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	53
6.7.6	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	54
6.7.7	State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	54
6.7.8	Draft State Environmental Planning Policy (Environment)	55
6.7.9	Draft Remediation of Land State Environmental Planning Policy	55
6.8	St Marys Environmental Planning Strategy 2000	56
6.9	Western Precinct Plan and Development Control Strategy	56
7	Environmental Planning Assessment	60
7.1	Built Form	60
7.1.1	Placemaking and design	60
7.1.2	Site layout	61
7.1.3	Seniors villas	62
7.1.4	Future seniors independent living units	63
7.1.5	Crime Prevention Through Environmental Design	64
7.2	Traffic and Transport	65
7.2.1	Traffic Generation	65
7.2.2	Vehicular Access	66
7.2.3	Internal Roadway	67
7.2.4	Pedestrian footpaths	67

7.2.5	Driveways	68
7.2.6	Car Parking.....	68
7.2.7	Bicycle Parking.....	69
7.2.8	Service Vehicles	70
7.2.9	Public Transport Accessibility.....	70
7.2.10	Road Safety Audit	70
7.3	Open Space, Public Domain and Landscaping.....	71
7.3.1	Communal open space.....	71
7.3.2	Landscaping.....	71
7.4	Heritage and Archaeology	72
7.4.1	Archaeology	72
7.5	Waste Management	72
7.6	Noise	72
7.7	Bushfire Prone Land	73
7.8	Infrastructure and Utilities	74
7.9	Geotechnical Investigation.....	74
7.10	Contamination	75
7.11	Flooding.....	75
7.12	National Construction Code	76
7.13	Social benefits	76
7.14	Suitability of the site.....	77
7.15	Submissions.....	77
7.16	Public interest.....	77
8	Conclusion	79

List of Figures

Figure 1: St Marys Development Site (Base source: Google Maps)	22
Figure 2: St Marys Development Site Precincts (Source: Lendlease)	24
Figure 3: Location of the site outlined in red - Lot 3990 (western lot) and Lot 3991 (eastern lot) highlighted in red (Source: SIX Maps)	25
Figure 4: Location of the site (Source: SIX Maps).....	26
Figure 5: Site looking south (Source: KEYLAN).....	26
Figure 6: Site looking north (Source: KEYLAN)	27
Figure 7: Site looking west (Source: KEYLAN)	27
Figure 8: Site looking east from south west corner of site (Source: KEYLAN)	28
Figure 9: Site looking east from centre of site (Source: KEYLAN)	28
Figure 10: Bushfire Prone Land (Source: Penrith City Council)	29
Figure 11: Subdivision Plan (Source: Craig Turner).....	30
Figure 12: Village C Built Form (Base map: SIX Maps).....	31
Figure 13: Site Analysis Plan (Source: A&N Design Group)	35
Figure 14: Proposed Stage 1 villas, Stage 2 future building envelopes and separate subdivision for future aged car development (Source: A&N Design Group).....	36
Figure 15: Western Precinct Framework Plan (Source: Western Precinct Plan)	58
Figure 16: Western Precinct Character Areas & Typical Dwelling Types (Source: Western Precinct Plan).....	59
Figure 17: Eastern and Western Elevation of the proposed seniors development (Source: A&N).....	60
Figure 18: Eastern Elevation of the proposed seniors villas and future seniors apartment buildings (Source: A&N).....	61
Figure 19: Proposed footprint and envelope of the future ILUs (Source: Lendlease)	63
Figure 20: Proposed new access to site from Jordan Springs Boulevard (Source: Bitzios Consulting)	66
Figure 21: Proposed Lakeside Parade access to site (Source: Bitzios Consulting)	67
Figure 22: On-street parking provision (Source: Traffic Impact Assessment Report)	69

List of Tables

Table 1: SEE Report Structure	16
Table 2: List of Appendices	17
Table 3: Summary and response to Council's letter dated 8 February 2018	20
Table 4: Summary and response to UDRP comments	21
Table 5: Summary of Surrounding DAs	32
Table 6: Project Overview	33
Table 7: Section 4.15(1) assessment	42
Table 8: Assessment against relevant SREP 30 provisions	50
Table 9: Assessment of subject site against Seniors SEPP Clause 4(6)	53
Table 10: Assessment of subject site against Seniors SEPP Schedule 1	54
Table 11: ADG Objective 3F-1 building separation design criteria	64
Table 12: RSA - Findings and suggested treatments (Source: Bitzios Consulting)	71
Table 13: Surrounding heritage items in the Western Precinct	72

List of Appendices

Appendices	Supporting Documents
Appendix 1	Quantity Surveyor Report
Appendix 2	Council's pre-DA minutes
Appendix 3	UDRP minutes
Appendix 4	Architectural package including survey, architectural plans, SEPP 65 design verification statement, SEPP 65 design quality principles statement and overview of compliance with the ADG prepared by A&N Design
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Appendix 12	Waste Management Plan prepared by Elephants Foot
Appendix 13	Contamination Report prepared by Alliance Geotechnical Pty Ltd Imported Fill Protocol prepared by JBS&G Site Audit Statement prepared by Alliance Geotechnical Pty Ltd
Appendix 14	Seniors SEPP compliance table prepared by Keylan Consulting
Appendix 15	Access Report prepared by Accessibility Solutions
Appendix 16	Building Code of Australia Report prepared by Michael Wynn-Jones & Associates
Appendix 17	Assessment against Western Precinct Plan and Western Precinct Development Control Strategy prepared by KEYLAN Consulting Pty Ltd
Appendix 18	Penrith DCP assessment table prepared by Keylan Consulting
Appendix 19	Traffic Impact Assessment prepared by Bitzios Consulting
Appendix 20	Stage 2 Road Safety Audit prepared by Bitzios Consulting
Appendix 21	Acoustic Assessment prepared by Renzo Tonin & Associates
Appendix 22	Flooding Report prepared by Northrop
Appendix 23	Project Vision and Sustainability Management Plan prepared by Lendlease
Appendix 24	BASIX Certificate prepared by Frys Energywise

Executive Summary

This Statement of Environmental Effects (SEE) has been prepared by **Keylan Consulting Pty Ltd** (Keylan) on behalf of Lendlease RL Jordan Springs Holding Pty Ltd as trustee of Lendlease RL Jordan Springs Trust (the Applicant) to accompany a development application for a staged concept development application comprising stage 1 construction of 51 seniors housing villas, associated civil works, roads, earthworks and landscaping and tree removal; and stage 2 concept development for future independent living units within 3 seniors apartment buildings, which will be subject to future staged development applications, at Lots 3990 and 3991 in DP 1190132, Jordan Springs Boulevard, Jordan Springs.

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

This DA seeks to provide residents of Jordan Springs and Greater Western Sydney with housing diversity that responds to a variety of lifestyles. A range of dwelling types including houses and residential flat buildings, and a mix of layouts and sizes offers residents with choice. This proposal will create a high quality residential environment in the heart of Jordan Springs, envisioned as a liveable intergenerational community, located next to a future residential subdivision and aged care facility. This development seeks to enhance the quality of life for future residents by offering a high level of amenity and by creating a vibrant cohesive community that is unique to an intergenerational development.

The site and locality

The site is located in the St Marys Development Site within the Penrith Local Government Area (LGA). The land is legally described as Lots 3990 and 3991 in DP1190132 and has an area of approximately 6ha. The seniors housing development will be located within Lot 3991 in DP 1190132, which has an area of approximately 3.63ha.

The site is irregular in shape and has a primary street frontage to Jordan Springs Boulevard. Jordan Springs Boulevard is a two-way local road running east-west between the Northern Road and Lakeside Parade. The Northern Road runs north-south along the western fringe of Jordan Springs. There is a temporary car park on the site, with access provided off Jordan Springs Boulevard.

The site is bound by the Wianamatta Regional Park on the south and west boundaries, and an artificial waterbody (lake) to the west. The lake is a permanent water feature with limited vegetation, located within the Regional Park. To the north and east of the site is the established suburb of Jordan Springs, comprising residential, retail, commercial and open space uses. The Jordan Springs Town Centre is located to the immediate north-east of the site.

The Applicant is also currently preparing a development application for Lot 3990, DP 1190132 for a subdivision for 31 residential lots. Vehicle access to both sites is from a shared new road connection to Jordan Springs Boulevard.

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

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

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

On 21 January 2016 Penrith Council granted consent for a Development Application for Stage 1 of Parklands Estate at Lots 3989 and 3991 in DP1190132, Jordan Springs Boulevard, Jordan Springs (DA15/0163). This consent includes stage 1 construction of 4 x residential flat buildings comprising 138 apartments, up to 4 storeys in height, 1 x 6 storey mixed use building comprising commercial floor space and 63 residential apartments, basement parking, road construction, drainage works, public open space, landscape works, earthworks and tree removal. This consent includes the subject site and land (Lot 3989) to the immediate east of the site.

The proposal

The proposed development comprises a staged concept development application submitted under section 4.22 of the EP&A Act 1979. It comprises:

- stage 1 construction of 51 seniors housing villas, associated civil works, roads, earthworks and landscaping
- stage 2 concept development for approximately 150 future independent living units within 3 apartment buildings and communal facilities, which will be subject to future staged development applications

In accordance with section 4.22(4)(a) of EP&A Act, subsequent future development applications will be submitted for construction of the independent living units and associated uses within the approved concept envelopes.

Public Benefits

The public benefits associated with the proposal include:

- The provision of 201 seniors dwellings, comprising 51 villas and future 150 independent living units. This will positively contribute to the housing choice and type within the Western District, in which the population is expected to experience a 206 per cent proportional increase in people aged 85 and over, and a 93 per cent increase in the 65-84 age group by 2036.
- Facilitation of seniors housing supply and contribution to housing affordability and housing diversity.
- Contribute positively to the provision of housing in the Penrith local government area and Western District. The proposal will significantly increase the number of seniors housing including villas and apartments within the region, improving housing supply and choice.
- Colocation of seniors with aged care housing, the latter of which is subject to a future DA
- Contribute to the provision of more compact housing types and medium density housing in close proximity to transport services and the Jordan Springs town centre, as well as

the design of a walkable development, creating opportunities for older people to continue living in their community and improve health and support networks.

- Foster housing diversity in Jordan Springs and the Penrith LGA by providing seniors villas and apartments on a site well located in relation to transport and services.
- A development that is a permissible use and consistent with the urban zone objectives
- A development that is compatible with the surrounding and emerging residential areas and which will further contribute to housing supply and diversity in accordance with the relevant strategic and statutory planning framework
- Provide significant communal facilities for seniors the public including lakeside walks, a village green, open spaces and connected pedestrian walkways.
- Protection of land around the lake and the Regional Park land to be dedicated by the Applicant to the NSW Government.

Strategic Planning Context

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

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

Statutory Planning Framework

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

- This application is lodged in accordance with section 4.22 of the EP&A Act.
- The proposal is integrated development as it requires approvals under the *Rural Fires Act 1997*, *Water Management Act 2000* and *Roads Act 1993*.
- The proposal is consistent with the objects of the EP&A Act and has been assessed against the matters for consideration under section 4.15;
- *Sydney Regional Environmental Plan No. 30 – St Marys*;
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*;
- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas*;
- *State Environmental Planning Policy No. 55 – Remediation of Land*;
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development*;
- *Draft State Environmental Planning Policy (Environment)*;
- *Draft Remediation of Land State Environmental Planning Policy*;
- *Western Precinct Plan and Development Control Strategy*; and

- *St Marys Environmental Planning Strategy 2000.*
- The proposal is generally consistent with Council's development control plan (DCP).

Environmental Planning Assessment

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

Built Form

7.1.1 Design and Placemaking

This DA provides residents of Jordan Springs and Greater Western Sydney with housing diversity that responds to a variety of lifestyles. A range of dwelling types including independent living villas and apartments, and a mix of layouts and sizes offers residents with choice. This proposal will create a high quality seniors residential environment in the heart of Jordan Springs, envisioned as a liveable intergenerational community, located next to a future residential subdivision and aged care facility. This development seeks to enhance the quality of life for future residents by offering a high level of amenity and by creating a vibrant cohesive community that is unique to an intergenerational development.

7.1.2 Site layout

The site layout has evolved in response to feedback from pre-lodgement meetings with Council officers and the Urban Design Review Panel (UDRP), in terms of factors such as the internal road layout, location of the independent living units and configuration of the villas.

The site layout incorporates a new intersection with Jordan Springs Boulevard and an internal road which provides an adequate separation distance and an improved interface between the lower scale villas and potential higher scale aged care development, adjoining the site to the north east (at the corner of Jordan Springs Boulevard and Lakeside Parade).

The lower scale development along Jordan Springs Boulevard also provides an appropriate interface with existing lower density, single storey residential development to the north of the Boulevard.

The east-west vista across the site from Lakeside Parade, as advocated by the UDRP, is provided by the east-west internal road between the villas and future apartment buildings and the access from Lakeside Parade.

The proposed site layout promotes walking through the provision of continuous and accessible footpaths and pedestrian connections. The proposal also provides access to landscaped/open space areas located within the Western Precinct through the creation of strong pedestrian links between the site and the Regional Park and village centre.

The landscape plan details the proposed open spaces, native street tree and mass plantings for the site, including opportunities for plantings along Jordan Springs Boulevard.

7.1.3 Seniors villas

Stage 1 of the proposal incorporates the construction of 51 attached single storey seniors living villas, internal roads, footpaths and landscaping. The design of stage 1 has been developed following the advice from the UDRP, in particular the orientation, typology, design and materials.

The villas include 4 typologies which vary in size and layout (internal floor area and private open space), single and double garages and a corner typology with a double fronted porch.

The seniors living villas have been designed to address the proposed internal roads to provide for casual surveillance. The villas closest to Jordan Springs Boulevard are located along north-south streets, which enables variation of built form and opportunities for enhanced landscaping along the site's frontage to the Boulevard. The proposal incorporates high quality design finishes and materials to ensure the diversity in their appearance. Corner allotments incorporate varied typologies allowing for additional landscaped area within the front setback and for the design to address both street frontages.

7.1.4 Future seniors independent living units

Stage 2 of the proposal incorporates future independent living units within 3 seniors apartment buildings, which will be subject to future staged development applications.

The building envelopes presented by the Concept Proposal have been derived following thorough consideration of the site, its location and context. The proposal establishes building envelope heights for the future units which are staggered along the site's southern boundary, comprising 4-6 storeys for the western building, 5-6 storeys for the central building and 6 storeys for the eastern building. This will provide visual interest and encourages architecturally unique responses to each of the building envelopes, while responding to site constraints and adjoining properties. It also avoids potential overshadowing of the villas and responds to key views and vistas across the site and aligns with the higher scale built forms to the east of the site.

The western building will incorporate ground level communal facilities for residents including a pool and wellness facilities and will provide the key hub for the seniors village.

The proposal is appropriate in terms of density, achieving a scale and height appropriate to the desired future character of the area and surrounding buildings.

Traffic and Transport

The Traffic Impact Assessment prepared by Bitzios Consulting finds that the proposed road layout and new access road to Jordan Springs Boulevard can adequately accommodate the anticipated vehicle generation from both Lots 3990 on the adjoining residential subdivision subject to a separate application and Lot 3991, the subject site.

The traffic generation rates for the future development of the villas and future apartments (201 units) is not expected to produce any significant impacts on the existing road network.

The proposal includes privately owned internal roadways that are two-lane, two-way, and structured in a loop arrangement around the central cluster of villas. The proposal will also incorporate no-through laneways providing access to the relevant villas.

On-street parallel parking will be provided within allocated parking bays. It is expected that the proposal will have a low demand for on street parking. Each villa will be provided with a driveway and on-site parking including a garage.

Heritage and Archaeology

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

The Western Precinct Plan (WPP) identifies about 130 ha of land as having archaeological sensitivity. Four zones within the overall St Marys Development site were identified, each having a different designated management outcome. The subject site is identified within Aboriginal Archaeological Zones 2 and 4, which is identified as having high potential for intact archaeological evidence but is considered a developable area.

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

Waste Management

The proposed road layout can accommodate a 12.5m long vehicle. The road design vehicle performed satisfactorily around all bends on the internal circulating roadway as confirmed by the Traffic Impact Assessment Report (Appendix 19).

