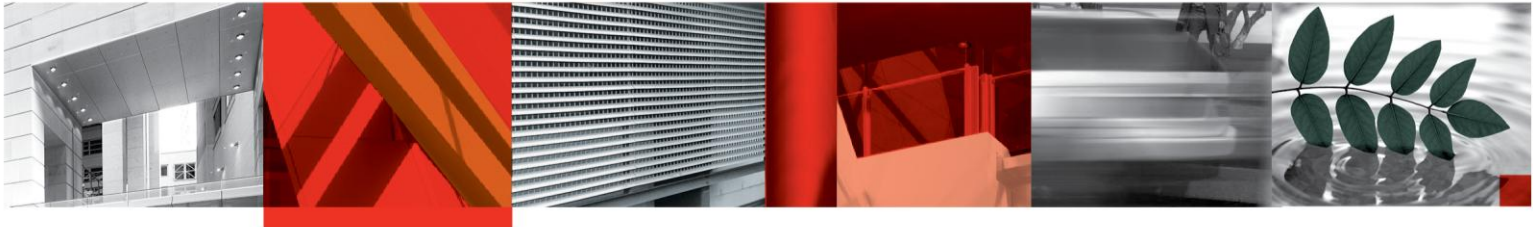


Section 75W Modification Application Modification No. 2 to MP10_0075



North Penrith Development

Coreen Avenue, Penrith

Submitted to Department of Planning and Infrastructure
On Behalf of Landcom

December 2012 ■ 12364

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This report has been prepared by: Stephanie Ballango

Date 06/12/2012

A handwritten signature in black ink, appearing to read 'Ballango', with a large, stylized loop at the end.

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1.0 Introduction

This Modification Application is submitted to the Department of Planning and Infrastructure (the Department) in support of a proposed modification of the Minister's approval for MP10_0075, being the North Penrith Concept Plan. The Modification seeks to:

- revise the subdivision and road layout within Stage 2D of the North Penrith Development by reconfiguring approved Development Blocks B5 and B6;
- replace existing plans within the approved Design Guidelines to reflect the revised subdivision and road layout; and
- seek approval for Landcom's revised staging plan across the remaining stages of the North Penrith Development.

This report has been prepared by JBA Planning on behalf of Landcom and describes the reason for the proposed modifications and provides an assessment of the proposal in terms of the matters for consideration under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It should be read in conjunction with the drawings prepared by JBA at **Appendix A**.

1.1 Background

1.1.1 Project Approval

An Environmental Assessment Report (EAR) was submitted to the Department in August 2010 for a transit-oriented and cohesive mixed use development incorporating residential, retail, commercial, business, civic, community, industrial and recreational uses. On 9 November 2011 Concept Plan Approval was granted by the Minister under Section 75O of the EP&A Act.

The North Penrith Concept Plan approves the following development:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
 - 100 seniors living/aged care dwellings;
 - 44 affordable/social housing dwellings; and
 - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;
- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 4,500m² of retail space and 10,650m² of business and commercial floor space;
- up to approximately 7,000m² of light industrial floor space;
- up to approximately 7 ha of open space and associated infrastructure;
- the retention and protection of land for Thornton Hall, a 19th Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;

- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

The Concept Plan approval is underpinned by the North Penrith Design Guidelines that contain detailed controls for the future built form on the site. Condition B2 of the Concept Plan approval required Landcom to make amendments to the approved Guidelines, which Landcom has now undertaken and which have since been endorsed by the Department.

The approved Concept Plan approval is the subject of a current Section 75W Modification (North Penrith Concept Plan Modification No. 1). That modification relates to amendments to the Design Guidelines and the developer contributions framework approved under the Concept Plan approval.

As such, this current application will be Modification Application No. 2.

1.1.2 Current Status of the Project

Stage 1 of the North Penrith Development, approved concurrently with the Concept Plan in February 2011, is currently under construction. Specifically, subdivision, civil and infrastructure works and construction of open space and the community centre referred to above, are underway. The internal site access roads, from Coreen Avenue which is the site's main street frontage, are being constructed.

In July 2012, Landcom submitted to the Department a Development Application seeking consent for residential subdivision and open space of Stage 2A of the North Penrith Development. That application has completed public exhibition (7 September 2012), and is currently under assessment by the Department.

