

Appendix D Consideration of:

North Penrith Concept Plan (MP10_0075); Conditions Modifying the Concept Plan and Design Guidelines

PREFERRED PROJECT REPORT		
As it applies to Stage 2B and 2C, 2D and 3B (landscaping infrastructure and subdivision development) of Concept Plan MP 10-0075		
Item	Complies	Department Comment
PREFERRED PROJECT REPORT		
6.2 Proposed Development		
Land use type and distribution	YES	Proposed zones in Stage 2B & 2C, 2D and 3B comply with the zoning map in Penrith City Centre LEP.
Dwellings	YES	A target yield figure has been set for the entire site. Each stage provides a general target figure. The Stages under consideration include subdivision but do not include built structures. An analysis of the subdivision indicates the targets are being maintained.
Subdivision	YES	This proposal includes subdivision for roads, residential development and open space. The residential allotment targets are acceptable at this stage.
Village Centre	N/A	Not applicable to the applications under consideration
Environmental Conservation – Thornton Hall	N/A	Thornton Hall is Stage 2A.
European and Aboriginal heritage	YES	The known items of aboriginal heritage on the North Penrith site are included in approved Stage 2A. Combewood House adjoins Stage 2B and further investigation into foundations of outbuildings has been undertaken.
Road Network and pedestrian, cycle and public network	YES	The road network is generally located as indicated on the Concept Plan. Pedestrians are catered for and a cycleways are being provided from the surrounding areas into the central commercial area and the train station.
Water cycle management strategy	YES	Stage 2B includes the major drainage and stormwater management waterways. Technical studies have been undertaken and recommendations will be implemented in the provision of infrastructure.
Infrastructure – water, power, sewer etc	YES	The Stages under assessment involve works to install infrastructure for the provision of utilities to the applicable residential lots.
DCP to guide future built forms	N/A	The North Penrith site is listed in the Penrith City Centre LEP and some building form controls are included. The Design Guidelines provide controls specifically for the North Penrith site. This application does not include building construction.

Developer contributions, governance and funding for infrastructure and public open space		Works in kind, dedication of land free of cost, embellishment of open space and community facility building are to contribute to contributions. The proponent is also to pay contributions at a rate per dwelling type as detailed in <i>Condition C4 Development Contributions</i> of the Concept Plan approval.
6.3 Vision and Urban Design Concept		
Well designed spaces including leafy urban landscapes and responsive built form	YES	Stage 2B includes the canal and wetland as major urban landscaped spaces for this site. Stage 2D includes Howell Park
Urban style village centre	N/A	Not applicable to this Stage 2A application
Connecting linkages that integrate with a significant water body	YES	The canal is a significant central water body which links into the village centre and oval which in turn have radiating connections throughout the site.
Diverse and adaptable housing	YES	A range of housing is proposed throughout the site. The stages under consideration will provides a wide range of housing types. This proposal does not include any building construction.
A business/employment centre	N/A	Not applicable to the stages of the North Penrith site considered within this assessment.
Village centre: - Commercial, retail, employment adjacent to transport. - Urban and built form of centre has main street focus and pedestrian friendly.	N/A	Not applicable to the stages of the North Penrith site considered within this assessment.
Transit oriented, accessible and connected - Higher density housing near village centre and transport. - Public transport and roads to connect with other business, employment, community facilities. - Hierarchy of roads and paths supporting links especially to key urban places. - A cycleway linking destinations and open spaces. - Walkable community	YES	Stages 2B, 2C and 3B include lots identified for high density housing near the village centre and along the canal. The proximity to the rail line has been a defining design consideration. Roads radiating from the centre and rail line, bus routes and cycleways have been incorporated. Major urban spaces such as the oval and canal are features which are central to the design and will enhance the walkability of the site.
Community places - Variety of embedded community spaces. - A community facility, parks and public art. - Streets and public spaces support social engagement. - Passive surveillance of public domain.	YES	Stage 2B incorporates a major public space being the canal and wetland. These features, along with Howell Park within Stage 2D include public art and facilities. Passive surveillance has been considered and will be incorporated within the building environment.
Heritage Protection - Visual links to and from Thornton Hall. - Indigenous heritage preserved in open spaces. - Heritage places and items retained and adaptively re-used.	YES	Thornton Hall and the found indigenous items are within Stage 2A and not considerations under this assessment. Combewood House and Museum of Fire are adjoining the site and this relationship has been considered.

6.4 Sustainability		
Environmental Sustainability • Retain and conserve ecological communities with maintenance regime. • Water sensitive design. • Optimise solar access.	YES	There is no ecological communities within the stages under consideration. Water sensitive design is being applied to the drainage and stormwater system across the site and in particular Stage 2B.
• Reduce travel by locating traffic generating land uses near public transport. • Provide good connectivity. • Most dwellings within 400 mts walking to public transport. • Interconnected pedestrian street and open space corridors. • On and off-street cycle ways.	YES	The North Penrith development site is located on a major train line. Radiating streets have been designed to include pedestrian paths, cycleways and to connect to central rail line hub.
Social Sustainability • Integrate social planning with physical, environmental and economic planning. • Demographically diverse population and housing. • Pleasant, healthy and safe environment. • Accessible village centre focal point. • Access to jobs, shops, transport, schools, facilities. • Learning opportunities and resources. • Facilities, services and programs to meet needs of community. • Efficient use of community resources. • On-going planning and development of community. • Promote civic pride and sense of place. • Celebrate natural and cultural heritage. • Integrate with local and wider community. • Provide access to jobs, transport, commercial, cultural and recreational resources.	YES	The provision of many of these aims will be undertaken as the community gets established and Council and community groups establish and provide a range of social services. A built network is required to underpin these services and the development of the stages under assessment will contribute by providing connected public spaces, roads and infrastructure.
6.5 Land Uses, Distribution & Future Proofing		
Future Proofing through flexible planning controls, utilising the strategic location and synergies with the Penrith CBD.	YES	Planning controls have been gazetted as a part of Penrith City Centre LEP and the overall site design creates a focal connection to the rail station and through that to Penrith CBD
A land use framework	YES	The proposed zoning and land use framework has been modified, in particular within Stage 2D however the outcomes remain substantial the same as approved within the Concept Plan.
Residential precincts and dwelling yield	YES	These three applications are for the provision of infrastructure, landscaping and subdivision works to Stages 2B & 2C, 2D and 3B. The layout plans for the dwelling allotments within these stages are generally in accordance with the Concept Plan. The dwelling yield has been confirmed.