An operational waste management plan has been prepared and addresses the phases of the completed development. The residential waste and recycling will be guided by the services and acceptance criteria of the Penrith City Council. The residential waste and recycling will be collected by a private contractor from 6 collection points within the site.

Noise

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

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

Bushfire Prone Land

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

Infrastructure and Utilities

The proposal will be serviced by infrastructure and utilities.

Stormwater Management

A Stormwater Management Plan has been prepared by J. Wyndham Prince to accompany the application. The Management Plan recommends a 'treatment train' approach where various types of pollutants are removed by a number of devices acting in series. The strategy focuses on mitigating the impacts of the development on the total water cycle and maximising the environment, social and economic benefits achievable by utilising responsible and sustainable stormwater management practices.

A range of Water Sensitive Urban Design (WSUD) measures are proposed to ensure that water quality treatment is delivered in accordance with the overarching strategy (SKM, 2009). Importantly, these proposed Stage 2 devices will be provided in addition to the regional wetlands which have already been constructed across the broader Jordan Springs Release Area.

Geotechnical Investigation

A geotechnical investigation has been undertaken by Alliance Geotechnical Pty Ltd which recommends procedures to prepare the site for the construction of structures and pavements.

Contamination

The contamination report prepared for this proposal concludes the following:

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

Conclusion

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

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

- the proposal is consistent with the current legislative framework
- the proposal meets the objectives of the Urban Zone in SREP 30 and the aims of the Seniors SEPP
- the proposal is consistent with the WPP and DCS
- the proposal is suitable for the site and the area, after an assessment against the heads of consideration of Section 4.5 of the EP&A Act
- the proposal will have a range of positive social impacts through the provision of seniors housing that will contribute to housing supply and diversity on a site well located for this type of housing and that will be integrated with the Jordan Springs village centre and broader community
- the proposal is designed to contribute to the Village Centre Character Area and Bushland Edge character area
- the site is suitable for the proposed development and there are no natural or physical constraints which preclude the proposal
- the proposal does not give rise to any adverse impacts on nearby heritage items

- the proposal will not lead to any adverse traffic or pedestrian safety issues
- the proposal will not result in any environmental impacts or adverse impacts on the amenity of surrounding land

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

1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by KEYLAN Consulting Pty Ltd (Keylan) on behalf of Prepared for Lendlease RL Jordan Springs Holding Pty Ltd as trustee of Lendlease RL Jordan Springs Trust (the Applicant) to accompany a Concept Development Application (DA) for the development of seniors housing at Lots 3990 and 3991, DP 1190132 Jordan Springs Boulevard, Jordan Springs.

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

The proposed development comprises a staged concept development application submitted under section 4.22 of the EP&A Act 1979 including stage 1 construction of 51 seniors housing villas, associated civil works, roads, earthworks and landscaping and tree removal; and stage 2 concept development comprising building envelopes for approximately 150 future independent living units within three seniors apartment buildings.

In accordance with section 4.22(4)(a) of EP&A Act, subsequent future development applications will be submitted for construction of the seniors apartment buildings within the approved concept envelopes.

This SEE describes the site, its surroundings and the proposed staged DA. It provides an assessment of the concept proposal in terms of the matters for consideration under sections 4.22 and 4.15(1) of the EP&A Act.

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

- *Sydney Regional Environmental Plan No. 30 – St Marys;*
- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas;*
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;*
- *Better placed – An integrated design policy for the built environment of NSW;*
- *Draft State Environmental Planning Policy (Environment);*
- *Draft Remediation of Land State Environmental Planning Policy;*
- *Western Precinct Plan and Development Control Strategy;*
- *St Marys Environmental Planning Strategy 2000; and*
- *Penrith Development Control Plan 2014.*

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

We therefore recommend that the Council approve the DA.

1.1 Report Structure

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

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

Table 1: SEE Report Structure

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

Appendices	Supporting Documents
Appendix 1	Quantity Surveyor Report
Appendix 2	Council's pre-DA minutes
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Table 2: List of Appendices

1.2 Consent authority

The cost of works for the purpose of determining the DA fee for the proposal is calculated in accordance with Clause 255(1) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) as \$33,165,115. Therefore, as the works are greater than \$30,000,00, the Sydney West Planning Panel is the consent authority.

The Quantity Surveyors Report detailing the cost of works is provided in Appendix 1.

1.3 Pre-lodgement meetings with Council

On 1 February 2018, a pre-DA lodgement meeting was convened with senior Council officers to discuss key issues associated with the proposal. A summary of key issues is detailed in the table below.

The proposal has been amended since the pre-DA lodgement meeting in February 2018 and 2 meetings with Council's Urban Design Review Panel (UDRP) in April and May 2018. The minutes from Council's pre-DA meeting and UDRP are provided in Appendix 2 and Appendix 3 respectively.

The key issues raised by the Council and UDRP are now incorporated into the design.

Issue raised	Section in SEE
Planning Requirements	
Pre-lodgement discussion	Section 7.
a) Biodiversity b) How will the lots interface with surrounding lots? c) How does the proposal incorporate the principles of the DCS? d) What is the appropriate density of development through this area in the context of matters such as vegetation preservation, proximity to regional park areas, Rural Fire Service requirements and associated buffer distances, the DCS and the like e) Vistas through to Lakeside Parade and through to the waterbody are to be preserved. Consideration is to be given to providing an east west central road that could align with an east west sight line corridor through to Lakeside Parade f) Consideration is to be given to continuing the perimeter road around the area to provide more orderly subdivision, reduce irregular shaped lots and provide sight lines to the waterbody g) Consideration is to be given to waste servicing and vehicular access to the area h) Bends in roads are not favourable, especially where this creates multiple lots reliant upon single access points in these locations, irregular shaped allotments or interrupted way-finding	It is noted, the proposal no longer includes subdivision.
Seniors housing permissibility	Section 6

Issue raised	Section in SEE
<ul style="list-style-type: none"> Demonstrate that seniors housing is a permissible land use for this site and that the Seniors SEPP applies Demonstrate that the site is in an accessible area as defined by the Seniors SEPP 	
Biodiversity <ul style="list-style-type: none"> A Flora and Fauna Assessment Report is to be provided Landscaping is required to comprise of only native species 	Section 6
Easement for access <ul style="list-style-type: none"> There is an easement for access over the lot and servicing Lot 3993 in DP 1190132 You are encouraged to liaise with the owner of the property to establish whether the easement will continue to be necessary 	Section 4
Consultation with other authorities <ul style="list-style-type: none"> Encouraged to contact OEH regarding the pocket park to the south of the site The site is integrated development under the <i>Water Management Act 2000</i> and will require a referral to the Office of Water for review and approval The site is integrated development under the <i>Rural Fires Act 1997</i> and requires a bushfire report The application will be referred to the National Parks and Wildlife Service in accordance with CI 44 of SREP 30 	Section 6
Communal space <ul style="list-style-type: none"> More detail is required about the location, size and facilities proposed for the seniors housing community Visitor car parking is encouraged throughout the proposed site, with additional car parking being provided close to any communal areas and being accessible 	Sections 6 and 7
Waste disposal <ul style="list-style-type: none"> Waste storage areas have not been shown within the design 	Section 6
Urban Design Review Panel (UDRP) <ul style="list-style-type: none"> Encouraged to utilise Council's UDRP service for design advice given the gateway location of this site The lot would benefit from retaining the vista between the adjoining waterbody and the portion of Lakeside Parade that is oriented in an east-west direction This would mean the subdivision layout is to be amended to either reconfigure the road pattern or provide a view corridor to allow for this outcome More details are required to properly consider SEPP 65 and the ADG The number of storeys proposed will need to be reviewed for appropriateness 	Sections 6 and 7
Relationship of proposal to other existing consents and undeveloped lots <ul style="list-style-type: none"> The proposal will need to clarify the relationship between any existing approvals or proposals in the area 	Section 7
Place making and pedestrian connectivity <ul style="list-style-type: none"> Pedestrian connectivity is to be provided to the town centre located north of the site Place-making treatments including, though not limited to pavement treatment, fencing, landscaping and signage could be proposed to combat unnecessary use of the estate by those not living or visiting the seniors housing development 	Section 6

Issue raised	Section in SEE
Environmental Management Requirements	
Remediation and contamination <ul style="list-style-type: none"> The proposal is to address all relevant requirements under SEPP 55 If the existing contamination investigations are adequate, they will need to be provided with this application If not, new studies or addendums will be required to demonstrate that the site is, or can be made suitable, for the proposed development 	Section 6
Acoustics <ul style="list-style-type: none"> The acoustic assessment needs to be prepared in accordance with the NSW EPA's Noise Policy for Industry and the Road Noise Policy 	Section 7
Fill Management Protocol <ul style="list-style-type: none"> If large amounts of fill are going to be imported to the site, a Fill Management Protocol will be required with the application 	Section 7
Water Reuse <ul style="list-style-type: none"> If water from site dams is to be used for any use, a risk assessment is to be prepared 	Section 7
Engineering Requirements	
General <ul style="list-style-type: none"> All engineering works must be designed and constructed in accordance with relevant Council documents 	Section 7
Stormwater <ul style="list-style-type: none"> Stormwater drainage must be in accordance with relevant documents A stormwater concept plan shall be submitted with the application A water sensitive urban design strategy is to be provided 	Section 7
Flooding <ul style="list-style-type: none"> All lots within the retirement village shall be a minimum of 0.5m above the 1% AEP top water level of the adjoining drainage channel All lots within the residential subdivision shall be located a minimum of 0.5m above the 1% AEP top water level of the adjoining water body Any access ramp to an underground basement shall be the greater of 300mm above the top of kerb level or 300mm above the 1% AEP water surface level 	Section 7
Traffic <ul style="list-style-type: none"> Prepare a traffic report addressing, but not limited to, traffic generation, intersection capacities, access, car parking, and manoeuvring 	Section 7
Roadworks <ul style="list-style-type: none"> External vehicular access to the site is to be revised The proposed intersection opposite the shopping centre entry is not supported The western intersection is to accommodate all turning movements and shall include right turn storage bays in Jordan Springs Boulevard An additional intersection is to be provided to service the site Fully dimensioned typical sections of the private internal roads are to be provided 	Section 7
Pedestrians <ul style="list-style-type: none"> Additional pedestrian access from the retirement village to the shopping centre is to be accommodated across Jordan Springs Boulevard separate from the existing traffic signal access 	Section 7
Earthworks <ul style="list-style-type: none"> No retaining walls or filling is permitted which will impede, divert or concentrate stormwater runoff passing through the site Earthworks must comply with Council's DCP 	Section 7

Issue raised	Section in SEE
<ul style="list-style-type: none"> The application is to be supported by a geotechnical report Details of the filling works are to be provided including the volume of material to be imported, number of expected truck routes along with the proposed haulage route 	
Subdivision Works <ul style="list-style-type: none"> Subdivision concept plan must be prepared A Stage 2 Road Safety Audit is to be submitted with the application Access to the southern 'secret garden' park is to be considered 	Section 7

Table 3: Summary and response to Council's letter dated 8 February 2018

As demonstrated above, this application has been prepared in accordance with the direction discussed at the pre-DA lodgement meeting and the initial response from Council.

The Applicant attended meetings with Council's Urban Design Review Panel (UDRP) in April and May 2018. The following table summarises the key issues raised by the UDRP at both meetings and how these issues are addressed.

Issues raised	Comment
Seniors Villas	
Through site connection from Lakeside Parade should be explored	<ul style="list-style-type: none"> Additional access to the future aged care lot and emergency access to the ILAs will be provided from Lakeside Parade.
The allotment pattern and resultant roadways includes: <ul style="list-style-type: none"> dead end roads which are unsuitable for council's waste servicing south facing courtyards which compromises solar access 	<ul style="list-style-type: none"> The configuration of the road pattern and unit locations have been amended and improved. The proposed roads are suitable for council's waste vehicles as supported by the Traffic Impact Assessment accompanying this application. Solar access has been improved by relocating the multi storey ILAs south of the villas. The ILAs are now all North/South facing. The communal open space (identified by the UDRP as a 'potential dead space') between the villas has been removed. Villa designs were enhanced and some north facing villas have additional balcony spaces on the northside to maximise sunny outdoor spaces. The proposed roundabout has been removed (access from Jordan Springs Boulevard).
The building design requires diversity in architectural design with specific emphasis on corner allotments	<ul style="list-style-type: none"> The proposed villas are all 2 bedroom villas, however there are 4 building typologies which contribute to a variety of designs through a range of layouts, sizes, and garage size (single to double). The materials proposed are high quality and will contribute to a quality development The proposal incorporates different roof lines. The revised plan has addressed corner lots.
Independent Living Units (future)	
The height of the building form requires refinement having regard to the intended building height at the corner for the future aged care facility.	<ul style="list-style-type: none"> Staggered building envelope height proposed ranging from 4 to 6 storeys. These envelopes are the maximum the future DAs will be designed within and will incorporate articulation within the future buildings, further increasing setbacks from

Issues raised	Comment
	<p>the single storey villas and adjoining approved 4 storey development to the east of the site.</p> <ul style="list-style-type: none"> The proposed envelopes are also consistent approved development on Lots 3989 and 3991 in DP 1190132 (DA15/0163) has approval for a building envelope up to 6 storeys.
<p>The front setback of the community facility building should be moved further north to provide a more integrated setback pattern within the streetscape. The front parking, turning circle and porte cochere are not appropriate.</p>	<p>The building envelope is setback further from the proposed internal road to provide a suitable entry statement to assist with wayfinding and this community hub building, permit outdoor communal open spaces, parking spaces including disability spaces, and adequate landscaping adjoining the lake.</p>
<p>Basement parking to the rear boundary should be increased to maximise deep root landscaping or suitable plantings to the development and its interface with the rear regional park and address the drainage channel</p>	<p>The proposed siting of the future basement parking associated with the residential flat buildings has been increased. This will enable deep soil zones and adequate landscaping areas. The proposal will enable casual surveillance of the regional park and drainage reserve.</p>
<p>The location of the multi storey units is questionable. Fencing, landscaping, pedestrian pathways and the like will be critical considerations to support the proposed siting of the multi-storey residential flat buildings</p>	<ul style="list-style-type: none"> The multi storey units (ILAs) have been relocated from around the western lake to the southern boundary of the site, resulting in an improved interface with the villas. Building heights will vary from 4/6 storeys (western building adjacent to the Lake), 5/6 storeys (middle building) and 6 storeys (eastern building). This provides a better built form relationship with the future aged care lot multi-storey development, the multi-storey development approved to the east and the village centre (up to 6 storeys). The western building will provide an activated edge to the western lake, through community facilities, landscaping and a terrace at ground level.
Road Layout	
<p>The URDP suggested a review of the road layout based on meeting road access requirements/distances from Jordan Springs Boulevard.</p>	<ul style="list-style-type: none"> The proposed road layout has been designed to provide optimal access to and circulation through the seniors housing development. The road entry layout suggested by the UDRP was unable to be achieved due to insufficient distance from the new Jordan Springs Boulevard intersection (required to be a minimum 60 m). The internal roadway of the proposed retirement village will be accessed via a new site entry intersection with Jordan Springs Boulevard, located approximately 50 metres east of the existing Jordan Springs Boulevard/Mcgarritys Parade intersection and 120 metres west of the Jordan Springs Boulevard/Tyler Street intersection. The Road Safety Audit (Appendix 20) considers potential road safety issues and does not identify the location of the new site entry intersection as a potential safety issue.