Landcom has progressed planning of the remaining stages of the North Penrith Development, known as Stages 2B, 2C, 2D and 3B (refer **Figure 1**) and DAs have now been concurrently submitted to the Department. Collectively the DA works the subject of those DAs seek consent for:

- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including trees / shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stage of the construction works;
- bulk earthworks comprising lots formation, and construction of the water cycle and drainage system including a central waterway and detention basin;
- construction of roads and road intersections, and connections to existing or approved road intersections;
- construction of the internal road network and streetscapes;
- construction of open space;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure - electrical, sewerage, telecommunications, potable water and gas;

- erection of informative signage at different road entries to the wider site;
- site de-establishment and handover; and
- subdivision to create Torrens titled residential lots and superlots.

During the detailed subdivision design of the Stage 2D site, Landcom has identified opportunities for design refinements to the superlot and road layout which necessitate a Section 75W Modification to the approved Concept Plan and Design Guidelines. In addition, and at the request of the Department, Landcom is now seeking approval of a revised staging plan, illustrated in **Figure 1** below.

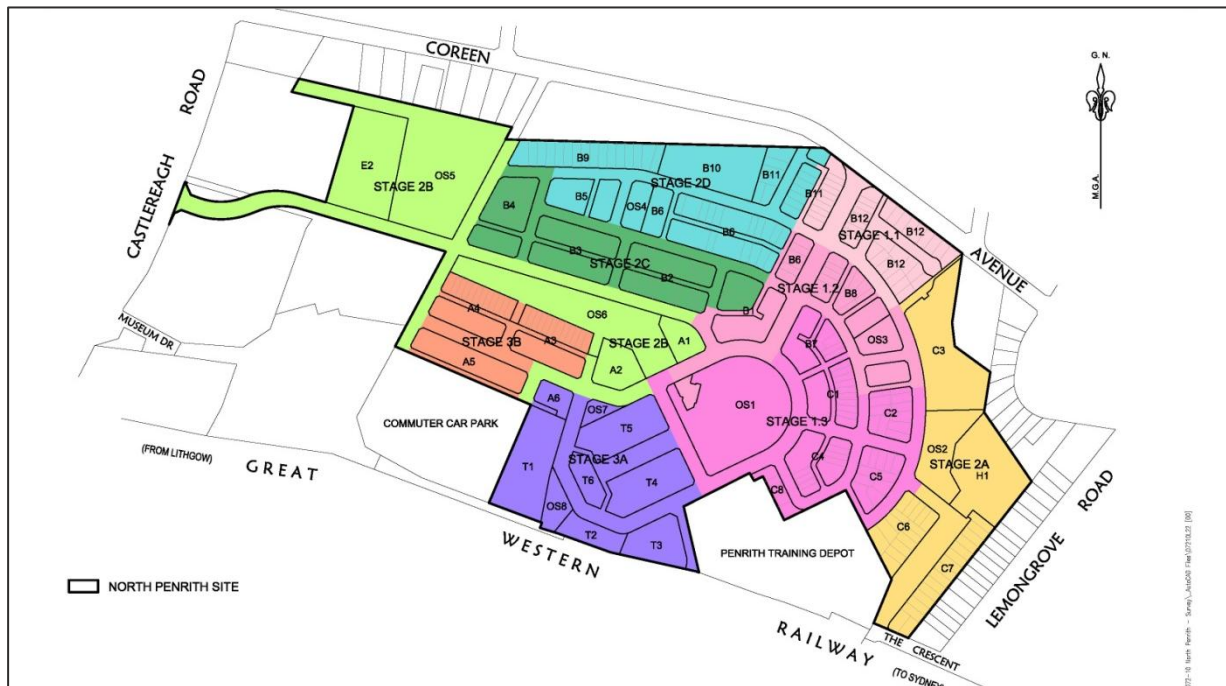


Figure 1 – North Penrith Staging Plan

1.2 Need for Modification

Departure from the parameters of a Concept Plan approval usually require a formal modification application in accordance with Section 75W of the EP&A Act, unless the project as modified will be consistent with the existing approval (Section 75W(2) of the EP&A Act). Whilst it is our view that the nature of the currently proposed modification is generally consistent with the Concept Plan approval, *Condition A2 Development in Accordance with Plans and Documentation* stipulates that:

1. The development shall generally be in accordance with the following plans and documentation (including any appendices therein):
 - "North Penrith State Significant Site Study, Concept Plan and Stage 1 Project Application" report prepared by JBA Planning dated November 2010, as amended by Preferred Project Report for the North Penrith Mixed Use Development prepared by JBA Urban Planning Consultants dated April 2011.
 - The indicative subdivision plan produced by Craig and Rhodes, ref 07210113 (02), dated 13.04.2011.

The documents referenced in Condition A2 include a number of plans that illustrate an indicative subdivision and road layout for the North Penrith site, which also form the basis of all plans in the North Penrith Design Guidelines.