Dwelling mix • A range of housing types including 44 affordable, 44 adaptable and 100 aged care dwellings. • Diversity of affordable housing. • Housing options for various family types. • Innovative housing. • Passive surveillance • Studios over garages.	YES	These applications are for the provision of infrastructure, landscaping and subdivision works only. The proposed dwelling yield and mix is generally consistent with the Concept Plan.
Housing for Seniors located max. 400m walking from village centre and railway	N/A	
Affordable Housing	N/A	
Adaptable Housing	N/A	
Minimum Lot Sizes Residential lots range from 120m ² to 12,288m ²	YES	The proposed residential allotments are within the size constraints required.
Village Centre for approx. 12,500m ² commercial floor space, 3,200m ² retail. To be with close proximity to open space and walking distance to railway station.	N/A	
Key Sites Blocks A3 to A6 are 'Opportunity Sites' providing flexibility to provide additional commercial floor space. The B4 mixed use zone may be used for employment development.	YES	The subdivision of the opportunity sites which are included within Stage 3B are included in this assessment. Assessment of the built form and development will be undertaken at a later stage.
Light Industrial Uses to Coreen Avenue. • Create employment. • Trade supplies, bulky goods or domestic storage. • Address land use conflicts and provide acoustic buffer between Coreen Ave and residences.	N/A	

6.6 Heritage

Retain Thornton Hall and curtilage Views to Thornton Hall. Alignment of former speedway. Existing oval Cumberland Plane Woodland and Combewood open space area	YES	Thornton Hall and the Cumberland Plane Woodland are within Stage 2A and the former speedway within Stage 1. Land formerly associated with the Combewood residence open space area has been incorporated within Stage 2B.
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6.7 Open Space and Public Domain

Open space network as shown at Figure 26 of Concept Plan to: • Create landscape setting responding natural assets. • Create accessible, integrated, diverse, and adaptable network. • Protect fauna and flora. • Create new watercourses. • Create parks and streets relating to natural landscape. • Create parks and streets reflecting local identity. • Provide pedestrian and cycle connections • Provide large trees in urban environment.	YES	Stage 2B includes the canal network and wetlands. Detailed landscaping plans for outdoor recreation spaces in association with the water bodies have been submitted. A network of pedestrian and cycleways connect the spaces throughout the site. Stage 2D includes Howell Park which is a pocket of landscaping and recreational facilities within the residential development.
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Retain and upgrade the Oval (Smith's Paddock). Incorporate trees and a linear water feature will visually connect The Oval with Waterfront Park.	N/A	
Station Square within the Village Centre • Paved civic space. • Shade trees and planter boxes. • Linear water features in the hard surface. • Lawn area. • Central sculpture feature. Retail/services to front the Square and the Square will connect with steps to station.	N/A	
Waterfront Park being a landscaped canal to be a recreational and stormwater system. Canal to convey water to the detention basin at western extent of site. Canal designed in accordance with WSUD principles with filters and aquatic gardens for purification of water.	YES	The Waterfront Park and canal are within Stage 2B and are an integral part of the drainage and stormwater system. This system is designed in accordance with WSUD principles and connects to the Wetland Park.
Wetland Park at the western extreme of the site is the final stage of the stormwater system. To be a recreational open space with footpaths and seating.	YES	Wetland Park is a detention basin of the WSUD treatment system. This area is landscaped for recreational use.
Three pocket parks being Belmore Green, Howell Park and McHenry Place. To be treed, contoured and accessible from residential streets. (see Figs. 34, 35, 36)	YES	Howell Park is within Stage 2D and landscaped for public recreational use.
Street Planting in road reserves to reinforce street hierarchy. Roadside swales part of stormwater system.	YES	Street planting will be undertaken as shown on the landscape plan.
Public Art is proposed to reflect the sites heritage values.	N/A	Public art is used to reflect heritage values within Stage 2A. The Stages under consideration use street and park names to reflect heritage values.
6.8 Traffic and Access		
The road network hierarchy is to: • Reduce travel distances. • Provide paths from Coreen Avenue to the village centre and Penrith Station. • Access from Coreen Avenue to commuter car park. • Slow traffic through village centre. • Road standard to match traffic volume. • Access from PTD for oversized trucks. • Space for bus underpass of rail line. • Local streets to be short length only.	YES	The road network radiates from the village centre. The details of the road network and road hierarchy for Stages 2B & 2C, 2D and 3B has been developed in conjunction with RMS and Council. There have been some modifications to the road layout in Stage 2D however it is not considered to provide any significant detrimental impact. The layout generally reflects the concept plan.
Road Hierarchy is: • Maximise north-south and east-west permeability. • Clear access between key urban places. • Street and path network link residential areas to village centre. • Pedestrian friendly streets. • Good surveillance. • Walking and cycling networks for commuter and recreation. • Higher density housing within walking distance of village centre and public transport.	YES	The road and path network in the stages under consideration is generally consistent with the concept plan.