Table 4: Summary and response to UDRP comments

2 Background

2.1 St Marys Development Site

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

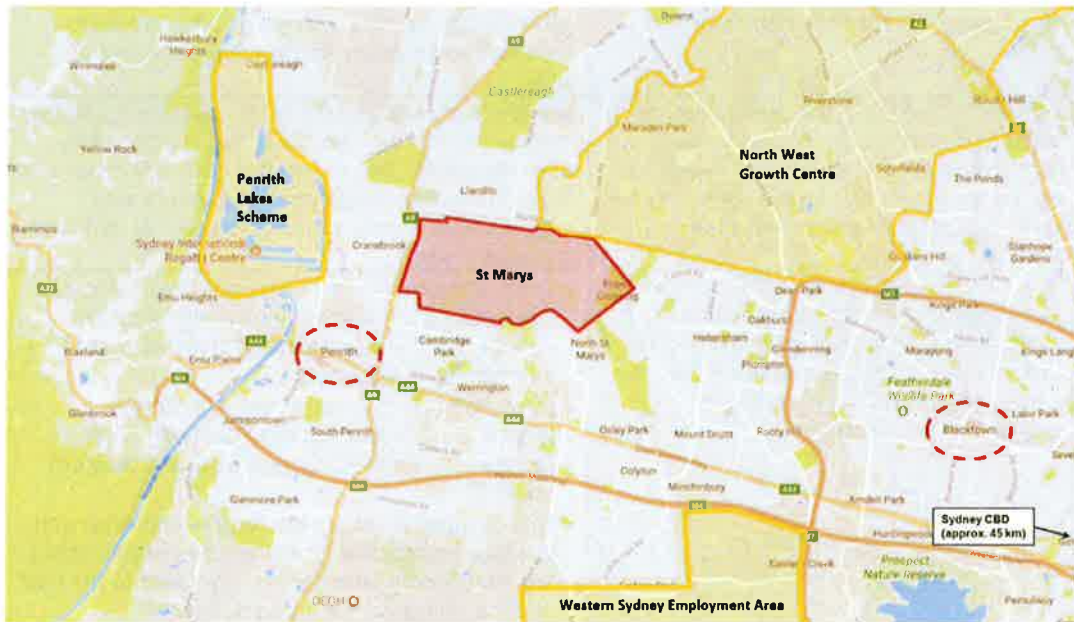


Figure 1: St Marys Development Site (Base source: Google Maps)

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

The St Marys Development Site is bisected by the boundary between the Penrith and Blacktown LGAs, which generally follows South Creek in a north-south direction. The site includes an area of 900 ha zoned Regional Park, as well as areas zoned Regional Open Space, Drainage and Roads. It also includes 5 development areas, or "precincts" identified under *Sydney Regional Environmental Plan No. 30 – St Marys* (SREP 30) (Figure 2). These include:

Eastern Precinct:

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

Ropes Creek Precinct:

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

North and South Dunheved Precincts:

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

Central Precinct:

- Declared a release area by the Minister for Planning on 29 September 2006
- Precinct Plan adopted by PCC on 23 March 2009
- Several DAs approved for works in Precinct and bulk earthworks/civil works commenced. Refer to Section 2.2.1 for further information

Western Precinct:

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

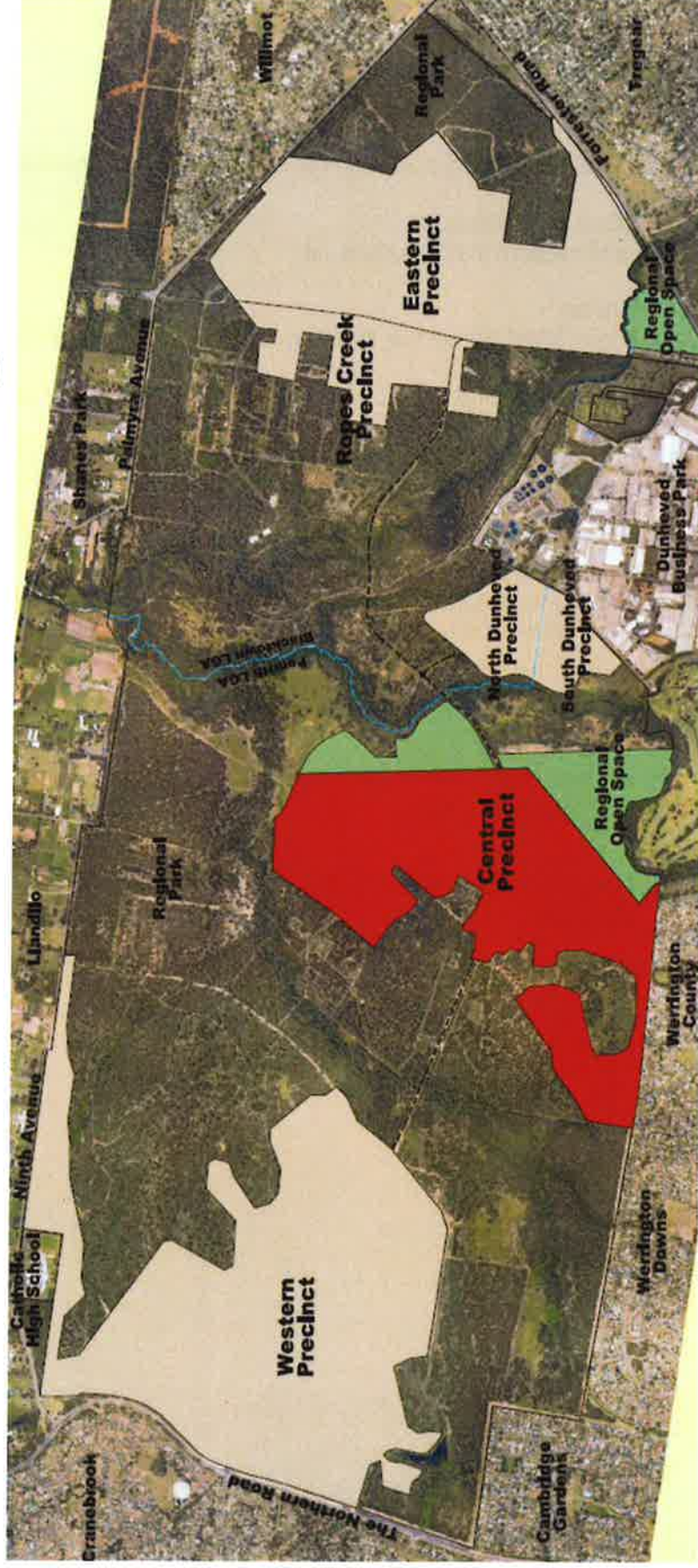


Figure 2: St Marys Development Site Precincts (Source: Lendlease)

3 The site and locality

3.1 Site description and location analysis

The site is located in the St Marys Development Site within the Penrith Local Government Area (LGA). The site has an area of approximately 6ha. The land is legally described as Lots 3990 and 3991 DP1190132. The seniors housing development will be located within Lot 3991 in DP 1190132, which has an area of approximately 3.63ha.

The location of the site is shown in the figures below.

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

There is a temporary car park on site, with access provided off Jordan Springs Boulevard. The car park will be replaced by the proposed development.

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

The site is identified as being flood affected.

The site is partially bushfire prone, with a Vegetation Category 1 and a Vegetation Buffer placed across the site (Figure 10).

There are no heritage items located on land subject to the project. Surrounding heritage items are discussed in Section 7 of this report.



Figure 3: Location of the site outlined in red - Lot 3990 (western lot) and Lot 3991 (eastern lot) highlighted in red (Source: SIX Maps)



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



Figure 5: Site looking south (Source: KEYLAN)



Figure 6: Site looking north (Source: KEYLAN)



Figure 7: Site looking west (Source: KEYLAN)



Figure 8: Site looking east from south west corner of site (Source: KEYLAN)



Figure 9: Site looking east from centre of site (Source: KEYLAN)



Figure 10: Bushfire Prone Land (Source: Penrith City Council)

3.2 Surrounding Development

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

To the north and east of the site is the established suburb of Jordan Springs, comprising retail, commercial and open space uses. The Jordan Springs Town Centre is located to the immediate north and north-east of the site.

To the immediate west of the site is Lot 3990, which currently comprises vacant land. The Applicant is currently preparing a development application for Lot 3990, DP 1190132 for a residential subdivision for 31 residential lots. A proposed perimeter road will be situated between the proposed subdivision on Lot 3990 and the proposed seniors housing development on Lot 3991. Vehicle access to both sites is from a shared new road connection to Jordan Springs Boulevard and this connection is included within both the current proposal subject to this SEE and the proposed subdivision works within the DA for Lot 3390. This is to enable flexibility in the delivery of the project, depending on the timing of respective determinations of each DA.

To the immediate south of the site is a drainage lot. The drainage lot runs parallel along the southern boundary of the site from Jubilee Drive to the lake.

A separate development for aged care seniors living is proposed (and subject to a separate approvals process by another entity) for the north-eastern corner of Lot 3991 (Figure 11). To

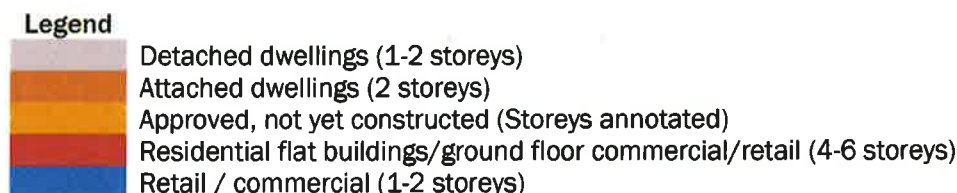
residential flat buildings comprising 138 apartments, up to 4 storeys in height, 1 x 6 storey mixed use building comprising commercial floor space and 63 residential apartments, basement parking, road construction, drainage works, public open space, landscape works, earthworks and tree removal. This consent includes the subject site and land (Lot 3989) to the immediate east of the site.

It is intended that development subject to this SEE will replace approved development as per DA15/0163 on Lot 3991, with the consent for DA15/0163 to remain active on Lot 3989. This may mean that 2 separate development consents will apply to Lot 3991, should consent for the DA subject to this SEE be approved. We understand that if Council identifies any inconsistencies or other issues arising from the 2 consents applying to the same lot, it can recommend a condition of consent under Section 4.17 of the Act requiring the Applicant to modify the existing consent as relevant.

Figure 12 and Table 5 show the above and other recent approvals in the locality.



Figure 12: Village C Built Form (Base map: SIX Maps)





Lot/DP	Development Description	Building Height	Determination
Lot 3989 DP1190132 3989 Lakeside Parade, Jordan Springs	Stage 1 Construction of 4 x Residential Flat Buildings (138 Residential Apartments), 1 x Mixed Use Building (Ground Floor Commercial Floor Space and 63 Residential Apartments), Basement Car Parking, Road Construction, Drainage Works, Public Open Space Provision, Landscape Works, Earthworks and Tree Removal.	4 storeys	Approved 21 January 2016
Lot 12 DP1176163 5 Cullen Avenue, Jordan Springs	Construction of 2 x Residential Flat Buildings (Total of 84 x Units) and Associated Car Parking, Landscaping and Drainage Works	5 storeys	Approved 30 May 2016
Lot 16 DP1195110 76-94 Lakeside Parade, Jordan Springs	Construction of 2 x Residential Flat Buildings (Total of 84 x Units) and Associated Car Parking, Landscaping and Drainage Works	4 storeys	Approved 6 April 2017
Lot 17 DP1195110 98-116 Lakeside Parade, Jordan Springs	DA16/0488 Construction of 2x Residential Flat Buildings (Total of 79 x Units) and Associated Car Parking, Landscaping and Drainage Works	4 storeys	Approved 10 May 2017

Table 5: Summary of Surrounding DAs

4 The proposal

The proposed development is described in Table 6 below:

Address/Property Description	Lots 3990 and 3991, DP 1190132, Jordan Springs Boulevard, Jordan Springs
Ownership	Prepared for Lendlease RL Jordan Springs Holding Pty Ltd as trustee of Lendlease RL Jordan Springs Trust
LGA	Penrith
Zoning	Urban (SREP 30)
Permissibility	Proposal is permissible with consent
Project	Staged concept development application comprising: <ul style="list-style-type: none"> • Stage 1 construction of 51 seniors living villas and associated landscaping, earthworks, civil works and road works and tree removal • Stage 2 concept proposal comprising building envelopes for three seniors living apartment buildings

Table 6: Project Overview

The client is seeking approval for a DA, in accordance with sections 4.12 and 4.22 of the EP&A Act, comprising seniors housing on lot 3991 Jordan Springs Boulevard, Jordan Springs.

The proposal is a staged Concept Development Application for Lots 3990 and 3991 in DP 1190132 Jordan Springs Boulevard, Jordan Springs. The seniors villas and future seniors apartment buildings will be undertaken within Lot 3991 in DP 1190132 which has an ultimate area of approximately 3.63ha.

Stage 1 works comprise the construction of 51 single storey attached seniors housing villas, associated civil works, roads, parking, pedestrian walkways, earthworks and open spaces and landscaping and tree removal in the northern part of the site. The proposed seniors living villas are attached, single storey buildings and include private open space areas and on-site car parking in garages. There are 4 villa typologies which provide for a range of sizes and designs, including a corner typology with a double fronted porch. These include:

- V6 - 2 bed, 2 bath, Garage
- V9 - 2 bed, 2 bath, Media room, Garage
- V13 - 2 bed, 2 bath, Media room, double Garage
- VM - 2 bed, 2 bath, Media Room, double Garage, double fronted alfresco (corner lot typology)

A new road network within the site will service the seniors living development (stage 1 and stage 2). The proposal will use the new road access point to access Jordan Springs Boulevard, which is part of this DA and also the separate DA for a residential subdivision of Lot 3990. An emergency only access point is also proposed within Stage 1 via Lakeside Parade to enable emergency services immediate access to the site from the east if required. The proposal includes a stormwater connection within stage 1 starting within Lot 3990 and runs into Lot 3991.

The new roads will remain in private ownership.

Stage 2 works include the future 150 independent living units within 3 seniors apartment buildings, located in the south of the site. These buildings will be subject to a future stage

development application/s. This DA seeks consent for envelopes for these apartment buildings may range in height from 4 to 6 storeys, as follows:

Western building:

- 4-6 storeys
- Ridge (envelope) height of RL 60. Maximum height of 22.5 m (natural ground level to ridge height)
- Seniors apartments with communal/clubhouse facilities for residents at ground level, with direct frontage to the lake and Regional Park

Central building:

- 5-6 storeys
- Ridge height of RL 58.8. Maximum height of 22.3 m
- Seniors apartments

Eastern building:

- Up to 6 storeys
- Ridge height RL 58.3. Maximum height of 22.8 m
- Seniors apartments

As noted in Section 3, the Applicant is currently preparing a separate DA for a proposed 2 lot torrens title subdivision on Lot 3991. This proposal seeks to subdivide Lot 3991 into 2 lots, being:

- proposed Lot 1 - with an area of 3.133ha and which will comprise the seniors living development the subject of this SEE
- proposed Lot 2 - with an area of 5,004m² and which will comprise the separate aged care development

This subdivision is necessary to facilitate a separate seniors living development for aged care (and subject to a separate approvals process by another entity) for the north-eastern corner of Lot 3991. Within this subdivision two easements are proposed, one to drain water running north-south between proposed Lot 1 and Lot 3989 in DP 1190132 and the other as a right of carriageway running along the southern boundary of the proposed site (Lot 3992 in DP 1190132) (Figure 11).

The Applicant confirms access to the National Park will be made available via Lot 3992 DP 1190132 which is south of Lot 3991. Lot 3992 provides direct access to the lake via Lakeside Parade.

The architectural package is provided in Appendix 4. The current proposal is also accompanied by an outline of a Plan of Management, addressing how the development will be managed and operated (Appendix 5).