Collectively, the Concept Plan approval and the Design Guidelines reinforce the layout and distribution of future development across the North Penrith site and establish the framework against which Development Applications should be assessed. The lack of flexibility in the current Concept Plan approval necessitates a formal modification application to revise the approved plans.

The 10,000 Lot Program

The approved North Penrith Concept Plan indicates Landcom previously intended to seek approval for the remaining development at North Penrith through a single application and subsequently stage the construction works over 4 sub stages (i.e.: Stages 2A-2D).

Following the election of the Liberal State Government in March 2011, Premier Barry O'Farrell instructed Landcom to deliver 10,000 new lots in Western Sydney over the next 4 years - a 25% increase on previous targets - to facilitate expeditious housing supply. The North Penrith project forms part of this lot production program, which has prompted Landcom to review the development strategy and staging to accelerate lot production to the market. A revised staging plan has therefore been formulated to provide Landcom with more flexibility in the roll out of the development, appointment of contracts and also provide better alignment of development consents and associated utility approvals. Further the revised staging better facilitates the expeditious delivery of residential lots to the market by isolating particular site constraints, whilst minimising development assessment being held up by issues that are not relevant to individual sub stages.

Repeal of Part 3A and Change in Assessment/Determination Procedures

The Concept Plan for the North Penrith Development was approved by the Minister for Planning and Infrastructure under Part 3A of the EP&A Act. Part 3A of the EP&A Act was repealed in October 2011, however Schedule 6A of the EP&A Act was inserted in order to provide transitional arrangements for approved Part 3A projects.

The North Penrith Development accordingly is an approved project under Part 3A and as such is considered a 'transitional Part 3A project'. In accordance with clauses 3 and 3C of Schedule 6A, Part 3A continues to apply to transitional Part 3A projects, and Section 75W continues to apply for the purpose of the modification of an approved concept plan.

The North Penrith Development is now listed as a State Significant Development Site under Schedule 2 of the SEPP SRD. Schedule 2, Clause 11 provides that development on land identified as being within the North Penrith Site for the following purposes is State Significant Development:

- (a) a principal subdivision establishing major lots or public domain areas, or*
- (b) the creation of new roadways and associated works.*

The subdivision and civil and infrastructure works of the North Penrith Development that form the basis of Landcom's next suite of DAs satisfy the Schedule 2, Clause 11 criterion of the SRD SEPP.

The repeal of Part 3A and nomination of North Penrith as a State Significant Development Site as described above has the effect of making the Minister for Planning and Infrastructure the relevant consent authority under Part 4 of the Act for all future major subdivision and infrastructure work applications on the site. This follows a period of two years during which the Department of Planning has had primary carriage of the project including the assessment and determination of

the Concept Plan, and Stage 1 Project Application for subdivision, and the initial residential release.

In light of the changes to the development assessment system described above, the current Concept Plan approval requires amendment to provide sufficient clarity and certainty relating to the Concept Plan for assessment by the Department. The modification as proposed provides the opportunity to revise the approved plans attached to both the Concept Plan and the Design Guidelines including the staging plan and ensure that the parameters for the future assessment of applications for this site are clearly defined and appropriate to the site.

1.3 Consultation

Landcom has held numerous meetings with Penrith City Council (Council) to discuss the next phase of development and particularly the Stage 2D DA (submitted to the Department under separate cover). These meetings have primarily focussed on issues relating to engineering design, landscape design, heritage and statutory planning associated with the DA.

During these discussions, Landcom has presented its revised layout and urban design justification for Stage 2D to Council. Council indicated its general support for the proposed modifications on the basis that it achieves enhancements to the overall outcomes for the project. Council also noted that:

- the proposed subdivision layout should be addressed with a dwelling typology plan, which has been provided in the form of the Building Envelopes Plan consistent with the requirements of the approved North Penrith Design Guidelines;
- the proposed wider spaces to break up the laneways are a positive refinement to the scheme, and could be further enhanced with additional landscaping; and
- the close offset intersections need to be supported by engineering / traffic analysis (see further discussion at Section 3.5 and **Appendix B**).

Specifically, this modification is seeking that the Minister:

- Modify Condition A1 and Condition A2 of the Modifications to Concept Plan of Approval MP10_0075 to include this report and replace certain approved Concept Plan Control Diagrams by Annand Alcock with Concept Plan drawings prepared by JBA, being:
 - Block Subdivision Plan
 - Block Subdivision Plan with Precinct Boundaries
 - Indicative Staging Plan
 - Proposed Building Height in Storeys
 - Key Sites Plan
 - Ancillary Dwellings Plan
 - Superlots for Integrated Development Plan
 - Apartment Sites Plan
- Modify the approved North Penrith Design Guidelines (dated 3 February 2012) prepared by JBA by replacing the existing figures within the document with Concept Plan drawings prepared by JBA listed above.

