

## Appendix A      Relevant Supporting Information

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The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Infrastructure website as follows.

- Environmental Impact Assessment
- Submissions
- Proponent's Response to Submissions

Stage 2B and 2C:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=5346](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5346)

Stage 2D:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=5347](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5347)

Stage 3B:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=5349](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5349)

## Appendix B      Consideration of:

### State Environmental Planning Instrument(S)

#### STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011 (SEPP SRD)

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

SEPP	Precis of Criteria	Complies	Department Comment / Assessment
PART 1 CI 3. Aims	a) Identify development as State Significant development, b) Identify development as State significant infrastructure, c) confer functions on joint regional planning panels to determine DA	YES	Stages 2B & 2C, 2D and 3B have been identified as SSD
CI 4 Definitions			Noted
CI 5. Maps	Referred to in named map	YES	North Penrith Development Site is in a map named in Schedule 2 CI 11
CI 6. Applies	In NSW	YES	Site located in NSW
CI 7 Other EPIs	Inconsistencies		Noted
PART 2 CI 8 SSD	Criteria to declare land SSD	N/A	Declared SSD in March 2012
CI 9 - 13 Exclusions, subdivision certificates, DCPs, staged development, call-in powers.			Noted
PART 3 - SSI	State Significant Infrastructure – Sch 3	N/A	
PART 4 – Regional Development	See Sch 4A	N/A	
PART 5 - Miscellaneous	Transitional Provisions	N/A	

## STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

As it applies to Stage 2B and 2C, 2D and 3B (landscaping, infrastructure and subdivision development) of Concept Plan MP10\_0075

ISEPP 2007	Precis of Criteria	Complies	Department Comment / Assessment
PART 1 CI 2 Aims	Facilitate infrastructure delivery in NSW by : a) improving regulatory certainty through consistency; b) flexibility in location of infrastructure and services; c) use of surplus government land ; d) identify environmental assessment category; e) identify matters to be considered; f) consultation with public authorities.	YES	Stage 2B & 2C, 2D and 3B provide for development of government owned land, enhances flexibility in the provision of infrastructure and services. The assessment has been undertaken in consultation with the relevant public authorities.
CI 4 Applies	In NSW	YES	Sites located in NSW
CI 5 - 12 Interpretation, EPIs, laws, amendments, savings, review.	general		Noted
PART 2 CI 13 -16 Consultation with Council & public authorities	Written notice to be provided and consideration to any response if there is an impact on Council/public authority related infrastructure, local heritage and flood liable land.	YES	Council and other relevant public authorities have been consulted in regard to infrastructure and the stage 2B and 2C, 2D and 3B site constraints. Consideration has been given to responses received.
CI 17 Exceptions	For CI 13-16		Noted
CI 18 Additional Uses of State land	Does not apply if land subject to an LEP	N/A	The land is subject to Penrith City Centre LEP
CI 19 Site Compatibility Certificate		N/A	The land is subject to Penrith City Centre LEP
CI 20 – 20C Exempt and Complying Development		N/A	The application for Stage 2B and 2C, 2D and 3B development can be carried out with consent and is subject to assessment.
PART 3 Development Controls	For a range of specified development	N/A	UrbanGrowth NSW (formerly Landcom) is the proponent. Consent from the Minister is required.
Schedule 3 Traffic	Traffic generating development referred to the RTA	YES	Road infrastructure can be carried out be a public authority however consent from the Minister is required and the proposal has been referred to the RTA (now RMS) and conditions have been provided.