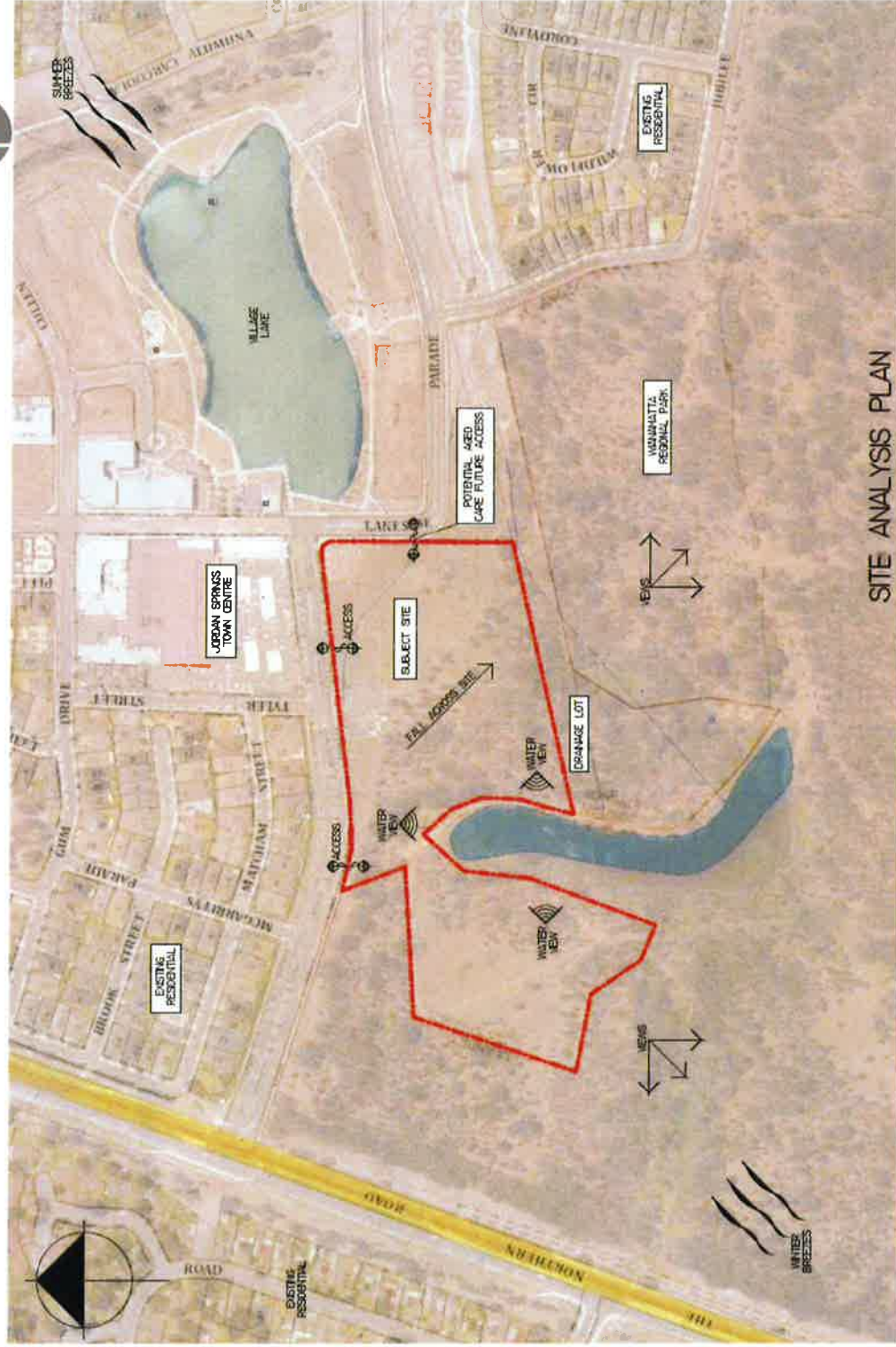


Figure 13: Site Analysis Plan (Source: A&N Design Group)

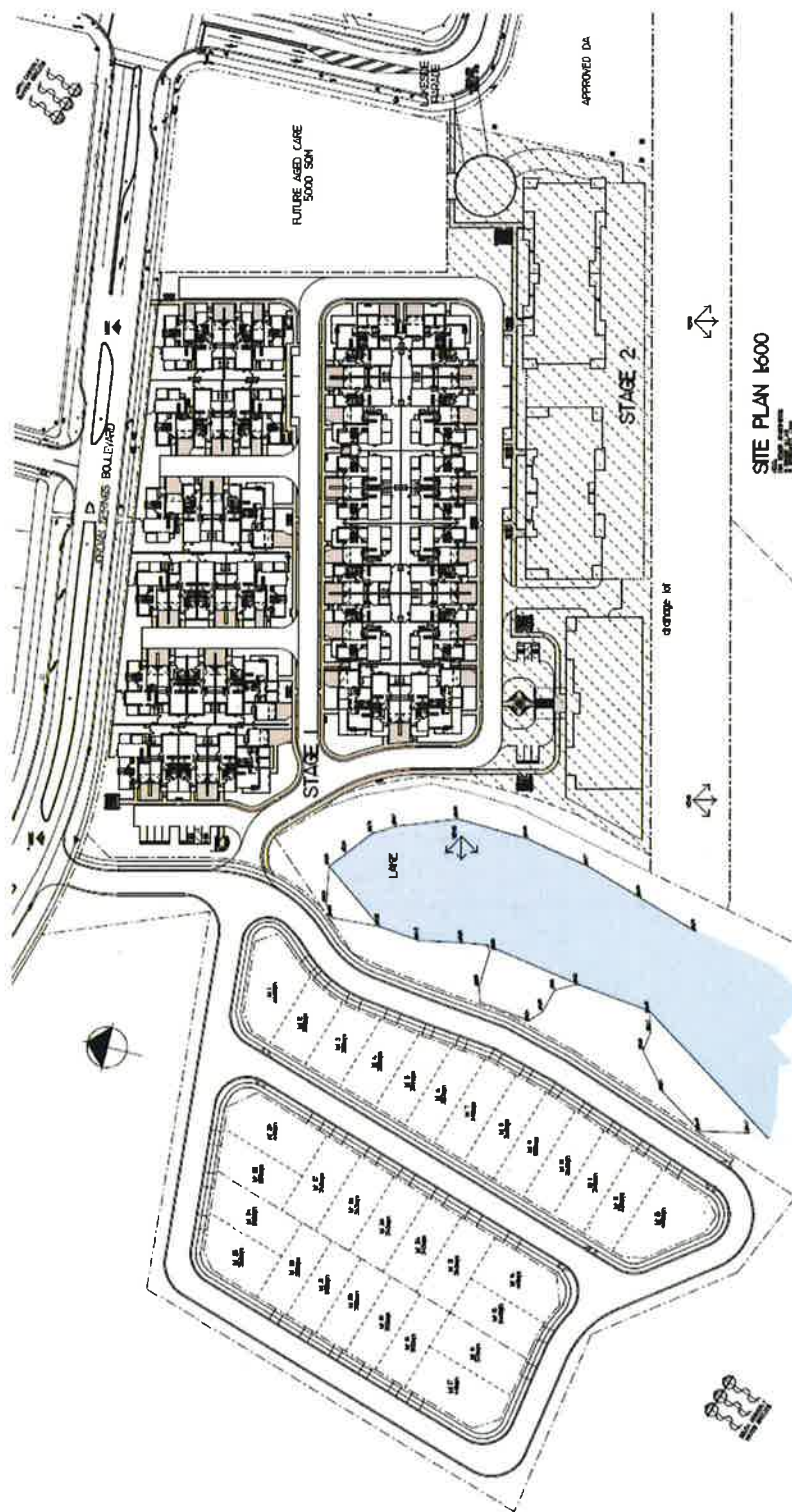


Figure 14: Proposed Stage 1 villas, Stage 2 future building envelopes and separate subdivision for future aged car development (Source: A&N Design Group)

5 Strategic Planning Context

5.1 NSW Making It Happen

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

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

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

The proposed works will include the provision of 201 seniors dwellings, comprising 51 villas and future 150 independent living units. This will positively contribute to the housing choice and type within the Western District, in which the population is expected to experience a 206 per cent proportional increase in people aged 85 and over, and a 93 per cent increase in the 65-84 age group by 2036. By facilitating seniors housing supply, the proposal will contribute to housing affordability and housing diversity.

5.2 Greater Sydney Region Plan

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

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

The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of three unique but connected cities, where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The three cities consist of the Western Parkland City, the Central River City and the Eastern Harbour City.

Historically, Greater Sydney's jobs and transport have been focused to the east, requiring many people to make long journeys to and from work and other services. The 3 cities vision allows opportunities and resources to be shared more equitably while enhancing the local character we value in our communities.

By integrating land use, transport links and infrastructure across the three cities, more people will have access within 30 minutes to jobs, schools, hospitals and services.

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

- Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

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

Direction 3 A city for people

Objective 7 Communities are healthy, resilient and socially connected

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

Direction 4: Housing the city

Objective 10: Greater housing supply

- Significant housing supply is required to meet Greater Sydney's continued strong population growth. Providing housing supply and a range of housing types and price points in the right locations will create more liveable neighbourhoods and support the growing population. The proposed development includes the provision of 51 new senior villas and facilitate the provision of approximately 150 senior apartments in the growing suburb of Jordan Springs, in walking distance to the Jordan Springs Town Centre.
- A range of housing types and price points will contribute to meeting the demand of the ageing population in the Western District. These homes will be delivered in close proximity to shops, services and public transport. The proposal will also contribute positively to local amenity, through high quality design and associated landscape, civil and road works.

Objective 11 Housing is more diverse and affordable

- The proposal seeks to provide seniors housing in the form of villas and facilitate the provision of seniors apartments, further contributing to the broad variety of housing types delivered in Jordan Springs.
- The proposed development will provide a significant number of dwellings to meet the growing proportion of smaller households in close proximity to commercial services. The number of homes will increase the supply of seniors housing in the Jordan Springs area, addressing the changing demographic needs of the surrounding area.

Direction: A city of great places

Objective 12 Great places that bring people together

- The proposed development will create a well-designed built environment which is attractive, safe and clean. It will be designed for seniors and will be highly accessible.
- The proposal will contribute to the provision of a healthy, safe and inclusive precinct through the co-location of aged care accommodation, public transport, supporting commercial and retail uses and an active street life.

5.3 Western City District Plan

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

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

- contribute to the provision of seniors housing, improving housing supply and choice within the Western City District.
- create opportunities for older people to continue living in their community and in close proximity to health services and support networks.
- responds to the anticipated needs of an ageing community through the provision of housing diversity within a precinct which is walkable and well serviced by public transport
- enable people to continue to live in their community and support networks.
- contribute to the delivery of a healthy, safe and inclusive precinct for people of all ages and abilities that support active, resilient and socially connected communities.
- contribute to an enhanced open space network in Jordan Springs.
- contribute to the activation of Jordan Springs Boulevard throughout the day and evening.
- contribute to the provision of more compact housing types and medium density housing, as well as the design of a walkable development, creating opportunities for older people to continue living in their community and improve health and support networks

5.4 Penrith Urban Strategy Managing Growth to 2031

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

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

The proposal is consistent with the PUSMG. The proposal will supply an additional 51 senior villas and will facilitate the future provision of approximately 150 senior apartments in an

area well located in relation to transport, services and facilities, open space and recreation areas (including the Wianamatta Regional Park). The proposed seniors housing will address the needs of the changing population. It will also be designed to integrate with the existing Jordan Springs community by being located within walking distance to the Jordan Springs Town Centre and established neighbourhoods. The proposal will contribute to the achievement of the guiding principles for Penrith, such as creating a diverse and accessible city.

5.5 Better placed – An integrated design policy for the built environment of NSW

Better Placed aims to assist in the creation of better places for the future heritage of NSW by advocating the importance of design for better places, spaces and outcomes, supporting industry and government to deliver good design for people and enabling effective design processes to be established and supported in the planning system.

The policy outlines what the NSW Government means by good design in the built environment and outlines a framework for examining places and reviewing proposals from a good design perspective. This includes formal processes such as Design Review Panels.

The proposal has been developed in consultation with Council's Urban Design Review Panel (UDRP). The proposal's design has been informed through consultation with the UDRP as discussed within Section 1.3. The proposal is consistent with the aims of Better Placed as it exhibits good design as:

- it achieves a high standard of architectural design
- the materials and details proposed are appropriate to the building type and location
- the form and external appearance of the building will improve the quality and amenity of the public domain
- the proposal meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency.

6 Statutory Planning Framework

6.1 Environmental Planning and Assessment Act 1979

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

This section of the report provides the planning assessment against the key statutory environmental planning instruments and Development Control Plans relevant to the development. The following detailed assessment of the proposal is provided and which is based on the heads of consideration contained in Sections 4.15 and 4.22 of the EP&A Act.

4.15 (1) Matters for consideration—general

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

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	The relevant environmental planning instruments are addressed in Section 6.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Yes. The Draft SREP 30 (Amendment No 3) has been exhibited but there are no direct implications for the site or proposal (Section 6). The Draft Remediation SEPP and Draft Environment SEPP have been exhibited. These draft SEPPs are addressed in Section 6.
(iii) any development control plan, and	The Western Precinct Plan, Development Control Strategy and the Penrith Development Control Plan 2014 are addressed in Section 6.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	Not applicable.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The requirements of the EP&A Regulations are addressed in Section 6.
(v) (Repealed)	Not applicable.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The impacts of the proposal are addressed in Section 7.
(c) the suitability of the site for the development,	Site suitability is addressed at Section 7.

Relevant Provision	Comment
(d) any submissions made in accordance with this Act or the regulations,	Any submissions made on this subject development application will be duly considered and addressed by the applicant. In addition, the Council will consider any public submissions relating to the proposal during its assessment.
(e) the public interest.	Public interest is addressed at Section 7.

Table 7: Section 4.15(1) assessment

4.22 Concept development applications

The proposed development comprises a staged concept development application submitted under section 4.22 of the EP&A Act 1979 including stage 1 construction of 51 seniors housing villas, associated civil works, roads, parking, pedestrian walkways, earthworks and open spaces, landscaping and tree removal; and stage 2 concept development for approximately 150 future independent living units within 3 residential flat buildings, which will be subject to future staged development applications.

In accordance with section 4.22(4)(a) of EP&A Act, subsequent future development applications will be submitted for construction of the seniors apartment buildings and will seek approval for approximately 150 senior apartments and associated uses within the approved concept envelopes.

This SEE describes the site, its surroundings and the proposed staged DA. It provides an assessment of the concept proposal in terms of the matters for consideration under sections 4.22 and 4.15(1) of the EP&A Act. When considering the likely impact of the development the subject of a concept development application under section 4.15, the Council need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications.

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

6.2 Rural Fires Act 1997

The site is identified on Council's Bushfire Prone Land map as part vegetation category 1 (orange) and part vegetation buffer (red) (Figure 10).

As the site is identified as bushfire prone and comprises seniors accommodation, the proposed development is classified as a 'Special Fire Protection Purpose Development', pursuant to Section 100B of the *Rural Fires Act 1997*.

Section 4.46(1) of the EP&A Act 1979 defines the proposed development being a special bushfire protection purpose as 'Integrated Development' which requires the issue of a Bushfire Safety Authority, pursuant to Section 100B of the *Rural Fires Act 1997*, by the Commissioner of the NSW Rural Fire Service.

A Bushfire Assessment has been prepared by Peterson Bushfire to accompany the development application. The Assessment demonstrates the development can comply with Planning for Bushfire Protection 2006, the requirements of the Rural Fires Regulation and

Section 100B of the *Rural Fires Act 1997* (Amended). The Bushfire Assessment is provided in Appendix 7.

The Council is required to refer and obtain the general terms of approval for the proposal from the NSW Rural Fire Service.

6.3 Water Management Act 2000

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

91 Activity approvals

- (1) *There are two kinds of activity approvals, namely controlled activity approvals and aquifer interference approvals.*
- (2) **A controlled activity approval confers a right on its holder to carry out a specified controlled activity at a specified location in, on or under waterfront land.**
- (3) *An aquifer interference approval confers a right on its holder to carry out one or more specified aquifer interference activities at a specified location, or in a specified area, in the course of carrying out specified activities.*
Note. Examples of where an aquifer interference approval may be needed include mining operations, road construction and any other large scale activity that involves excavation.

6.4 Roads Act 1993

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

138 Works and structures

- (1) *A person must not:*
 - (a) *erect a structure or carry out a work in, on or over a public road, or*
 - (b) *dig up or disturb the surface of a public road, or*
 - (c) *remove or interfere with a structure, work or tree on a public road, or*
 - (d) *pump water into a public road from any land adjoining the road, or*
 - (e) *connect a road (whether public or private) to a classified road, otherwise than with the consent of the appropriate roads authority.*
- Maximum penalty: 10 penalty units.*

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

6.5 NSW Threatened Species Conservation Act 1995 & NSW Biodiversity Conservation Act 2016

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

The SIS confirms the *NSW Threatened Species Conservation Act 1995* (TSC Act) was repealed and replaced by the *NSW Biodiversity Conservation Act 2016* (BC Act) on 25 August 2017. The associated *Biodiversity Conservation (Savings and Transitional) Regulation 2017* includes a transitional period which allows development applications (DAs) within the Penrith

Local Government Area to be assessed under the TSC Act for an additional fifteen months from 25 August 2017. Therefore, an assessment of all ecological matters required under NSW legislation have been assumed within the SIS to be conducted under the TSC Act.