Internal Road Network: Four intersections as follows: - Existing at Coreen Avenue and commuter car park. - New roundabout at Coreen Avenue and entry boulevard. - Intersection of Castlereagh Road and Peachtree Road. - Existing at The Crescent. - Internal intersection management - Design of roads and streets in accordance with relevant standards, policies and guidelines. - Large vehicle swept paths. - Interpretation of Thornton Hall carriageway and curve of former speedway in street alignment. - Bus corridor to connect to Penrith Station. - Pedestrian and cycle access to commuter car park	YES	The design of the internal road network and intersections is generally in accord with the concept plan.
Car Parking in proposed to be provided at a low rate due to walkability of site and proximity to good transport and facilities.	N/A	
Public Transport is to include a bus corridor within the entry boulevard, around The Oval and back towards Coreen Avenue. Stage 2 envisages a future rail underpass. Road design to incorporate appropriate gradients for bus lanes and to connect to commuter car park. (see Fig 40 and 41 of Concept Plan)	N/A	
Pedestrian and Cycle Networks as shown in Fig. 42 of the Concept Plan. - Footpaths along all streets. - Footpaths connect open and recreational spaces. - Stairway to the site from footbridge over railway station. - Cycle parking in Village Centre.	YES	The cycle way on Combewood Avenue between Coreen Avenue and Thornton Drive is proposed to be deleted and replaced by a cycleway along Thornton Drive from Castlereagh Street.
6.9 Water Cycle Management		
Water cycle strategy at Figure 43 of Concept Plan.	YES	A water cycle management strategy was provided with the Concept Plan and will be implemented within the Stages of development under consideration.
6.10 Infrastructure Servicing		
A utilities servicing strategy applies Water, sewer, electricity, gas and telecommunications to supplied in response to the requirements of the site and the supplier.	YES	This proposal is to install utilities. The various utilities providers are to be consulted to ensure adequate supply and appropriate provision of services.

6.11 Ecologically Sustainable Development		
The Plan considered topography, drainage, orientation and existing street pattern. Mix of dwelling types to provide diversity. Housing in close proximity to transport and employment. Public transport and pedestrian uses promoted. Integrated street network. Siting and orientation of development good for ventilation, solar access, open space, deep soil. Provide affordable and seniors living housing. New employment opportunities. Water sensitive design Connect open spaces for recreational activities.	YES	The stage 2B & 2C, 2D and 3B proposals generally complies with the concept plan to the extent of undertaking earthworks, providing infrastructure and subdivision. Sustainability and the provision of affordable and seniors living housing will be further considered during assessment of later proposals for the built environment.
6.12 Indicative Project Staging		
To be developed in five stages.	YES	The staging plan has been modified and this proposal complies with the modified staging plan.
6.13 Development Contributions s94 Plans		
Council has s94 Contribution plans relating to community facilities would apply.		It was considered that sufficient contribution to local open space and community facilities will be provided from carrying out of works and dedication of land to Council. Condition C4 of the Concept Plan approval require that contributions be paid per dwelling. No dwellings are approved within this application.

CONSIDERATION OF CONDITIONS MODIFYING THE CONCEPT PLAN FOR THE NORTH PENRITH DEVELOPMENT SITE NO. MP 10_0075

As it applies to Stage 2B and 2C, 2D and 3B (landscaping, infrastructure and subdivision development) of Concept Plan MP10-0075

Schedule 2 – Modifications to Concept Plan			
No/Description	Precis of Criteria	Complies	Department comment/assessment
A1 Development Description	1000 residential dwellings 4,500 m² of retail floor space, 10,650 m² of commercial floor space, 7,000 m² of light industrial floor space 7 hectares of open space; and Associated estate works and infrastructure	YES	Zoning for Stages 2B and 2C, 2D and 3B provides for residential dwellings, mixed use and industrial zone sites and includes open spaces area.
A2 Development in accordance with Plans and Documentation	Lists relevant documents, plans, Schedules (as modified by MOD 2)	YES	The development is in accordance with the plans and documentation.
A5 – A7 Approval, lapse of approval		Noted	
B1 Concept Plan Drawings	All plans to be modified to indicate the max. building height of 10m continue from Thornton Hall to the edge of the oval, including part of lots 1112 and 1113. (as modified in MOD 2)	N/A	
B2 Design Guidelines	<i>'Prior to the determination of any future development approval on the site, the proponent shall submit modified Design Guidelines...to the Department for approval.'</i> In the event of any inconsistency the Design Guidelines prevail over the Penrith DCP 2006. A range of controls relevant to construction of dwellings are provided. (as modified by MOD 1).	Noted	
B2A	Design Guidelines to be updated to be consistent with modification (as added in MOD 2)	Noted	
B3 Opportunity Site	High densities (see Fig 14 of draft DCP)	N/A	
B4 Minimum Lot Size	Do not apply to strata subdivision.	Noted	
B5 Road Names	To be approved by Council.	YES	A condition of consent requires Council be consulted over the road names.
B6 On-Street Car Parking	To be approved by Council	N/A	