## STATE ENVIRONMENTAL PLANNING POLICY NO 55 REMEDIATION OF LAND

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

SEPP No 55	Precis of Criteria	Complies	Department Comment / Assessment
CI 2 Objects	(1) provide a statewide planning approach	YES	Applies in NSW
	(2) reduce risk to health and environment by specifying: a) when consent is required for remediation work; b) consideration in rezoning land and in determining development; c) requiring remediation meet certain standards and notification.	YES	
CI 3, 4, 5 Notes, Definitions and Applicable Land	Whole state	YES	Site in NSW
CI 6 Consideration of contamination and remediation in zoning	In preparing an LEP contamination, suitability of the land for the proposed purpose and/or remediation are to be considered	N/A	The site is zoned and an LEP prepared.
CI 7 Consideration in Development Application	(1) must not consent unless: a) considered contamination; b) suitability of site for proposed purpose; c) satisfied that land is/will be remediated for its purpose.  2) Consider a report of preliminary investigation  3) Applicant to carry out investigation and provide report  4) The Land is for residential and recreational purposes	YES	Site Investigations have been undertaken and a report has been provided. The recommendations of the report are included in the consent.
CI 8 – 18 Contamination	Levels of and procedures for remediation	N/A	The site has been certified by the auditor as suitable for the intended land uses and a site auditor is to be consulted in the events there is any unexpected finds.
CI 19 Relationship to other EPIs			Noted
CI 19A Barangaroo and Part 3A		N/A	
CI 20 & 21 Transitional and special provisions			Noted

## Appendix C Consideration of:

### Penrith City Centre Local Environmental Plan 2008

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

Clause	Precis of Criteria	Complies	Department Assessment	Comment /
<b>Part 1 - Preliminary</b>				
CI 2 Aims	Strengthen role as regional city promoting employment, residential, recreational development and opportunities in the city centre. Encourage development that contributes to alternative and sustainable access to city centre. Enhance public transport, walking and cycling. Facilitate building, urban and public domain design quality. Ensure social, economic and environmental outcomes. Enhance environmentally sensitive areas and heritage of city centre.	YES		The North Penrith Development Site including the stages of development under assessment, will enhance and diversify the Penrith city centre area. Residential, recreational and employment opportunities will be provided in a transit orientated development. Social needs and sustainability are being considered and addressed. Heritage and environmental constraints have been identified and are being protected and enhanced.
CI 3	Clauses 3, 4, 9, 11-13, 21-29 and 40 do not apply to the North Penrith Site (see CI 45 (2))			Noted
CI 5-8	Planning instruments which apply to the land			Noted
CI 10 SEPPs and REPS	SEPPs and REPs which apply			Noted
<b>Part 2 – Permitted or Prohibited Development</b>				
CI 14-15 Unzoned land/ additional uses				N/A
CI 16 Subdivision	Subdivision only with consent and the listed exceptions	YES		This proposal includes subdivision and consent is sought.
CI 17 Temporary use of Land		N/A		
Land Use Table	Does not apply to the North Penrith Site (see CI 54(2))	N/A		
<b>PART 3 – Exempt and Complying Development</b>				
CI 18-20	Exempt & Complying Dev. & Environmentally sensitive areas			Noted
<b>PART 4 – Principal Development Standards</b>				
CI 30	ESD	YES		Sustainable development has been considered as relevant to the infrastructure and site layout of these stages of development. ESD principles will be further considered during assessment of the proposed built forms.
CI 31	Serviced Apartments	N/A		This proposal does not included strata subdivision of any building.



CI 32 Exceptions to development standards	Contraventions of standards may be granted within the constraints listed. Written request with justification must be considered and DG concurrence obtained.		Noted
<b>PART 5 - Miscellaneous</b>			
CI 33-37 Miscellaneous provisions			Noted
CI 38 Proximity to Rail Corridor	To ensure residential development or noise sensitive buildings, are not adversely affected by noise/vibration.	YES	Railcorp has been consulted and no comments were provided. These stages do not immediately adjoin the rail corridor. Stage 3A the application for which is yet to be submitted to the department, adjoins the rail corridor.
CI 39 Preservation of vegetation	Conditions and constraints to the removal of trees and vegetation	YES	The stages under assessment are relatively clear and any vegetation was not classified as being of any significance. An area of Cumberland Plain Woodland is to be retained, within approved Stage 2A.
CI 41	Bush fire hazard reduction	N/A	
CI 42	Development for group homes	N/A	
CI 43	Crown development and public utilities		Noted
<b>PART 6 - Local provisions</b>			Noted
<b>PART 7 NORTH PENRITH SITE</b>			
CI 45 (1)	Mapped land	YES	The map identifies the subject site at North Penrith. Stages 2B & 2C, 2D and 3B of the site is mapped as zones : R1 – General Residential; B2 – Local Centre; IN2 - Light Industrial; RE1 - Public Recreation
CI 45 (2) Other provisions which apply to the North Penrith Site	The Plan applies except: CI 11-13 identify land use zones and objectives CI 21-29 provide the development standards. CI 40 refers to heritage conservation and archaeological sites.	Noted	
CI 46 Interpretation		Noted	
CI 46 -48 EPIs	Interpretation, EPIs which cease to apply to the land, covenants etc	Noted	
CI 49 Land use Zones		YES	Stages 2B & 2C, 2D and 3B include the subdivision of the land. The proposal complies with the zoning map – zones R1, B2, IN2, RE1.
CI 50 Objectives of the zones		YES	This proposal is for earthworks, infrastructure and subdivision only however these works underpin the proposed future development being:

	<p><b>Zone R1:</b> Provide a variety of housing types and density, facilities and services for community needs;</p> <p><b>Zone B2:</b> Provide retail, business, entertainment and community uses in accessible locations.</p> <p><b>Zone IN2:</b> Light industrial and warehouse for employment</p> <p><b>Zone RE1:</b> Land for public open space or recreational purposes; Provide recreational settings; Protect and enhance natural environments.</p>		<p>- residential accommodation is to be provided in stages 2B &amp; 2C, 2D and 3B complies with objectives of Zone R1;</p> <p>- Stages 3B and 2B include mixed use development as permitted within zone B2.</p> <p>- Stage 2B includes an industrial zone to provide for future related uses and employment.</p> <p>- Open space is provided within states 2B and 2D.</p>
CI 51-53 Miscellaneous	Height of buildings, development near boundaries and roof forms	N/A	Stages 2B & 2C, 2D and 3B is for earthworks, subdivision and provision of utilities only.
CI 54 Heritage Conservation	<p>Objectives: To conserve the environmental heritage, heritage items, settings and views.</p> <p>Consent required for: Works to or near a heritage item and subdivision of land on which a heritage item is located.</p> <p>Consider: Effect of development on heritage significance of the item.</p> <p>Assessment. May require a management and/or conservation plan.</p> <p>Conservation. No adverse impact on heritage item or setting permitted.</p>	YES	<p>Combewood House is a heritage item located to the north of Stage 2B and the Museum of Fire is to the south of Stage 2B.</p> <p>Combewood House and trees associated with Combewood House, are locally listed heritage items within Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation).</p> <p>The Museum of Fires is listed in Penrith Local Environmental Plan 2010.</p> <p>Neither of these items are located on the North Penrith development site however foundations of some former outbuildings of Combewood House are within the site and have been investigated and recorded.</p> <p>The location of the house north of the wetland retains some semblance of its original rural setting.</p>
CI 55 Earthworks	<p>Objectives:</p> <p>1) Earthworks are not to have a detrimental impact on environmental, cultural or heritage features or neighbouring uses.</p> <p>2) Development Consent is required.</p> <p>3) Consider likely disruption, detrimental effects, effect on future development, quality of fill</p>	YES	<p>The earthworks, drainage, soil, fill and future development have all been considered in the assessment of Stages 2B &amp; 2C, 2D and 3B. Generally fill is to be provided from recycling from the site however any constraints are provided for any fill brought into the site.</p> <p>Cut and fill will take place across the stages under assessment.</p> <p>Fill will raise the northwest corner of</p>

	<p>or soil to be excavated, effect on adjoining properties, source or destination of fill, any relics, impact on watercourse.</p>		<p>the site in particular to above the flood levels approved in the concept plan and are generally compliant with the Concept Plan approved FPL</p> <p>Adjoining development has been considered and conditions applied to provide appropriate constraints.</p> <p>Impacts on drainage and water bodies has been considered and conditions applied to ensure the assessment and protection if required, of any new archaeological relics being uncovered.</p> <p>The impacts of this have been considered. The department is satisfied that the proposal complies with the requirements of CI 55 and conditions of consent will be included in regard to the source and destination of fill and the course of action in the event relics are disturbed.</p>
CI 56 Savings provision		N/A	