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

This SIS found the proposed development of the subject site and subject land will remove a relatively small area of habitat for Cumberland Plain Woodland (CPW). The SIS confirms the impact of the proposed development will be balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park. The Regional Park comprises CPW in a consolidated land holding, which will be transferred into public ownership and subject to a fully funded Plan of Management. This SIS concludes that the relatively small areas of natural and semi-natural vegetation to be cleared as a result of the proposed development are of minor consequence and that the proposed development will not result in any local populations of threatened species or occurrences of ecological communities becoming extinct.

The SIS is provided in Appendix 6.

6.6 National Parks and Wildlife Act 1974

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

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

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

All aboriginal objects within the Western Precinct, except for items which comprise burials, will be treated in accordance with the AHIP.

6.7 State Environmental Planning Policies

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

- *Sydney Regional Environmental Plan No. 30 – St Marys;*
- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas;*
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*

- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;*
- *Better placed – An integrated design policy for the built environment of NSW;*
- *Draft State Environmental Planning Policy (Environment);*
- *Draft Remediation of Land State Environmental Planning Policy.*

6.7.1 Sydney Regional Environmental Plan No. 30 – St Marys

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

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

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

Provision	Response
Part 1 Introduction	
3 Aims of this plan	<ul style="list-style-type: none"> • The proposal is consistent with the aims of SREP 30. • The proposal achieves desirable environmental, social and economic outcomes, in accordance with the Village Centre character area. • The proposal is integrated with established surrounding areas of Jordan Springs.
Part 4 Development applications	
19 Consent Authority	<ul style="list-style-type: none"> • The cost of works for the purpose of determining the DA fee for the proposal is calculated in accordance with Clause 255(1) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) as approximately \$33 million. The Sydney West Planning Panel is the consent authority for the proposal.

Provision	Response
Part 5 Performance objectives	
21 Requirement outcomes for any development	<ul style="list-style-type: none"> The proposal is consistent with the performance objectives outlined below.
22 Ecologically sustainable development	<ul style="list-style-type: none"> The proposal is consistent with the goal of ecologically sustainable development as it has been designed to minimise potential environmental impacts and will provide for additional residential development on land close to transport and services.
23 Air Quality	<ul style="list-style-type: none"> A construction management plan will be prepared prior to works being undertaken on the site to address air quality impacts as a result of construction. The proposal will facilitate the provision of housing in proximity to public transport and in walking distance to the Jordan Springs Town Centre and existing services and facilities.
24 Conservation	<ul style="list-style-type: none"> A Species Impact Statement has been prepared by Cumberland Ecology (Appendix 6) which notes that the proposal will result in the removal of a relatively small area of habitat for Cumberland Plain Woodland, however, the proposal is not likely to have a significant impact on Cumberland Plain Woodland. The impact of the proposal will also be more than balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park. Large and continuous remnant areas of vegetation in the surrounding regional park will be protected and enhanced through a range of mitigation measures identified and retained in perpetuity in public ownership. The St Marys Development Site has been previously assessed by the Australian Heritage Commission pursuant to the requirements of the <i>Australian Heritage Commission Act 1975</i> and does not require further consideration. Lots are directly fronting the Regional Park boundary. A fencing plan has been prepared for the proposal which will separate the proposal and adjoining subdivision (Lot 3990) from the Regional Park. The proposal is unlikely to have any adverse impact on Regional Open Space as it is not located near any land zoned Regional Open Space under SREP 30 or any other planning instrument. A landscape plan has been prepared which will consist of native street tree and mass planting and is provided in Appendix 8.
25 Heritage	<ul style="list-style-type: none"> The proposed development will not have any adverse impacts on any heritage item in the locality due to the distance of the site from the heritage items. An Aboriginal Heritage Impact Permit (AHIP) was granted on 13 February 2009 (AHIP No. 10996059) to all land within the Western Precinct in the St Marys Development

Provision	Response
	<p>Site. The consent covers all Aboriginal objects identified within the Western Precinct.</p> <ul style="list-style-type: none"> All aboriginal objects within the Western Precinct, except for items which comprise burials, will be treated in accordance with the AHIP. The proposal requires a referral to the Director General of the National Parks and Wildlife Service.
26 Community services	<ul style="list-style-type: none"> The Western Precinct Plan is supported by a Community Plan, which identifies the characteristics of the surrounding and anticipated population and the existing services and identified needs of the future population. The area surrounding the Western Precinct is generally well serviced by and proximate to a number of community services. The proposal will facilitate the provision of seniors housing conveniently located in proximity to the Jordan Springs Town Centre and existing services located in the surrounding area of the Western Precinct. Community space will be incorporated into the Concept Plan for the residential flat buildings. As outlined in Section 6, the proposal is covered by the Penrith Planning Agreement which provides for contributions to community services and other infrastructure for development in Jordan Springs.
27 Open space and recreation	<ul style="list-style-type: none"> The provision of open space, recreation areas and facilities for passive and active recreation in the Western Precinct has been planned for in the Western Precinct Plan. The proposal will facilitate the provision of homes conveniently located in proximity to open space, recreation areas and facilities and will provide suitable internal open spaces and pedestrian connections. The site is also surrounded by Regional Park in which general access and recreation opportunities, consistent with the St Marys Development Agreement and draft Regional Park Plan of Management, will be available. As outlined in Section 6, the proposal is covered by the Penrith Planning Agreement which provides for contributions to open space and other infrastructure for development in Jordan Springs.
28 Watercycle	<ul style="list-style-type: none"> The Stormwater Management Plan is provided in Appendix 9 and details strategy for the site including primary and secondary treatment measures: <ul style="list-style-type: none"> Rainwater tank on each Senior Living lot (2kL) One (1) Gross Pollutant Trap Four (4) Pit Filter Inserts (Enviopods) Twenty two (22) 460 mm high StormFilter Cartridges with a 4.3 m2 precast StormFilter chamber
29 Soils	<ul style="list-style-type: none"> An erosion and sediment control plan is provided in Appendix 10 A geotechnical investigation is provided in Appendix 11. The report recommends procedures to prepare the site

Provision	Response
	<p>for the construction of structures and pavements and include:</p> <ul style="list-style-type: none"> ○ Strip topsoil and remove fill material. ○ Deeper stripping of soils underlying topsoil or where water softened soils are present. Prior to stripping of these materials a geotechnical engineer should be consulted to provide advice. ○ Where fill is to be placed, a test roll to the exposed upper surface should be undertaken on the exposed subgrade with a smooth drum roller of at least 8 tonne static deadweight capacity, during the presence of a geotechnical engineer and a maximum of six passes of the roller. ○ Where soft spots or unacceptable subgrade conditions are encountered, remove the unsuitable material to a further 300 mm and inspect.
30 Transport	<ul style="list-style-type: none"> • The proposed development will comprise of roadworks, which will connect to an existing road, Jordan Springs Boulevard, which has access to public transport and is in close proximity to the Jordan Springs Town Centre. • Secondary access to the future independent living units (within residential flat buildings) will be provided from Lakeside Parade. • The proposal is within walking distance to public transport opportunities. • Pedestrian access is provided along the lake boundary and around the residential lots to improve pedestrian access and maximise the potential for walking. • The proposal will meet the overall net neighbourhood density target of at least 15 dwellings per hectare.
31 Urban form	<ul style="list-style-type: none"> • The proposal facilitates the provision of 51 attached seniors villas and a concept plan for approximately 150 seniors apartments, contributing to the overall dwelling mix of the established Jordan Springs suburb. • The site's layout has been designed to provide a safe and efficient road network. • The development proposes street tree planting throughout the site and a road network which enhances views towards the lake from Lakeside Parade. • The proposal is in close proximity to the Jordan Springs Town Centre and transport services. • A clear legible street layout has been proposed. • Footpaths have been proposed throughout the proposal to provide accessibility for pedestrians. • Passive surveillance of the regional park and lake is provided form the road network and built form of the residential flat buildings. • Crime prevention through environmental design (CPTED) is addressed in Section 7.
32 Employment and business development	<ul style="list-style-type: none"> • N/A
33 Housing	<ul style="list-style-type: none"> • The proposal facilitates the provision of 51 attached seniors villas and a concept plan for approximately 150

Provision	Response
	seniors apartments, contributing to the overall dwelling mix of the established Jordan Springs suburb.
34 Energy efficiency	<ul style="list-style-type: none"> Best practice energy management will be incorporated in the development of the residential lots. Energy efficiency is addressed in Section 7.
35 Waste management	<ul style="list-style-type: none"> A construction management plan will be prepared prior to works being undertaken on the site to address construction waste management. All recommended waste management plans will comply with council codes and any statutory requirements. The proposal has been designed to ensure adequate access and turning paths are provided for Council's waste collection vehicles. A Waste Management Plan (WMP) has been prepared by Elephants Foot (Appendix 12), which covers the ongoing management of waste generated by the future residential development.
Part 6 Zoning	
40 Urban zone	<ul style="list-style-type: none"> The proposal is permissible with consent within the Urban Zone. The proposal is for the provision of 51 senior villas and a concept plan for three residential flat buildings for approximately 150 seniors apartments Housing is permissible in the Urban zone. "Housing" is defined in SREP 30 as <i>development of a nature intended to create one or more dwellings, including dwelling houses, dual occupancies, multi-unit housing, housing for older people or people with disabilities, or any combination of them.</i> "Housing for older people or people with disabilities" is defined in SREP 30 as having the same meaning as <i>State Environmental Planning Policy No. 5 – Housing for Older People or People with a Disability (SEPP 5). State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP) repealed and replaced SEPP 5 (refer clause 5(1) of the Seniors SEPP). Therefore, the term "housing for older people or people with disabilities" is now replaced with the term "seniors housing" in clause 10 of the Seniors SEPP.</i>
Part 7 Development controls	
44 Consultation with National Parks and Wildlife Service	<ul style="list-style-type: none"> The proposal is for development of land adjoining land within the Regional Park zone. The proposal requires a referral to the Director General of the National Parks and Wildlife Service.
45 Subdivision	<ul style="list-style-type: none"> Subdivision is not part of this proposal and is subject to a separate DA.
46 Development near zone boundaries	<ul style="list-style-type: none"> N/A
47 Demolition	<ul style="list-style-type: none"> N/A
48 Interim Uses	<ul style="list-style-type: none"> N/A
49 Land below the PMF level	<ul style="list-style-type: none"> N/A

Provision	Response
50 Filling of land	<ul style="list-style-type: none"> An imported landfill protocol is provided in Appendix 13. Approximately 40 000 m³ of material is required to be imported to the fill site to raise the site grade associated with the residential development.
51 Salinity and highly erodible soils	<ul style="list-style-type: none"> The site is not identified as comprising acid sulphate soils. An erosion and sediment control plan is provided in Appendix 10.
52 Tree preservation	<ul style="list-style-type: none"> The proposed works will require the removal of trees and vegetation. A Species Impact Statement (SIS) has been prepared by Cumberland Ecology (Appendix 6) which identifies threatened species issues and identifies and provides appropriate amelioration strategies to minimise adverse impacts resulting from the proposal. Appropriate strategies will be adopted for the removal of any trees and vegetation.
53 Items of environmental heritage	<ul style="list-style-type: none"> No heritage items are identified on the site.
54 General heritage considerations	<ul style="list-style-type: none"> No heritage items are identified on or in the immediate vicinity of the site. An Aboriginal Heritage Impact Permit (AHIP) was granted on 13 February 2009 (AHIP No. 10996059) to all land within the Western Precinct in the St Marys Development Site. The consent covers all Aboriginal objects identified within the Western Precinct. All aboriginal objects within the Western Precinct, except for items which comprise burials, will be treated in accordance with the AHIP.
55 Conservation of items of environmental heritage	<ul style="list-style-type: none"> The proposed development will not have any adverse impact on any heritage item in the site locality due to the distance of the site from the heritage items.
56 Demolition of items of environmental heritage	<ul style="list-style-type: none"> The proposal will not demolish, deface or damage an item of environmental heritage.
57 Access	<ul style="list-style-type: none"> The proposal does not enable vehicular access to the Northern Road, Palmyra Avenue or Forrester Road. The proposal does not enable direct vehicular access to Ninth Avenue.
58 Certain development prohibited	<ul style="list-style-type: none"> N/A
59 Retail and commercial development restricted	<ul style="list-style-type: none"> N/A
60 Services	<ul style="list-style-type: none"> Services and utilities are discussed in Sections 6 and 7.
61 Subdivision without consent	<ul style="list-style-type: none"> N/A
62 Bush fire hazard reduction works	<ul style="list-style-type: none"> N/A

Table 8: Assessment against relevant SREP 30 provisions

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

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

The proposed amendments do not directly impact on the site.

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

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

The proposed works will require the removal of trees and vegetation. An SIS has been prepared by Cumberland Ecology (Appendix 6) for Lots 3990 and 3991 to identify threatened species issues and identify and provide appropriate amelioration strategies to minimise adverse impacts resulting from each proposal.

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

The SIS undertakes a conservative approach and assumes that all vegetation on the subject site will be removed for the purposes of the proposed development.

The SIS finds that the clearing of vegetation within the subject site will directly remove habitat for threatened species such as the Cumberland Plain Land Snail (*Meridolum corneovirens*). No other threatened flora or fauna species have been recorded within or immediately adjacent to the subject site.

It concludes that the proposed development of the subject site will remove a relatively small area of habitat for Cumberland Plain Woodland and is not likely to have a significant impact on Cumberland Plain Woodland.

Large and continuous remnants present in the surrounding regional park will be protected and enhanced through a range of mitigation measures identified and retained in perpetuity in public ownership. The impact of the proposal will also be more than balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park.

The landscape plan proposed new plantings including native trees.

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

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

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

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

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

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

The Contamination report and the Imported fill protocol is provided in Appendix 13.

6.7.4 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

State Environmental Planning Policy 65 – Residential Apartment Development (SEPP 65) seeks to improve the design quality of residential developments and encourage innovative design. The *Apartment Design Guide* (ADG) is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential developments.

SEPP 65 applies to development for the purpose of a residential flat building if the building concerned is at least 3 or more storeys and contains at least 4 or more dwellings. The proposed concept portion of the development will comprise a development of a maximum of 6 storeys and contain at least 4 dwellings. Therefore SEPP 65 applies to the concept proposal.

Consideration of SEPP 65 and the ADG must be given to the envelopes of the concept proposal and in particular, to building separation. As detailed in the architectural package, the proposed envelopes are indicatively shown as a maximum of 6 storeys, in which the final design will sit within. Compliance with the ADG in terms of setbacks to the adjoining seniors apartment buildings and adjoining seniors villas will be achieved within the next stage of this application.

As detailed design of the units is not available at this stage, consideration has been given to the ability for future units to achieve adequate and solar access and cross flow ventilation. Given the orientation of the building envelopes are north-south, it is likely most units and private open space areas would be capable of receiving 70% solar access for 2 hours

between 9am and 3pm in mid-winter. It is also reasonable to expect most units capable of achieving natural cross ventilation.

The design verification statement detailing consideration of the 9 design quality principles and ADG overview prepared by the architect is provided in Appendix 4 and details the proposal is consistent with the principles and the ADG.

6.7.5 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP) aims to encourage the provision of housing that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability.

Clause 4(1) of the Seniors SEPP outlines land to which the Policy applies, that is, land zoned primarily for urban purposes and if certain types of development such as hospitals are permissible.

In this regard the proposed development is located on land zoned Urban under SREP 30. Given the site is zoned primarily for urban purposes, a Site Compatibility Certificate is not required under clause 24 of the SEPP.

Clause 4(6) of the Seniors SEPP outlines land to which the Policy does not apply, including land described as environmentally sensitive in Schedule 1. The site has been assessed against land described in Clause 4(6) (Table 9) and in Schedule 1 (Table 10) and it is identified as being bushfire prone, however seniors development can be undertaken on the site.