C1 Road Works – Site Access	Three listed Intersections to be constructed prior to the issue of a Subdivision Certificates for the stage listed. Relevant to Stage 2C: Access to the site from Castlereagh Road, opposite its existing intersection with Peach Tree Road to be within Stage 2C (as modified in MOD 2)	YES	Plans for the intersection nominated as relevant to Stage 2C are included in the documentation for Stage 2B and 2C.
C2 Road Works – Regional Improvements	Intersection upgrade prior to occupation of 100 th lot. Upgrades of Parker St. Richmond Rd, Coreen Ave and Oxford St intersection to the RTA for approval.	N/A	
C3 Dedication of Open Space and Community Facilities	Dedication of open space, drainage to Council free of charge. Sales centre to be converted to community facilities. Landscaping etc to be completed and maintained for three years prior to dedication to Council.	N/A	
C4 Development Contributions	Contributions listed are per dwelling. (as modified in MOD 1)	N/A	No dwelling included in this assessment. Dedication to Council of public spaces and domain will be undertaken as specified.
C5 Drainage	Detailed design and assessment of the operation of the central drainage canal to be submitted with relevant Stage 2 DA. Canal designed so that it does not require topping up from external sources. Runoff not to discharge onto rail corridor to be addressed in Stage 2B.	YES	The central canal is within Stage 2B and is designed as an integral part of the drainage and stormwater system. The EIS states that top-up sources are required however the Water Cycle Management Strategy by J. Wyndham Prince (pg 39) confirms the canal and wetland are sustainable with stormwater <i>'and do not require an external top up source of water supply.'</i>
C6 Flooding	'Prior to the determination of any development approval for infrastructure works in Stage 2, the proponent shall submit a further assessment of flooding behaviour that includes: 1) an assessment of the impact of filling on site on flood levels at adjoining properties; and 2) an assessment of the impact of climate change on flooding behaviour, changes to temperature, rainfall and evaporation and the impact this may have on flood levels on and adjoining the site and the stormwater management strategy.'	YES	Cut and fill is to be undertaken in the stages under assessment. The Worley Parsons Regional Flooding Assessment (2010) submitted with the concept plan states there will be 'no significant adverse impacts on surrounding development and local drainage problems.' (pg 10) The earthworks are to be at a level which is considered adequate for the likely new FPL however a conditions of consent requires further investigations to establish the FPL for the site prior to the issue of a subdivision certificate.

			The J. Wyndham Prince assessment submitted with this application addresses rainfall, flooding and climate change. Further investigation will be undertaken prior to the issue of a subdivision certificate.
C7 Construction Environmental Management Plan	<i>'...A Construction Environmental Management Plan to be submitted for each stage of development shall be developed in consultation with and approved by Council.'</i>	YES	The draft outline for the CEMP has been reviewed by Council. Council has required two additional items which have been included in the conditions of consent.
C8 Sewerage Treatment Plant	To be approved by Sydney Water	N/A	
C9 Cumberland Plain Woodland	<i>'Replanting in areas where Cumberland Plain Woodland is to be removed should be with plants grown from local provenance seed. Details are to be submitted with the development application for Stage 2A.' (as modified in MOD 2)</i>	N/A	
C10 Aboriginal Heritage	<i>'A Section 88B instrument (or other suitable means) is to be provided to protect the aboriginal heritage item in Lot C3. Details are to be submitted with the development application for Stage 2A.' (as modified in MOD 2)</i>	N/A	
C11 Fencing on Coreen Avenue	To be approved by Council	N/A	
C12 Adjoining development	Interface with industrial land to be assessed with relevant Stage 2 applications.	YES	A mobile storage depot adjoins the northern boundary of Stage 2D. This facility has been confirmed as not posing a risk to residential development

CONSIDERATION OF DESIGN GUIDELINES 2013 (Version: 19 March 2013)

As it applies to issues which must be addressed in the EIS for Stage 2B and 2C, 2D and 3B (landscaping, infrastructure and subdivision development) of Concept Plan MP10-0075

No.	Relevant Key Issue	Complies	Department comment/assessment
1.0 Introduction			
Land to which Plan applies		YES	Plan applies to the former North Penrith Defence site as shown on the map.
2.0 Concept Plan			
2.2 Outcomes	<u>Transport</u> - Transit oriented development creating direct routes to rail. - Mix of land uses with safe pedestrian network. - Diverse range of 900-100 dwellings with open space, canals, outdoor recreational facilities. - Generate local jobs and cater for daily needs and services in close proximity to transport. - Retain key trees and manage flood issues. - Protect and enhance cultural and environmental heritage.	YES	The stages under consideration are for earthworks, subdivision and supply of utilities and services. This includes the construction of the road/pedestrian/cycle network and the subdivision will establish the framework for the range of housing types to support the 900-1000 dwellings and open space. Flood mitigation will be undertaken during the earthworks where fill will be required to raise the site to higher than levels prescribed in the Concept Plan. The canal and wetland within stage 2B, will also be key elements of managing stormwater and drainage across the North Penrith site.
3.0 Residential Development			
3.1 Housing Density	Overall target of 900-1000 dwellings. Tradeable between sub-precincts.	YES	The stages under assessment will provide an estimated 371 dwellings. The applicant has confirmed that the overall dwelling yield for the site is currently estimated to be 970.
3.2 Subdivision - Objectives	A range of densities, lot sizes and dwelling types in a coordinated manner; provide high level amenity.	YES	The stages under consideration include a wide range of dwelling development types, sizes and densities.
- Controls	(1) All Torrens title allotments within the constraints provided to be accompanied by plans. (2) Residential allotments with a width greater than or equal to 8m to include a building envelope plan. The plan is to demonstrate built form, residential amenity, setbacks, private open space, garages and minimum yield for any superlot or integrated housing site. (3) Zero lot line to have regard to lot orientation and solar access. Adjoining allotment to have 900mm easement. (4) Development in R1 zone (except residential flat bldgs): lot depth to be 25m to 30m; Min. width is 4.5m (attached/semi detached dwellings) and 8m for dwelling houses. NB: Variation permitted for	YES	This application includes a proposal to subdivide the allotments. Detailed building plans have not been provided however building envelope plans have been supplied as required for lots of a width greater 8m. The works proposed are generally broad scale earth and services works. The building envelope plans generally comply with the controls. Dwelling yield figures have been supplied in the cover letter to the Response to Submissions, to confirm compliance with the target dwelling numbers. Detailed dwelling plans, which must comply with the guidelines, will be assessed at a later stage. Lots are to be 'generally 25-30m' deep. The lots are generally 25-30 m deep and