Clause 4(6) Exclusion areas	Comment
(a) Land described in Schedule 1 (Environmentally sensitive land), or	Refer to Table 9 below.
(b) Land (other than land to which Warringah Local Environmental Plan 2000 applies) that is zoned for industrial purposes, or	Does not apply.
(c) (Repealed)	
(d) the land to which Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989) applies, or	
(e) the land to which State Environmental Planning Policy (Western Sydney Parklands) 2009 applies.	

Table 9: Assessment of subject site against Seniors SEPP Clause 4(6)

Schedule 1 Exclusion areas	Comment
Land identified in an environmental planning instrument as:	
(a) Coastal protection	Does not apply.
(b) Conservation (but not land identified as a heritage conservation area in another environmental planning instrument)	Does not apply.
(c) Critical habitat	Does not apply.
(d) Environment protection	Does not apply.
(e) Open space	Does not apply.
(f) Escarpment	Does not apply.

Schedule 1 Exclusion areas	Comment
(g) Floodway	Does not apply.
(h) High flooding hazard	Does not apply.
(i) Natural hazard	<p>Clause 27 of the Seniors SEPP allows the consent authority to consent to a DA to carry out development on bush fire prone land if the consent authority is satisfied that the development can comply with the relevant bush fire guidelines.</p> <p>The site comprises a Vegetation Buffer located on the south west corner of the lot (Figure 10).</p> <p>As discussed in Section 6 of the SEE, the proposal is accompanied with a Bushfire Protection Assessment Report which confirms the proposal can comply with Planning for Bushfire Protection 2006.</p>
(j) (Repealed)	
(k) Scenic (but not land that is so identified if: (i) The land is within a residential zone in which development of two storeys or more in height is permitted, or (ii) An adjacent residential zone, also identified as scenic, permits development of two storeys or more in height)	Does not apply.
(l) Water catchment	Does not apply.
(m) Natural wetland	Does not apply.
Land shown cross-hatched on the bush fire evacuation risk map	Does not apply.

Table 10: Assessment of subject site against Seniors SEPP Schedule 1

An assessment of the proposal against the relevant Divisions and Schedules of the SEPP is provided in Appendix 14 and demonstrates the proposal complies with the site-related requirements and design requirements. The Access Report prepared by Accessibility Solutions confirms the proposed development complies with the accessibility and adaptability requirements of the State Environment Planning Policy - Housing for Seniors or People with a Disability and the report is provided in Appendix 15. The National Construction Code Report detailing compliance is provided in Appendix 16

6.7.6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal is accompanied by a BASIX certificate as the proposal is a BASIX affected development. The certificate is provided in Appendix 24 and confirms the development meets the energy targets of the SEPP.

6.7.7 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

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

As discussed in Section 6 the SIS prepared by Cumberland Ecology found the proposed development of the subject site and subject land will remove a relatively small area of habitat for Cumberland Plain Woodland (CPW). The SIS confirms the impact of the proposed

development will be balanced by the major conservation outcome resulting from the creation of the 900ha Regional Park. The Regional Park comprises CPW in a consolidated land holding, which will be transferred into public ownership and subject to a fully funded Plan of Management. This SIS concludes the proposed development will not result in any local populations of threatened species or occurrences of ecological communities becoming extinct.

The SIS is provided in Appendix 6.

6.7.8 Draft State Environmental Planning Policy (Environment)

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

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

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

6.7.9 Draft Remediation of Land State Environmental Planning Policy

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

Once adopted, the Draft Remediation SEPP will:

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

As discussed in Section 7, the contamination report prepared for this proposal concludes:

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

6.8 St Marys Environmental Planning Strategy 2000

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

The EPS identifies:

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

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

The performance objectives relating to the proposal are addressed in Table 8 in Section 6 of this SEE.

6.9 Western Precinct Plan and Development Control Strategy

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

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

The proposal is generally consistent with the Village Character Area and Bushland Character Area (see figures 15 and 16) as the proposal will facilitate the provision of seniors housing with a diverse dwelling mix. The residential opportunities of the proposal will be varied with apartments and seniors villas.

An assessment against the relevant WPP and Western Precinct DCS controls are provided in Appendix 17.

6.10 Penrith Local Environmental Plan 2010

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

6.11 Development Control Plans

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

An assessment of the proposal against the relevant DCP controls is provided in Appendix 18 and demonstrates that the proposal generally complies with the DCP.

6.12 Contributions

There is no voluntary planning agreement(s) relating to this DA.

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

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

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

6.13 Environmental Planning and Assessment Regulations

There are no known matters prescribed by the *Environmental Planning and Assessment Regulations 2000* (EP&A Regulation) that are relevant to the consideration of this application. The proposal is capable of being compliant with the National Construction Code (NCC).

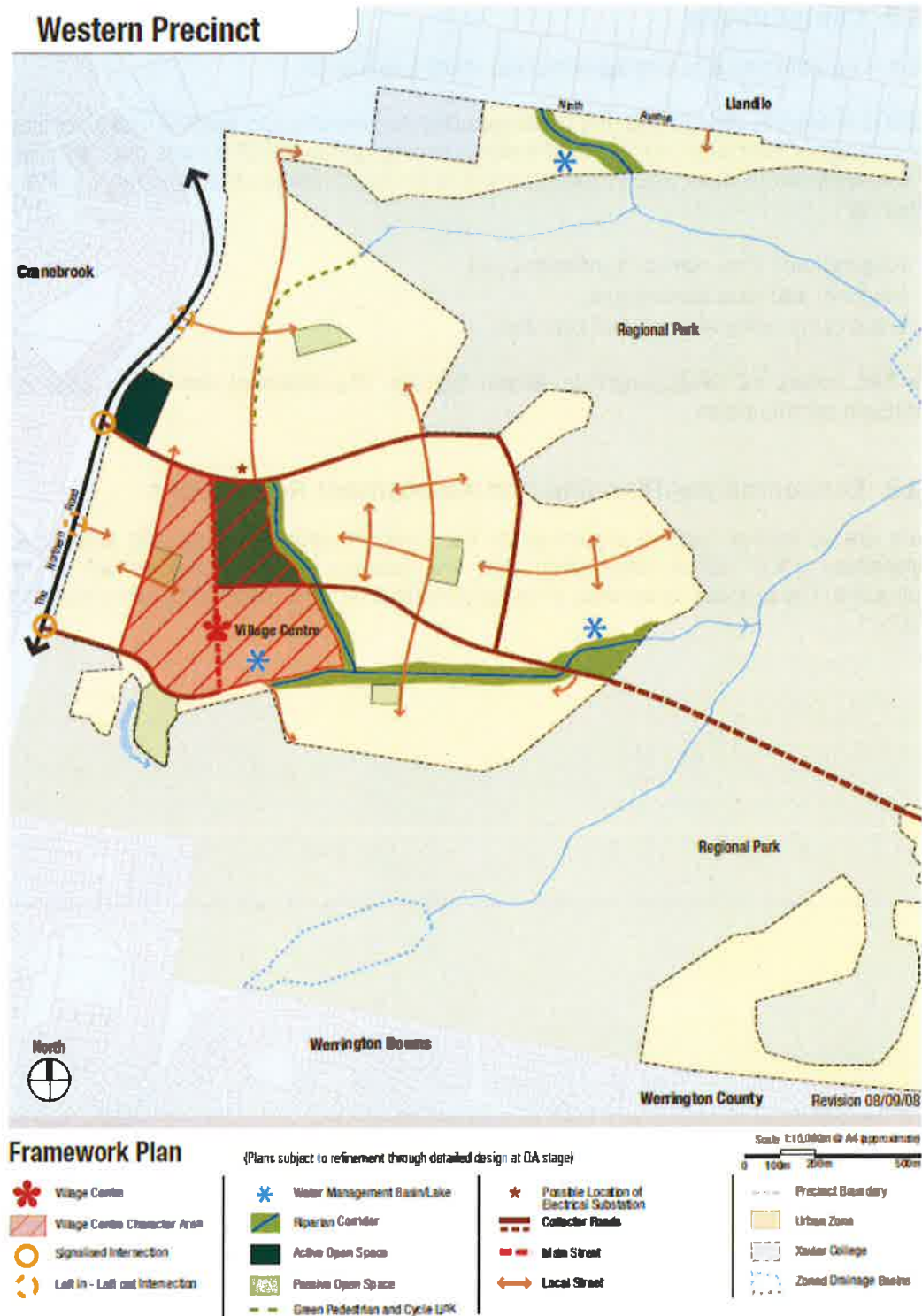


Figure 15: Western Precinct Framework Plan (Source: Western Precinct Plan)

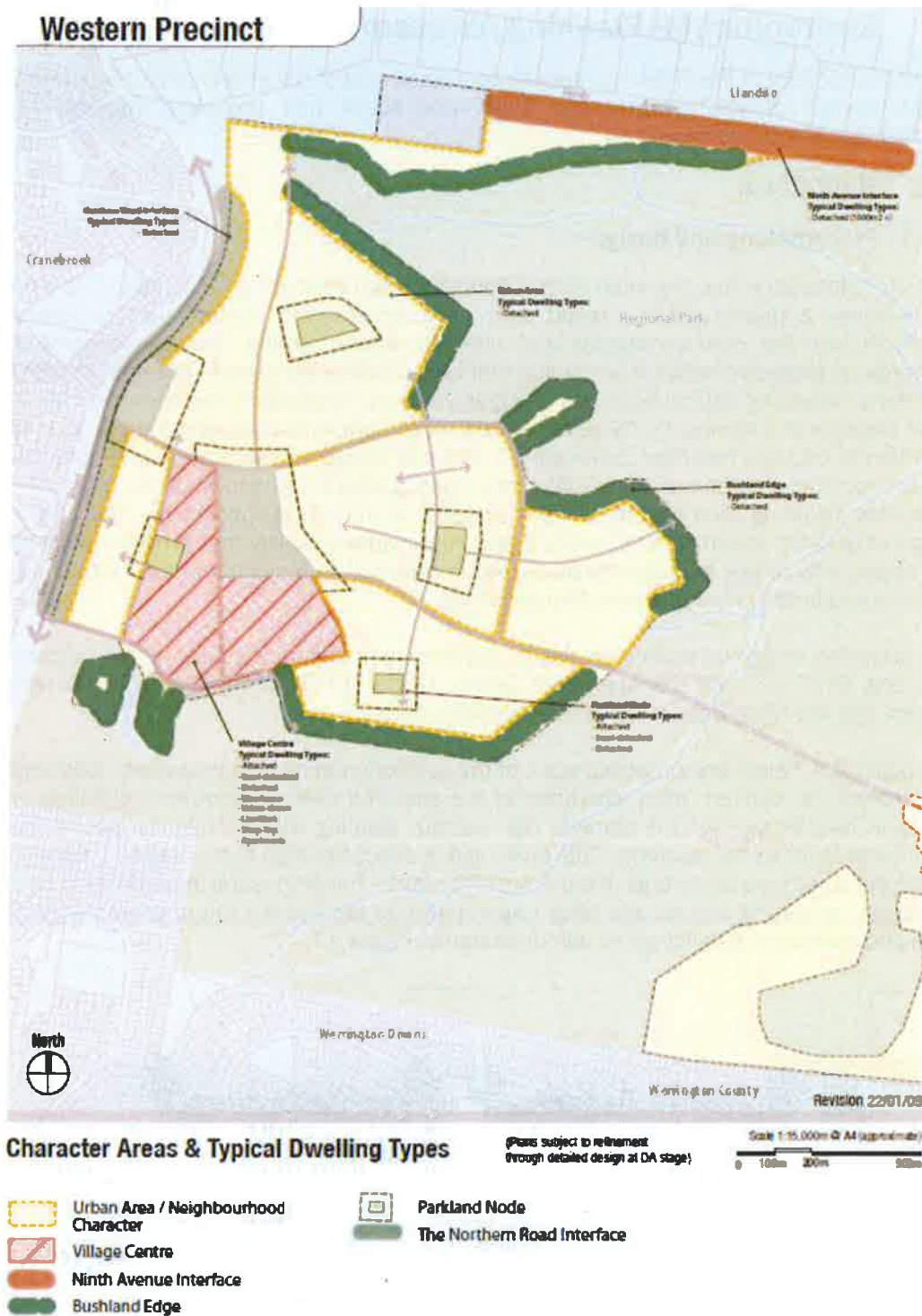


Figure 16: Western Precinct Character Areas & Typical Dwelling Types (Source: Western Precinct Plan)

7 Environmental Planning Assessment

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

7.1 Built Form

7.1.1 Placemaking and design

The site is located within the wider Jordan Springs Master Planned development. The vision is to deliver a quality senior's resort style development with opportunities to connect residents with the local community and with the natural setting. The development will comprise of extensive native landscaping that helps build a connection between residents and the surrounding natural bushland and green spaces. To provide a high quality of life the NSW Government Architect's 'Greener Places' document has been considered, with the intention to create a healthier community. A series of legible and safe pedestrian pathways will connect the site with the existing lake, new open spaces and the town centre. Wayfinding measures including clear signage will further assist in improving connectivity. This offers a range of benefits including healthy living and improved walkability that provides residents the opportunity to age gracefully in place, within proximity to a neighbourhood with choice, amenity and time to pursue a stimulating lifestyle.

The proposed design considers key design documents to ensure a quality design outcome, including SEPP 65 'and the Apartment Design Guide', CPTED Principles, NSW 'Greener Places' and the NSW 'Better Placed' draft design policy.

The built form, height and proposed scale of the development has been carefully considered to enhance the desired future character of the site. The seniors apartment buildings will range in height from 4 to 6 storeys. The western building will incorporate ground level communal facilities for residents. This building has direct frontage to the Regional Park and will be designed take advantage of the views of the lake. The proposal is appropriate in terms of density, achieving a scale and height appropriate to the desired future character of the area and surrounding buildings as demonstrated in Figure 17.



Figure 17: Eastern and Western Elevation of the proposed seniors development (Source: A&N)



Figure 18: Eastern Elevation of the proposed seniors villas and future seniors apartment buildings
 (Source: A&N)

7.1.2 Site layout

The site layout has been refined in response to feedback from Council officers and the UDRP at pre-lodgement meetings. Key issues addressed include the internal road layout, location of the independent living units and configuration of the villas.

Specifically, the site layout has been amended to incorporate a new internal road which provides an adequate separation distance and an improved interface between the lower scale villas and proposed higher scale aged-care development to the north east (on proposed Lot 2).

The east-west vista across the site from Lakeside Parade, as advocated by the UDRP, is provided by the east-west internal road between the villas and future seniors apartment buildings and the access from Lakeside Parade. This view corridor has been achieved through the reconfiguration of the road pattern and subsequent siting of the villas. Views to the regional Park to the south will also be available through the proposed site layout, given the separation of the independent living buildings.

The proposed internal roadways are two-lane, two-way, and structured in a loop arrangement around the central cluster of villas. The proposal will incorporate north-south no-through laneways (labelled Driveway 1 to 4) providing access to the relevant villas. This enables variation of built form and opportunities for enhanced landscaping along the site's frontage to the Boulevard

The UDRP raised concern in relation to the no-through laneways, advising council's waste service vehicles would have difficulty accessing waste and recycling bins. Waste bins and recycling are therefore proposed to be collected from centralised bulk collection areas which will be located outside of the no-through laneways. The Traffic Impact Assessment discussed

in Section 7 of this SEE confirms the proposed road design is suitable for waste vehicle manoeuvrability.

Letterboxes are also clustered in these locations, providing for casual meeting points for residents.

The current site layout promotes walking through the provision of footpaths and pedestrian connections. As detailed in the landscaping plan, seating has been incorporated at suitable location to encourage residents to walk around the site and enjoy the outdoors and provides informed meeting points. The proposal also provides access to landscaped/open space areas located within the Western Precinct through the creation of strong pedestrian links between the site and the Regional Park and village centre. Approximately 31% of the site is landscaped and of this 29% is provided as deep soil.

The landscape plan details the proposed native street tree and mass plantings for the Stage 1 development. This includes opportunities for plantings along Jordan Springs Boulevard.

7.1.3 Seniors villas

Stage 1 of the proposal incorporates the construction of 51 attached single storey seniors living villas, internal roads, footpaths and landscaping. The design of Stage 1 has been developed following the advice from the URDP, in particular considering the orientation, typology, design and materials.

As noted above, the site layout is designed to address its frontage with Jordan Springs Boulevard, with villas situated on north-south internal roads to provide variation of built form and opportunities for enhanced landscaping along this frontage.