	integrated housing provided good amenity achieved. (5) Residential allotments rectangular with orientation for siting of dwellings and private open space to obtain winter solar access. Avoid battleaxe lots.		the very few lots which are not are wider than 8m and as such a dwelling plan is not required. The smaller lots are corner lots and the proposals are considered consistent with the built form as it will address the street. Building envelopes are however required by the Design Guidelines and have been submitted with the EIS. The building envelope indicates selected location for the building, garage, setback lines. Amenity to these lots and their adjoining neighbours will be assessed by Council when development applications are submitted for the dwellings.
3.3 Building Envelopes - Objectives	Efficient land use, attractive streetscapes, respect curtilage and views to Thornton Hall, manage impacts on adjoining properties, achieve design outcomes.	YES	These applications are for early works however the structure provided by the infrastructure and the plans and documents which are part of these applications, support the future objectives for building envelopes.
- Controls	(1) – (14) A range of controls which will apply to the built environment. setback.	N/A	These applications are for early works only and the building envelopes provide indicative areas only. Development applications for the built forms will be assessed for compliance with these controls.
3.4 – 3.11 Design of the built forms	Prescriptive controls for location, constraints and finishes of built forms.	N/A	
3.12 Ancillary Dwellings - Controls	Subdivision applications that involve the creation of a laneway are to nominate preferred locations of ancillary dwellings to comply with controls and achieve passive surveillance of the laneway.	YES	The location of ancillary dwellings has been modified in MOD 2 of the concept plan. The basic principle of orientation to laneways and providing passive surveillance has been retained. Further assessment will be undertaken when the built forms for ancillary dwellings are submitted to Council.
4.0 The Village Centre (as shown in Figure the 'Village Centre' include, Stage 3A (the subdivision of Stage 3A is not part of this application), Stage 3B, the canal and residential section of Stage 2B)			
Objectives	Create a vibrant mixed use village centre and streetscape, with shelter, access, sustainability and safety design included.	YES	These are generally higher density and mixed use areas. The subdivision proposed complies with the concept plan and will support mixed use development. The controls relate to the built forms which constitute the next stage of development.
5.0 Thornton Hall (Thornton Hall is within approved Stage 2A and not applicable to the Stages under assessment.			
6.0 Industrial Development (Stage 2B includes an industrial zone however this part is built form controls and no industrial built form is included in this application)			

CONSIDERATION OF REVISED CONCEPT PLAN - STATEMENT OF COMMITMENTS (SEE PREFERRED PROJECT REPORT DATED APRIL 2011)

As it applies to Stage 2B and 2C, 2D and 3B (landscaping, infrastructure and subdivision development) of Concept Plan MP10_0075

Subject	No	Commitment	Responsibility/ Timing	Department Comment
Local Infrastructure Contributions	1	Landcom will provide local infrastructure contributions in accordance with Table 7 at Section 6.13 of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated October 2010, and as amended by Table 7 at Section 4.8.2 of the Preferred Project Report prepared by JBA Planning dated April 2011 (subject to SoC No. 2 below)	To be demonstrated by the proponent at the time of any relevant detailed application.	Contributions are by dedication of facilities etc and are to be paid as specified in condition C4 of the concept plan approval. This application does not include dwellings and the condition does not apply.
	2	Landcom will continue to work with the RTA to define the exact scope and cost of works for the intersections nominated in Table 7 at Section 4.8 of the Preferred Project Report prepared by JBA Planning dated April 2011. Notwithstanding this, the proportion of proposed works/upgrades required to be paid by Landcom and the timing by which Landcom must deliver the works shall be provided consistent with the percentages and timing identified in Table 7 at Section 4.8 of the Preferred Project Report prepared by JBA Planning dated April 2011.	Ongoing and to be demonstrated by the proponent at the time of any relevant detailed application.	The timing for the delivery of four intersections or access points are within the concept plan approval condition C1. The 'access to the site from Castlereagh Road, opposite its existing intersection with Peach Tree Road' has been submitted as a part of the Stage 2B application.
Housing/Built Form	3	Landcom will promote housing diversity in Penrith by including a wide mix of dwelling types and sizes for a range of household types within the development	To be demonstrated by the proponent at the time of any relevant detailed application.	The subdivision has been designed to include a mix of dwelling types.
	4	Landcom will produce a mix of properties for sale and/or rent that include a proportion that are affordable for households within the very low, low, and moderate income bands (based on	To be demonstrated by the proponent at the time of any relevant	Affordable housing will be demonstrated in future applications.

		Affordable Housing SEPP definitions).	detailed application.	
	5	Future applications shall consider the Development Control Plan included at Appendix D of the Preferred Project Report prepared by JBA Planning dated April 2011, as relevant.	To be demonstrated by the proponent at the time of any Relevant detailed application.	NB: Appendix D is now the Design Guidelines.
	6	Landcom will convene a Design Review Panel comprising Landcom, Penrith City Council and the project architect.	Ongoing following construction.	N/A
Employment Generation	7	Development on the site will include uses that generate at least 783 full time jobs.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	8	Landcom and Penrith City Council are to enter into a Memorandum of Understanding (MOU) to jointly explore higher order employment outcomes that compliment and do not compete with the Penrith CBD. Consideration of such a use must consider what potential impacts may be generated by this type of development including (but not limited to) matters regarding traffic, service infrastructure, stormwater, flooding (including evacuation), heritage and social and economic impacts. Where unsustainable, detrimental or significant impacts are associated with taking forward the proposal then Council and Landcom may agree not proceed with the search to secure a tenant, or the scope of what may be feasible will be re-scoped.	Prior to submission of any relevant development application for built form development for the key mixed use sites. Impacts associated with this 'additional' development above the quantified amounts of floorspace specified in the Concept Plan are to be investigated and determined prior to searching for a use.	Noted
Social and Recreational	9	Landcom will provide a community pavilion in accordance with the plans attached at Appendix A, B and C of the Preferred Project Report prepared by JBA Planning dated April 2011.	Landcom will own and manage the community pavilion for a period of 5 years before executing Commitment No. 7 below.	N/A
	10	Landcom will convert the	Upon	N/A