The villas have been designed to address the proposed internal roads to provide for casual surveillance. The design also minimises potential overlooking a privacy impacts, with internal roads separating the villas from the future apartment buildings located to the south and the future aged care development on proposed Lot 2 to the north-east.

Each villa is orientated to achieve adequate solar access to living areas and open space. The shadow analysis provided within the architectural package demonstrates at least 70% of units receive at least 2 hours of sunlight to private open spaces between 9am and 3pm in mid-winter. Private open space is provided in a landscaped area within the rear setback with direct access from the indoor living areas. There are 2 units which do not receive sunlight to the private open spaces in mid-winter, however these villas are orientated north and will have solar access to front porches.

The design minimises driveways within the front setbacks to ensure adequate landscaping is provided for in the front setbacks. Approximately 31% of the site is landscaped and of this 29% is provided as deep soil.

There are 4 villa typologies which provides for design variety. Corner allotments incorporate varied typologies allowing for double fronted porches and additional landscaped area within the frontage to the street. The proposal incorporates high quality design finishes and materials to ensure the diversity in their appearance.

Service vehicle facilities are provided within the site and are accessed via the new site entry intersection accessed on Jordan Springs. The TIA confirms vehicles up to 12.5m long heavy rigid vehicles can enter and leave the site in a forward direction.

7.1.4 Future seniors independent living units

Stage 2 of the proposal incorporates future independent living units within 3 seniors apartment buildings, which will be subject to future staged development applications. The residential flat buildings may range in height from 4 to 6 storeys. The western building will incorporate ground level communal facilities for residents to capitalise on the opportunity for views across the lake and activated edge with high amenity in this location.

The architectural plans detail the proposed future land use, building envelopes, and building separation. The height and siting of building envelopes has been derived following thorough consideration of the site, its location and context and the vision for the precinct of the creation of an iconic, landmark development. The proposed envelope heights are:

Western building:

- 4-6 storeys
- Ridge (envelope) height of RL 60. Maximum height of 22.5 m (natural ground level to ridge height)

Central building:

- 5-6 storeys
- Ridge height of RL 58.8. Maximum height of 22.3 m

Eastern building:

- Up to 6 storeys
- Ridge height RL 58.3. Maximum height of 22.8 m

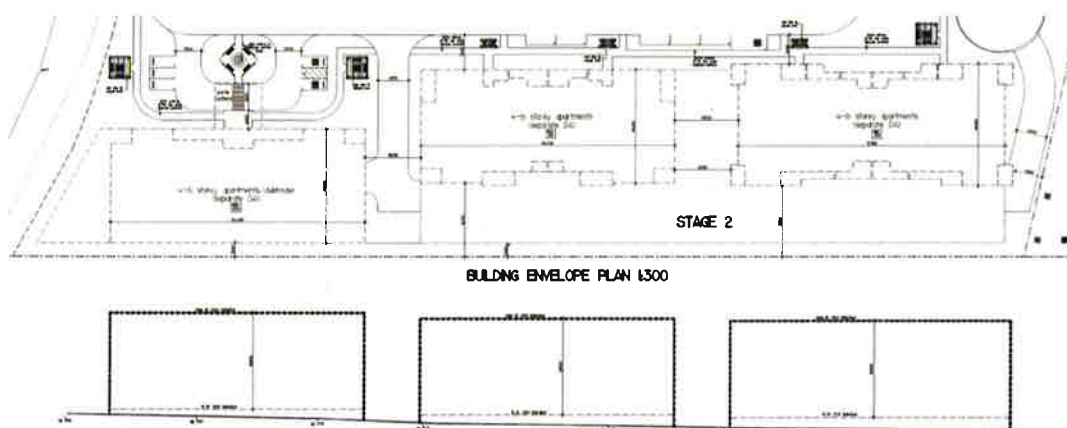


Figure 19: Proposed footprint and envelope of the future ILUs (Source: Lendlease).

The proposed building envelope heights for the future units will likely be staggered along the site's southern boundary as indicated in Figure 19. These envelopes are maximum building envelopes in which the future seniors apartment buildings will be sited. This key design principle will provide for visual interest and encourages architecturally unique responses to

each of the building envelopes, while responding to site constraints and adjoining properties. The proposed building heights relate to the adjoining 4 storey mixed use development on Lot 3989 (DA15/0163) to the east and potential heights of the future aged care building to the north (4 to 6 storeys).

The western building is intended to be a landmark building given its location on the eastern edge of the lake and high level of accessibility to the overall development. This building will contain community facilities at ground level and act as a focal point of the new seniors village. The communal facilities at the ground level will activate the building entry and edge of the lake through increased pedestrian use. Casual surveillance of the lake will be provided through the siting of the communal open space.

As discussed in Section 6, the ADG recommends building separation distances between buildings within the site and to adjoining properties depending on the height of residential buildings, as summarised at Table 11.

The ADG recommends that separation distances increase as building heights increase to achieve appropriate acoustic and visual privacy, reduce overshadowing impacts, allow solar access, and provide adequate open space and deep soil zones within a site.

Building height	Habitable rooms and balconies	Non-habitable rooms
Up to 12m (4 storeys)	6m	3m
Up to 25m (5-8 storeys)	9m	4.5m
Over 25m (9+ storeys)	12m	5m

Table 11: ADG Objective 3F-1 building separation design criteria

The proposed separation distances between the footprints and proposed single storey villas are generally equal to or greater than the ADG recommended minimum requirements. The minimum separation detailed between the single storey villas and the seniors apartment building envelopes is shown on the architectural plans as approximately 19m. It is noted that building separation will be assessed as part of the future detailed DAs, and that the assessment will be based upon the future design of buildings.

In addition, the amenity of future apartments will be appropriately considered and addressed at future detailed DA stage.

The architectural package including ADG statement are provided in Appendix 4.

7.1.5 Crime Prevention Through Environmental Design

In April 2001, the NSW Department of Planning and Environment introduced Crime Prevention Legislative Guidelines to section 4.15 of the EP&A Act (the Guidelines). These Guidelines require consent authorities to ensure that development provides safety and security to users and the community and are supplemented by NSW Police Safer by Design program.

The Guidelines outline the best approaches to the planning, design and structure of cities and neighbourhoods to prevent crime and create safe places/spaces and establishes four key Crime Prevention Through Environmental Design (CPTED) principles, including:

- surveillance;
- access control;
- territorial reinforcement; and
- space management.

Good planning and design can remove opportunities for crime and anti-social behaviour and is therefore a fundamental consideration in the development of a new neighbourhood and buildings.

The proposed development has been designed to create a safe neighbourhood, buildings, spaces and public domain in accordance with the four key CPTED principles.

The proposal provides for a safe environment through surveillance and activation including:

- living areas and private open spaces fronting the internal roads
- secure entries into each villa
- lighting around the entries into the buildings
- landscaping and fencing to distinguish public and private spaces

In light of the above assessment, the proposal is considered to be consistent with the key CPTED principles and will provide for a well-designed and safe new neighbourhood and buildings.

7.2 Traffic and Transport

A Traffic Impact Assessment (TIA) has been prepared by Bitzios Consulting and is provided at Appendix 19. The TIA assesses the existing and proposed traffic conditions, traffic generation, new site access point, new roads, car parking, bicycle parking and public transport accessibility. Key findings of this assessment are provided within the following section.

7.2.1 Traffic Generation

The TIA confirms the proposed development will not have any significant impacts on traffic or transport conditions of the local road network.

The TIA used the Road and Maritime Services' (RMS) *Technical Direction 2013/04a (Guide to Traffic Generating Developments – Updated Traffic Surveys)* to determine the traffic generation rates for each of the proposed developments. Based upon the Technical Direction, the AM peaks for the senior villas and apartments are generally found to not coincide with that of surrounding road networks (i.e. the commuter peak period).

The TIA estimates a maximum of 51 vph would be generated in the morning peak period and 112vph during the afternoon peak period would be generated by the ultimate development within the subject site (51 seniors living villas and future 150 seniors apartment buildings) and the adjoining development for 31 low density residential lots.

The TIA concludes the proposal will not have any unacceptable traffic implications on the local road network.

7.2.2 Vehicular Access

A new site entry intersection with Jordan Springs Boulevard is proposed to access the subject site. The entry is proposed approximately 50 metres east of the existing Jordan Springs Boulevard/Mcgarritys Parade intersection and 120 metres west of the Jordan Springs Boulevard/Tyler Street intersection. A new internal roadway is also proposed to service the proposed seniors villas and future seniors apartment buildings.

The proposed site access allows all movement manoeuvres onto and from Jordan Springs Boulevard. The existing road median on Jordan Springs Boulevard is to include a gap to allow for the right-in and right-out manoeuvres.

To provide safe access into the site, the TIA recommends a channelised right turn treatment is recommended by analysis of the turn warrant conditions as detailed in Figure 20. The TIA advises this arrangement provides sufficient sight distances along Jordan Springs Boulevard. Based on the above assessment the proposed intersection is adequate for the proposed residential subdivision and the proposed seniors development.

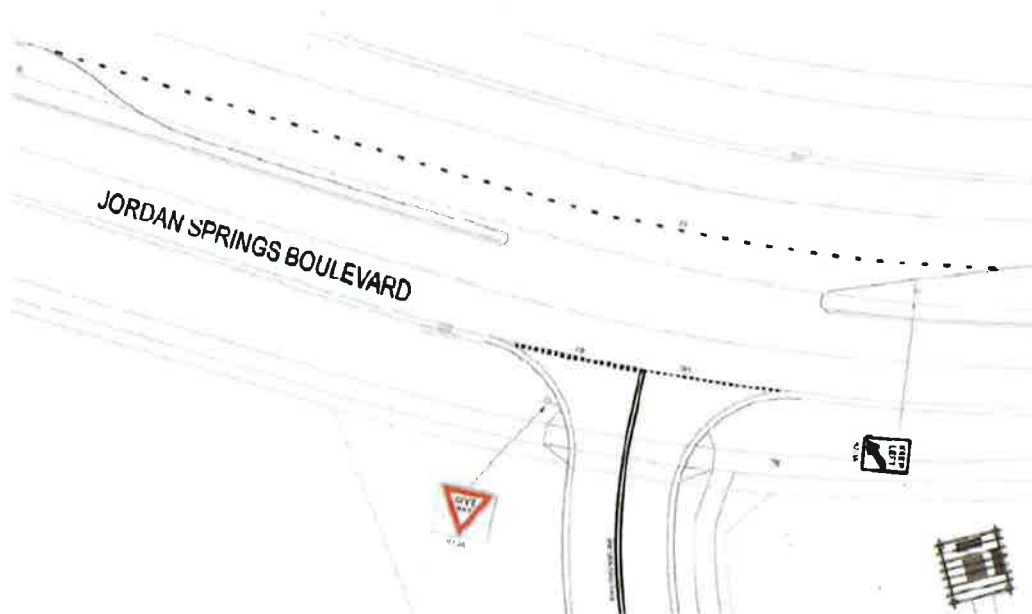


Figure 20: Proposed new access to site from Jordan Springs Boulevard (Source: Bitzios Consulting)

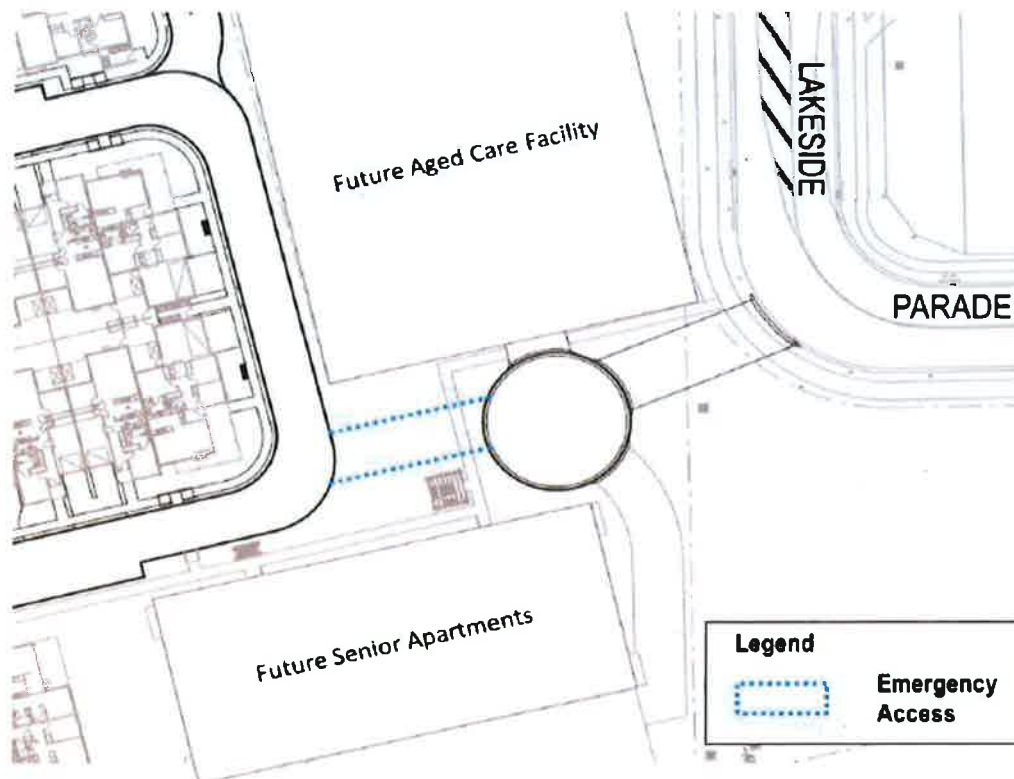


Figure 21: Proposed Lakeside Parade access to site (Source: Bitzios Consulting)

An access point is proposed to the east of the seniors living units located on Lakeside Parade, south of the signalised intersection with Jordan Springs as detailed in Figure 21. This site access does not provide direct access to the internal circulating roadway of the senior living areas for the public.

The access road leads to a turning circle, which is proposed to provide provisional access into the future Aged Care facility lot (subject to a separate DA). It also acts as an alternative access point to the basement carpark of the future senior apartment buildings, allowing vehicles exiting the carpark to leave the site via Lakeside Parade. It also addresses the UDRP request for a visual connection through the site to the west.

7.2.3 Internal Roadway

The TIA considers the proposed internal roadway to be suitable for the development. The roadway is 6.5m wide and permits two-way traffic. The TIA found the roadway is consistent with Council's DCP requirements. The swept path analysis within the TIA confirms the road design is suitable for waste vehicle manoeuvrability.

7.2.4 Pedestrian footpaths

Footpaths are proposed to be provided along both sides of the retirement village's internal circulating roadway, with kerbs provided at grade with the road. Internal footpaths are for the most part provided at 1.5m wide, with some paths slightly narrower at 1.2m wide. The TIA finds this is acceptable due to the expected low pedestrian traffic within the retirement village.

Resting areas are proposed along the edge of the internal circulating roadway at several positions within the site, to further provide safe and appealing pedestrian amenities for senior residents.

Publicly accessible links for pedestrians are provided between the site and the local facilities in Jordan Springs, such as the nearby town centre and shopping village to the east, as well as the bus stops located on Jordan Springs Boulevard, Lakeside Parade and The Northern Road.

7.2.5 Driveways

The TIA states that the positioning of each villa's driveway is consistent with Council's DCP. The villas driveways are proposed to be suitably recessed. The TIA confirms the arrangement of villas and accompanying garages is structured to ensure that double garage driveways are not immediately adjacent to each other, ensuring that there are no extended vehicle crossover regions for pedestrians. It also minimises large hardstand areas, which can negatively impact on streetscape character.

7.2.6 Car Parking

The Seniors SEPP states that parking requirements for self-contained dwellings are 0.5 car spaces for each bedroom. As the proposed villas are all two-bedroom dwellings, the TIA confirms the 51 parking spaces required for residents, one parking space per dwelling, is consistent with the SEPP.

Council's DCP requires visitor parking to be provided for developments over 5 dwellings, at a rate of 1 space per 5 dwellings. Therefore, a minimum of 11 spaces are required for visitor parking. A total of 16 on-street parking spaces is provided for visitors (Figure 22). 7 visitor parking spaces including 2 disabled car spaces are located adjacent to the proposed north-south internal road and 8 are located within the east-west internal roads. Surplus on-site parking will aid visitor parking for the future seniors apartment buildings. In addition, each villas has capacity for 1 additional parking space in its driveway, resulting in an additional 51 potential visitor spaces.



Figure 22: On-street parking provision (Source: Traffic Impact Assessment Report)

As each villa dwelling is provided with at least one off-street parking space in the garage, the TIA considers the Seniors SEPP parking requirements for residents are satisfied. The TIA considers the proposed on-street car parking for visitors is appropriate as it is consistent with Council DCP.

Parking for the residential flat buildings will be considered in separate development applications.

7.2.7 Bicycle Parking

Penrith DCP 2014 requires bicycle parking to be provided:

... in accordance with the suggested bicycle parking provision rates for different land use types in the document 'Planning Guidelines for Walking and Cycling' (NSW Government 2004). Bicycle parking spaces should comply with AS2890.3:1993 Bicycle Parking Facilities.

The *Planning Guidelines for Walking and Cycling* state the bicycle parking rates should be determined as a percentage of numbers of people. For aged or disabled self-contained housing the rates for residents and staff are 3–5% and visitors: 3–5%. This may result in the need for 1.5 bicycle parking spaces per villa for residents and staff and 1.5 spaces for visitors.

Although demand for bicycle parking is expected to be lower given the age of residents, provision can be made for bicycle parking within the site such as within private garages and in suitably placed bicycle racks for staff and visitors in the apartment buildings.

7.2.8 Service Vehicles

Service vehicle facilities are provided within the site and are accessed via the new site entry intersection accessed on Jordan Springs. The TIA confirms vehicles up to 12.5m long heavy rigid vehicles can enter and leave the site in a forward direction.


7.2.9 Public Transport Accessibility

As discussed in Appendix 17, the site is within 400m walking distance to regular bus services which provide access to a variety of shops and specialised services throughout the week. Bus stops are located north of the site along Jordan Springs Boulevard and provide services to Penrith Westfield.

The TIA concludes the proposed development will not generate any significant impacts on the traffic or transport conditions on the local road network.

7.2.10 Road Safety Audit

Bitzios Consulting has also prepared a Stage 2 Road Safety Audit (RSA) for the proposal which is provided in Appendix 20. The RSA identifies safety issues of the proposed design layout and measures to address these issues. A summary of these issues is provided in the table below. The suggested treatments will be incorporated into the final design of the proposal.

Issue	Suggested Treatment
<p>The proposed Driveway 1 (access to visitor parking bays and villas, see below) is located in close proximity to Road 1/ Road 3 intersection which may introduce some vehicle conflicts for vehicles turning left into Road 3 from Road 1.</p> 	<p>Ensure clear sight lines are maintained for drivers / pedestrians with no vertical obstructions at this location to improve safety.</p>
<p>The proposed access from Lakeside Parade to the retirement village leads (see below) into a turnaround area which provides access to different components within the retirement village. However, driver confusion (i.e. who has right of way) may occur if multiple vehicles arrives at the same time at this location which is considered unsafe.</p>	<p>Consider installing a central island at the turnaround area and converting it to a roundabout control with appropriate signage in accordance with relevant Australian Standard to improve safety.</p>


Issue	Suggested Treatment
	

Table 12: RSA - Findings and suggested treatments (Source: Bitzios Consulting)

It is noted the design of the road running around the lake into proposed Road 3 may be a safety issue once the seniors apartment buildings are occupied. This issue will be addressed in the detailed design of the DA for the next stage of this development.

7.3 Open Space, Public Domain and Landscaping

7.3.1 Communal open space

The proposed development includes a number of areas of communal open space and landscaped areas provided in the Stage 1 villa development (as shown on the Landscape Plan, Appendix 8), including:

- A landscaped lawn area adjacent to the Lakeside Parade access
- Landscaped pedestrian entry points into the site from Jordan Springs Boulevard at the end of each cul-de-sac

The next stage of the proposal will include further open space areas around the seniors apartment buildings and the provision of community facilities within the ground level of the western seniors apartment building.

It is also noted that future residents and visitors will have good access to the extensive open space network in the established neighbourhood of Jordan Springs, including:

- Watergum Community Park to the north
- The village centre lake and surrounding open space to the east
- The village oval to the north-east
- The surrounding Wianamatta Regional Park

7.3.2 Landscaping

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

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

- Strengthens the visual recognition of the street hierarchy through landscape treatments;
- Provides space for street trees and landscape treatment while accommodating footpaths and sightlines for vehicles; and
- Ensures landscape character dominates the street and trees provide shade and amenity.

The proposal incorporates approximately 31% landscaped area across the seniors living development, being the extent of this DA. A total of 29% of the site is proposed as deep soil landscaping.

A fencing plan is provided in Appendix 4.

7.4 Heritage and Archaeology

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

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

Table 13: Surrounding heritage items in the Western Precinct

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

7.4.1 Archaeology

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

All aboriginal objects within the Western Precinct, except for items which comprise burials, will be treated in accordance with the AHIP.

7.5 Waste Management

A Waste Management Plan (WMP) has been prepared and is provided at Appendix 12. The WMP addresses operational waste in accordance with Council's DCP. The residential waste and recycling will be collected by council. The retail and commercial waste will be collected by private contractor.

As discussed in the Traffic and Transport section of this report, the TIA confirms the proposed internal roads are suitable for vehicles up to 12.5m long heavy rigid vehicles and these vehicles can enter and leave the site in a forward direction. The TIA concludes the road design is suitable for waste vehicle manoeuvrability given the infrequency of services and expected low traffic volumes. It is anticipated that a private contractor will be used for waste collection.

7.6 Noise

A noise assessment has been prepared by Renzo Tonin & Associates (Appendix 21) in accordance with Penrith City Council's Development Control Plans, *State Environmental Planning Policy (Infrastructure) 2007*, NSW Environment Protection Authority (EPA) Noise

Policy for Industry (NPfI) and the Australian Standards. The Noise report provides an assessment for the proposed seniors villas, a separate noise report will be prepared for the future development application for the proposed independent seniors living units.

The report identifies potential noise intrusions into the development from existing traffic noise on The Northern Road and Jordan Springs Boulevard and noise from the proposed mechanical plant impacting onto neighbouring properties.

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

The assessment reviewed the internal noise goals and existing external noise on the site and has proposed treatments to minimise the impact of external noise during operation. The Noise Report recommended treatments to minimise the impact of external noise during operation and include acoustic seals, minimum glazing thickness and external walls and ceilings have a minimum sound rating.

The Noise Report concludes impacts from road traffic, from Jordan Springs Boulevard and The Northern Road, have been considered and the proposal can comply with the Australian Standards, the SEPP (Infrastructure) 2007 and DOP Guideline. The report further concludes the likely noise emissions for the operation of mechanical plant and equipment can comply with the relevant noise policy.

The Applicant will prepare a construction noise management plan via a condition of consent.

7.7 Bushfire Prone Land

A Bushfire Assessment has been prepared by Peterson Bushfire to accompany the development application which identifies the site is partially bushfire prone. The Assessment demonstrates the development can comply with Section 100B of the *Rural Fires Act 1997*, Clause 44 of the *Rural Fires Regulation 2008* and *Planning for Bushfire Protection 2006*.

The proposal incorporates compliant asset protection zones (APZs) to the adjoining woodland to the south and west of the site. The western APZ is 36m and is in the form of building setbacks and roadways. The southern APZ is 40m and is in the form of a stormwater basin which includes a maintenance road and building setbacks.

The assessment makes following recommendations to be implemented:

- APZs are to be applied to the development as listed in the bushfire assessment
- Any landscaping proposed across the development is to achieve performance objectives of an inner protection area as described by PBP
- Future buildings must comply with the Bushfire Attack Levels (BAL) in accordance with this Bushfire Assessment Report.
- The proposed internal roads are designed in accordance with the PBP Acceptable Solutions for the design and construction of public roads as detailed in this report

- Future development will require fire hydrants to be installed to comply with AS 2419.1 – 2005 Fire Hydrant Installations - System Design, Installation and Commissioning (AS 2419)
- Electricity should be underground wherever practicable. Where overhead electrical transmission lines are installed, the vegetation clearance distances are to comply with ISSC 3 Guideline for Managing Vegetation Near Power Lines (Industry Safety Steering Committee 2005)
- Any gas services are to be installed and maintained in accordance with AS/NZS 1596-2008 The storage and handling of LP gas.

The Bushfire Assessment is provided in Appendix 7.

7.8 Infrastructure and Utilities

The proposed development will be serviced by stormwater and sewer infrastructure and utilities.

A Stormwater Management Plan (SMP) and civil drawings have been prepared by Wyndham Prince are provided at Appendix 9 and 10.

The Stormwater Management Plan recommends a 'treatment train' approach where various types of pollutants are removed by a number of devices acting in series. The strategy focuses on mitigating the impacts of the development on the total water cycle and maximising the environment, social and economic benefits achievable by utilising responsible and sustainable stormwater management practices.

A range of Water Sensitive Urban Design (WSUD) measures are proposed to ensure that water quality treatment is delivered in accordance with the overarching strategy (SKM, 2009). Importantly, these proposed Stage 2 devices will be provided in addition to the regional wetlands which have already been constructed across the broader Jordan Springs Release Area.

The proposal includes a stormwater connection which begins within Lot 3990 and runs through the proposed subdivision and into Lot 3991 to the adjoining seniors villa development.

7.9 Geotechnical Investigation

A geotechnical investigation has been undertaken by Alliance Geotechnical Pty Ltd (Appendix 11).

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

- Strip topsoil and remove fill material.
- Deeper stripping of soils underlying topsoil or where water softened soils are present. Prior to stripping of these materials a geotechnical engineer should be consulted to provide advice.

- Where fill is to be placed, a test roll to the exposed upper surface should be undertaken on the exposed subgrade with a smooth drum roller of at least 8 tonne static deadweight capacity, during the presence of a geotechnical engineer and a maximum of six passes of the roller.
- Where soft spots or unacceptable subgrade conditions are encountered, remove the unsuitable material to a further 300 mm and inspect.

7.10 Contamination

A contamination report and site audit statement have been prepared by Alliance Geotechnical Pty Ltd. The contamination report undertakes a review of previous contamination reports and a desktop review to establish the suitability of the proposed residential use.

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

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

The contamination report prepared for this proposal concludes the following:

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

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

A Site Audit Statement has been prepared for the site, the statement confirms the site is free of contamination and is suitable for the intended residential development.

The Contamination report, Site audit statement and Protocol are provided in Appendix 13.

7.11 Flooding

A Flood Study has been prepared by Northrop to accompany the proposed development application. The Flood Study outlines the catchment, the proposed development and the implications for the development due to flooding and is provided in Appendix 22.

The Flood Study has been prepared in response to the pre-DA meeting with Council. Council requires flood free access to new development. The Flood Study confirms the introduction of the proposed twin 750mm RCP culvert crossing adjacent to the north-eastern corner of the residential precinct shows flood free access is available up and including the 1% AEP design

storm event. The report notes as per the DCP 2014, Council will not support development in floodway or areas of high flood hazard.

The flooding report analysis the flood behaviour adjacent to the site and concludes:

- The 1% AEP level in the dam is approximately 39.89m AHD;
- The roads, lots and finished floor levels will be able to be accommodated above these levels. Consideration should also be given the gully to the south of the development when determining minimum levels;
- The development causes minor localised redistribution of flow in the median 1% AEP event. The impacts within the dam and in the channel downstream have negligible changes; and
- The intent of Penrith City Council Pre-DA minutes and DCP can be satisfied in the design of the subdivision.

7.12 National Construction Code

A Building Code of Australia report (BCA) Compliance and Compatibility Report has been prepared by Michael Wynn-Jones & Associates and is included at Appendix 16.

The report provides an assessment of the current design proposal for the first stage of the development for the proposed 51 seniors villas and confirms the development is capable of complying with the BCA.

7.13 Social benefits

A Project Statement has been prepared by Lendlease and is provided at Appendix 23.

The Statement confirms Lendlease is the leading provider of retirement living communities. There are 16,500 residents within 71 villages developed by Lendlease. The Statement details the social benefits of retirement living and the co-location with residential aged care living, the benefits of the site and social benefits for residents. These include:

- Enhanced choices for independent living
- Opportunities for people to age in place
- Encourage economic contribution through volunteering
- Seed local jobs growth
- Reduce health expenditure
- Foster social inclusiveness
- Positively impact health and social services
- Promote safety and security
- Opportunity to provide further allied health and medical support as a complimenting retail use
- The Residential Aged Care facility may serve as a base for home care services to the local community
- Provide genuine integration with the community, providing benefits for residents in remaining connected and active, and the community by way of access to amenity.
- Increase local area housing diversity.

7.14 Suitability of the site

The characteristics of the site, its land use context and its location are described in Section 3 of this report. The site is suitable in accommodating the proposed redevelopment for the following reasons:

- the proposal will provide for a vibrant new neighbourhood, including the provision of seniors living units, buildings and public domain of the highest quality, and maximise the efficient use of this vacant parcel of land;
- the site is capable of being developed in a manner that will minimise impacts to the natural, artificial, historical, and environmental qualities of the site and neighbouring sites. All impacts of the development can be appropriately managed and mitigated;
- the development is designed in accordance with ESD principles and will achieve a high standard of sustainable design;
- the site is in close proximity to the Jordan Springs village centre, is well serviced by public transport and is also in close proximity to existing public open spaces and recreational facilities; and
- the proposed development will not result in any local populations of threatened species or occurrences of ecological communities becoming extinct.

Accordingly, it can be concluded that the site/premises is entirely suitable to accommodate the nature and scale of the proposal.

7.15 Submissions

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

7.16 Public interest

The provision of seniors housing including villas, apartments and aged care housing in the Western Precinct of the St Marys Development Site will result in significant public benefit for new communities within the site, existing communities and surrounding neighbourhood.

The public benefits associated with the proposal include:

- increased housing supply housing for seniors in a site well located relative to transport services, health facilities and other essential services
- a positive contribution to the built form character of the locality through high quality architectural design, new landscaped areas and improved streetscape of Jordan Springs
- new public landscaped areas and connections to Jordan Springs Lake.
- creating a new vibrant neighbourhood on Jordan Springs Boulevard;
- establishing new roads and pedestrian connections across the site, significantly increasing site permeability;
- improved security through the careful design and layout of new buildings that are activated at ground floor level and offer significant levels of passive surveillance;
- the creation of an environmentally sustainable development as demonstrated through the Basix; and

- provision of extensive landscaped areas and the provision of seating for the enjoyment of future residents, existing neighbouring residents and visitors in general.

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

8 Conclusion

This SEE supports an application to accompany a DA for the development of seniors housing at 3991 Jordan Springs Boulevard, Jordan Springs.

This SEE has been prepared and is submitted to the Penrith City Council (Council) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act* (EP&A Act). This application is lodged in accordance with section 4.12 of the EP&A Act comprising a staged concept development application comprising stage 1 construction of 51 seniors housing villas, associated civil works, roads, earthworks and landscaping; and stage 2 concept development for future independent living units within 3 residential flat buildings, which will be subject to future staged development applications.

Following a detailed consideration of the proposal in its legislative and physical context, we believe that approval of the proposal is warranted for the following key reasons:

- the proposal is suitable for the site and the area, after consideration against Section 4.15(1) of the EPA & Act;
- the proposal meets the objectives of the zone in SREP 30;
- the proposal is complementary and compatible with the Western Precinct within the St Marys Development Site;
- the proposal is consistent with SEPP 65 and the Apartment Design Guide;
- the proposal meets the aims of the Seniors SEPP;
- the proposal will provide seniors housing for an increasing ageing population in the Western District;
- the proposal will not result in any significant land use conflicts with existing surrounding uses and is consistent with the evolving character of Jordan Springs;
- the proposed building envelope locations, layouts, heights and setbacks are appropriate;
- the development will not give rise to any adverse impacts on nearby heritage items;
- the proposal will not lead to any traffic or pedestrian safety issues;
- the proposal will not result in any significant environmental impacts or adverse impacts on the amenity of surrounding land; and
- granting consent is considered in the public interest.

Consequently, approval of this residential development application is recommended.