Facilities		community pavilion into a publicly accessible community centre in accordance with the plans attached at Appendix C of the Preferred Project Report prepared by JBA Planning dated April 2011 and dedicate it to Penrith City Council.	occupancy of 400 dwellings or at a time mutually agreed by both Landcom and Penrith City Council.	
	11	Landcom will construct and embellish the land zoned public recreation on the Open Space Concept Plan Master Plan in accordance with the plans at Appendix X of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated October 2010 prior to dedicating it to Council.	To be demonstrated by the proponent at the time of any relevant detailed application.	Some minor design modifications have been undertaken however the open space areas are considered consistent with the plans at Appendix X
Heritage	12	The Concept Plan identifies the heritage values of Thornton Hall. The Future Project Application will implement the design, layout and landscape values which recognise the identified heritage values of the site.	To be demonstrated by the proponent at the time of any relevant detailed application.	The heritage values have been acknowledged
	13	An archival recording of the place will be undertaken prior to work commencing.	To be demonstrated by the proponent prior to commencement of works.	Noted
	14	An Interpretation Strategy prepared in conjunction with a Public Art Strategy will be submitted in conjunction with subsequent Project Applications to ensure that opportunities to recognise the site's heritage values through landscaping and public art are fully realised.	To be demonstrated by the proponent prior to commencement of works.	An Interpretation Strategy has been submitted
Non Indigenous Archaeology	15	Prior to commencing works within the vicinity of Thornton Hall (ie: the area denoted as H1 on the Indicative Subdivision Plan map) and Combewood (ie: the area shown as OS5 on the Indicative Subdivision Plan map), Landcom will investigate and record any European archaeological remains within the areas utilising current best practice methodologies.	To be demonstrated by the proponent prior to commencement of works.	European heritage has been investigated in the vicinity of Combewood House.
	16	Prior to commencing works within the vicinity of Thornton Hall (ie: the area denoted as H1 on the Indicative Subdivision	To be demonstrated by the Proponent prior	No indigenous items have been located in the vicinity of

Indigenous		Plan map) and Combewood (ie: the area shown as OS5 on the Indicative Subdivision Plan map), Landcom will investigate and record any indigenous archaeological remains within the areas utilising current best practice methodologies.	to commencement	Combewood. A condition provides direction in the event any items are located.
	17	Landcom will consider the views of the Aboriginal community when determining the management regime and interpretation of the mapped and identified indigenous artefact identified as No. 45-5-2491.	To be demonstrated by the proponent at the time of any relevant detailed application.	N/A
Landscaping, Public Domain and Public Art	18	Landcom commits to implementing public art throughout the site in the locations illustrated on the Opportunities Plan and generally in accordance with the Public Art Strategy attached at Appendix Z of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated October 2010.	To be demonstrated by the proponent at the time of any relevant detailed application.	The opportunities plan identified the sites on the canal where art is proposed. Howell Park is also identified for potential art works. A landscaped sunken plaza is to be constructed.
	19	Landcom will prepare a street and place naming strategy for future open space and streets throughout the site.	To be demonstrated by the proponent prior to commencement of works.	Applicant to consult with Council in regard to street names.
	20	A Construction Environmental Management Plan (CEMP) is to be prepared which includes a site-specific construction traffic management plan.	To be demonstrated by the proponent prior to commencement of works.	To be provided prior to commencement of works.
	21	Landcom will carry out the road works identified in Road Hierarchy Plan and dedicate those works on a stage by stage basis to Penrith City Council.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	22	The widened kerbside lanes along the public transport (ie: bus) corridor to Coreen Avenue, and the Station Square (OS8) adjacent to the station and the land reserved for the bus underpass of the Western	To be demonstrated by the proponent at the time of any relevant detailed	Noted

Traffic and Access		Railway Line are considered to be works in kind as they are in excess of the bus requirements for this project and are included to benefit the transport needs of other developments and the broader community.	application.	
	23	Landcom will undertake road works and upgrades to the following intersections: • Parker St/Oxford St/Coreen Ave/Richmond Road; • Coreen Avenue/Coombes Drive (eastern intersection); • Coreen Avenue/new site entrance road (Sydney Smith Drive); • Coreen Avenue & commuter car park road • (Daniel Woodriff Drive); • Castlereagh • Road/Coreen Avenue; and • Castlereagh Road/Peachtree Road. Refer to SoC No. 2 for details of the cost of works, timing and proportion of funds required to be contributed to the nominated works/upgrades by Landcom.	Ongoing and then to be demonstrated by the proponent at the time of any relevant detailed application and delivered during construction works.	Castlereagh Road/Peachtree Road intersection included within the Stage 2B and 2C application.
	24	In addition to the above, Landcom will provide the following transport related works in kind: • The widened kerbside lanes along the public transport corridor to Coreen Avenue, and the interchange facilities in the plaza adjacent to the station to promote the use of transit for travel; • Land reserved for a bus underpass of the Western Rail Line to promote the future development of the CBD bus network; • Direct and safe cycle and pedestrian routes from Coreen Avenue to Penrith Station (northern side); • A wide plaza and good pedestrian access from Penrith Station to the new commuter car park; and • Landcom will provide an upgraded access road to the commuter car park.	To be demonstrated by the proponent at the time of any relevant detailed application and delivered during construction works.	The road and pedestrian works within Stages 2B and 2C, 2D and 3B are being undertaken as shown in the approved Concept Plan. The shared cycle path along Combewood Ave has been replaced with a shared pathway along Thornton Drive from Castlereagh Street.
	25	Landcom will consult with the RTA in the design and	To be demonstrated	Consultation with RMS is

		construction of RTA owned and managed road works and upgrades and where necessary enter into a works authorisation deed. Landcom will pay the applicable administration and plan checking fees where relevant during these consultations.	by the proponent prior to commencement of works.	being undertaken where required
	26	The estimated cost of the proposed road network upgrades, the apportionment to the North Penrith project on the basis of traffic growth contribution, and the proposed timings are shown in Table 3.3 of the document titled <i>Testing of RTA and Penrith Council Requested Intersection Changes and Parking Strategy</i> prepared by Parsons Brinckerhoff and dated 22 March 2011 at Appendix G of the Preferred Project Report prepared by JBA Planning dated April 2011. Landcom commits to continuing to work with the RTA to confirm the final scope and costs of the nominated works identified in that Table.	Ongoing and to be demonstrated by the proponent at the time of any relevant detailed application and delivered during construction works.	Contributions to the road and intersection upgrades are provided within the table 3.3. These costs include the apportionment for the Castlereagh Rd/Peachtree Rd intersection.
	27	Commercial premises will provide cyclist end-of-trip facilities in accordance with the <i>Planning Guidelines for Walking and Cycling</i> (NSW Planning, December 2004).	To be demonstrated by the proponent at the time of any relevant detailed application.	N/A
	28	Landcom, through conditions on its future sales and tenancy agreements, will produce Transport Access Guides for new residents and require commercial tenants to produce a Workplace Travel Plans for their employees and clients.	To be demonstrated by the proponent at the time of any relevant detailed application.	N/A
Ecological Values	29	Landcom will prepare a Bushland Plan of Management for the Cumberland Plain Woodland within OS2 (Thornton Park). This Plan will include a suggested planting palette that preferences local plantings and seed banks over other resources in the Penrith LGA or broader Western Sydney.	To be demonstrated by the proponent prior to commencement of relevant works.	N/A
	30	Landcom will create a positive covenant over the trees within Block C3 to protect: • The Cumberland Plain	To be demonstrated by the proponent at the	N/A

		Woodland; and • indigenous archaeological values.	time the subdivision linen plan is submitted.	
Drainage and Stormwater	31	Stormwater Infrastructure for the Concept Plan will be provided in accordance with the Stormwater Management Strategy and Stormwater Management Report Worley Parsons at Appendix N of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated October 2010.	To be demonstrated by the proponent at the time of any relevant detailed application.	The stormwater infrastructure is in Stage 2B and is consistent with the Worley Parsons report and the Concept Plan
	32	The targets for annual post development loads are: • 85% for Total Suspended Solid (TSS); • 65% for Total Phosphorus (TP); • 45% for Total Nitrogen (TN); and • 90% for Gross Pollutants (GP).	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	33	WSUD features will be maintained in accordance with <i>Managing Urban Stormwater: Treatment Techniques</i> (1997), published by the Environment Protection Agency (EPA).	Ongoing following construction.	Noted
Flooding	34	Development on the site will be in accordance with the objectives of the NSW Government's <i>Flood Prone Land Policy</i> and the <i>Flood Plan Development Manual 2005</i> published by the then Department of Infrastructure, Planning and Natural Resources (DIPNR) and will integrate with the State Emergency Service's regional evacuation strategy.	To be demonstrated by the proponent at the time of any relevant detailed application.	The FPLs comply with the Concept Plan. However further investigation of the appropriate FPLs for the site are to be undertaken prior to the issue of a subdivision certificate. The site levels and cut and fill are proposed at a higher level than required by the Concept Plan.
	35	The final ground surfaces will be at or above the regional 100 year ARI flood level of RL 25.4m (AHD)	To be demonstrated by the proponent at the time of any relevant detailed application.	The level seems likely to be RL 25.8m AHD however final modelling will be undertaken prior to the issue of a

				subdivision certificate.
	36	The minimum habitable floor level for the site will be RL 25.9 AHD, being a 0.5m freeboard above the 1 in 100 year annual recurrence interval (ARI) flood event (in accordance with the Regional Flooding Assessment by Worley Parsons at Appendix O of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated October 2010.	To be demonstrated by the proponent at the time of any relevant detailed application.	The defined minimum habitable flood level is presently to be RL 25.9 AHD. This level is to be reviewed prior to the issue of a subdivision certificate.
Contamination	37	Landcom will continue to work with a Site Auditor in recognition that there may be a requirement for further assessments, particularly relating to the importation of fill and the possibility of unexpected finds. Site Audit Statements will be prepared for individual Project Applications.	To be demonstrated by the proponent at the time of any relevant detailed application.	A site auditor report is required.
	38	The Construction Environmental Management Plan (CEMP) is to include a site-specific Unexploded Ordnance Protocol (UOP). The UOP is to be implemented throughout the construction works under the responsibility of the Principal Contractor.	To be demonstrated by the proponent at the time of any relevant detailed application.	The CEMP includes UOP
	39	The CEMP is to include a site-specific Unexpected Finds Protocol (UFP). The UFP is to be implemented throughout the construction works under the responsibility of the Principal Contractor.	To be demonstrated by the proponent at the time of any relevant detailed application.	The CEMP includes UFP
	40	After removal of the existing concrete slabs, a suitably qualified environmental engineer/scientist will inspect the exposed ground for indicators of contamination. Sampling and testing might be required.	To be demonstrated by the proponent at the time of any relevant detailed application.	Contamination has been addressed and will be monitored as required.
	41	Remediation and validation pursuant to an unexpected find or contamination found after removal of concrete slab. If remediation is required, a specific Remediation Action Plan (RAP) will be prepared. The remediation works will be carried out in accordance with the RAP. Validation of the remediated area	To be demonstrated by the proponent at the time of any relevant detailed application.	Remediation is to be carried out as necessary.

		by the environmental engineer/scientist will be carried out after completion of remediation works.		
	42	Any identified ash/coal materials will be tested to confirm the contamination status. The ash/coal materials with concentrations of analytes within the assessment criteria can be re-used on-site. To mitigate the potential for site occupiers to have aesthetic-based concerns and/ or because the materials may be unsuitable as a planting medium, ash/coal materials will not be placed near-surface in any location in the site.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	43	In the event groundwater extraction is envisaged for any purpose, then further groundwater assessment will be undertaken to verify the suitability of the groundwater for the specific use.	To be demonstrated by the proponent at the time of any relevant detailed application.	A condition of consent requires applicant to obtain a licence in the event ground water is extracted.
	44	Further sampling, testing and assessment of the groundwater inside the northern site boundary, which is in the vicinity of the Mobil fuel storage and distribution depot, will be undertaken to confirm that the site is not impacted by any contamination inflow from the Mobil depot. The further assessment will be undertaken prior to lodgement of the Project Application for that part of the site.	To be demonstrated by the proponent at the time of any relevant detailed application.	Testing has been undertaken inside the northern boundary of the Mobil site and the groundwater has been assessed as not contaminated.
	45	The crushed concrete and asphalt will be assessed according to <i>The Recovered Aggregate Exemption 2010</i> under the "Protection of the Environment Operation (Waste) Regulations 2005", prior to re-use,	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	46	With reference to a comment by the Site Auditor in the Site Audit Statement, the design specification and construction approach for the refurbishment of Thornton Hall is to recognise the potential presence of lead paint attention. The CEMP is to describe the measures to be taken when carrying out work in and around Thornton Hall to safeguard construction workers	To be demonstrated by the proponent at the time of any relevant detailed application.	N/A

		and the environment.		
	47	The Virgin Excavated Natural Material (VENM) classification will be reassessed in the event of the following observations during construction activities: - foreign matter being found mixed with the soil; - soil staining and discoloration being identified within the stockpile; - odours emanating from the stockpile.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	48	With reference to a comment by the Site Auditor in the Site Audit Statement, the soil in the stockpile should not be used on the surface of residential areas.	To be demonstrated by the proponent at the time of any relevant detailed application.	Conditions have been included in regard to the testing, certifying and use of fill
Geotechnical and Groundwater	49	A Construction Environmental Management Plan (CEMP) is to be prepared which includes a site-specific Soil and Water Salinity Management Plan. The Soil and Water Salinity Management Plan is to be implemented throughout the construction works under the responsibility of the Principal Contractor.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	50	Further targeted investigations will be required to confirm the detailed design, including ascertaining the suitability of soils for reuse on the site.	To be demonstrated by the proponent at the time of any relevant detailed application.	Conditions have been included in regard to the testing, certifying and use of fill
	51	The CEMP is to include measures to ensure imported fill is suitable for the intended use on site.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	55 [sic]	Development requiring excavation or other ground penetration of greater than 2m and within 25m of the rail corridor will be required to be supported by: A Geotechnical and Structural Report, and Excavation and Construction methodology that meets RailCorp's requirements. Detailed cross section drawings showing ground	To be demonstrated by the proponent at the time of any relevant detailed application.	N/A

Railway Corridor Matters		surface, • rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. • A services search confirming the existence and location of any rail services/utilities; • Drainage diagrams that confirm discharge will be directed away from the railway corridor; and • Any electrolysis risk		
	54	Any proposed fencing or landscaping within 20m of the rail corridor will be supported by RailCorp endorsement.	To be demonstrated by the proponent at the time of any relevant detailed application.	N/A
Civil Works	55	During the detailed design process road grades shall be designed to minimise the amount of fill required at the site, where possible, to assist in providing a more sustainable outcome and also reduce the extent of retaining walls required at the property boundaries.	To be demonstrated by the proponent at the time of any relevant detailed application.	Cut and fill will be undertaken and fill is required to raise the site to comply with FPLs, provide drainage and lots.
	56	Additional geotechnical investigations are required to confirm the extent of excavated cut volumes that can be placed as engineering fill within the site.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
	57	Testing of the existing asphalt and concrete slabs should be undertaken to determine their respective suitability for re-use in the road profile of the internal road network.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted
Noise and Vibration	58	Future development shall be generally consistent with the findings and the recommendations of the Noise and Vibration assessment at Appendix DD of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated October 2010.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted and conditions included in regard to noise and vibration requirements.
Subdivision	59	Landcom will appoint Penrith City Council as the authority to issue	To be demonstrated	Noted

		Subdivision Certificates for future stages of the project.	by the proponent at the time of any relevant detailed application.	
Utilities and Infrastructure	60	Landcom will obtain the relevant approvals and licenses from relevant utility and service providers (including Sydney Water Corporation) that are required to undertake the development. In particular, Landcom will obtain a Section 73 Certificate(s) and engage a Water Servicing Coordinator as required and relevant.	To be demonstrated by the proponent at the time of any relevant detailed application.	Noted