It should be noted that the approved Concept Plan included a series of other plans/drawings which were provided for illustrative purposes and do not form part of the formal approval. For this reason, those plans/drawings have been omitted from this Modification.

2.2 Proposed Modified Concept Plan

2.2.1 Development Blocks and Subdivision Layout

The approved North Penrith Concept Plan provides for an indicative development structure, by identifying development blocks; an indicative subdivision layout; internal road layout and hierarchy; public domain and other planning and urban design principles to ensure the delivery of the transit oriented mixed uses development that the North Penrith Development is envisaged to be.

The approved Concept Plan made provision for up to 1,000 dwellings distributed across established Development Blocks (Figure 19 of the approved Concept Plan). Minimum dwelling yields were also established within the Development Blocks, with future applications required to demonstrate implementation of the dwelling yield targets within the framework established by the Indicative Subdivision Plan approved as part of the Concept Plan. To ensure the targeted densities are delivered the approved Concept Plan identifies that the minimum lot size for future residential dwellings will be between 120-360m² based on the dwelling typologies proposed. Lots less than 235m² or 8m wide, which are shown in Figure 21 of the Concept Plan and Figure 7 of the Design Guidelines, are required to be subject to an integrated housing solution.

Development Blocks B5, B6 and OS4 were approved in the north western portion of the site and earmarked for predominantly medium density/townhouse developments (B5 and B6) and public open space and recreational facilities for future residents (OS4). Whilst the Indicative Subdivision Plan envisaged many future residential lots as being greater than 235m² in area, selected portions of Development Blocks B5 and B6 were earmarked as future integrated housing sites.

The revised plans prepared by JBA are attached at **Appendix A**. The revised layout rationalises approved Development Blocks B5 and B6 to create five superlots, rather than the currently approved six superlots as illustrated in **Figure 3**, and noting that the eastern most superlot in Block B6 which fronts Sydney Smith Drive and was approved under the Stage 1 Project Application, remains unchanged. This results in:

- removal of the north-south road in Block B5;
- removal of the east-west street laneway within Block B6; and
- insertion of two new north-south roads in Block B6.

The Concept Plan approved distribution of dwellings can continue to be achieved within the parameters set out in the control drawings, whilst reducing the number of south facing lots, improving direct dwelling exposure to roads and enhancing site permeability.



Figure 3 – Comparison of approved and proposed superlot layout in Precincts B5 and B6

The revised Concept Plan still proposes to nominate a series of integrated housing lots, albeit in revised locations. The Superlots for Integrated Housing Plan prepared by JBA and attached at **Appendix A** identifies the location of higher densities. The placement of higher densities in the new locations will not result in any adverse overshadowing or privacy impacts on surrounding dwellings as illustrated by the Building Envelopes Plan attached to the detailed DAs, and will continue to deliver a development outcome which is generally consistent with the approved Concept Plan.

The North Penrith Development provides an opportunity to demonstrate an innovative dwelling typologies in the Western Sydney context. Accordingly, the currently approved Key Sites Plan identified preferred locations for "Innovation Lots", which are front loaded lots earmarked for compact, affordable terrace-style dwellings. This Concept Plan Modification proposes to relocate the approved Innovation Lots from Development Block B6 to the land now bound to adjoin the open space.

The currently approved east-west oriented superlots within Development Block B5 are proposed to be replaced with a finer grain of superlot subdivision. The slight realignment of the roads provides the opportunity to increase the local park notionally approved in the Concept Plan (referred to as OS4 or Howell Park in the Concept Plan) by approximately 10% whilst remaining within the underlying RE1 Public Recreation Zone. The realignment also results in the park being bound by residential development on the eastern side rather than being bound by streets on all boundaries as currently approved.

2.2.2 Street Layout, Access and Parking

During assessment of the Concept Plan, the length of the east-west laneway was questioned. This concern has been noted Landcom accordingly the approved road layout described in the November 2010 Road Hierarchy Plan prepared by Parsons Brinckerhoff is proposed to be modified as follows:

- realignment of the east-west local street north of Development Blocks B5 and B6;
- realignment of the minor local street east of Development Block OS4;
- removal of the east-west laneway across Development Block B6; and
- introduction of two new north-south oriented streets and one new north south oriented laneway.

All roads are still intended to be dedicated to Council as per the approved Concept Plan. These modifications update the road layout as a formality to ensure that the Concept Plan is consistent with the detailed site planning within Stage 2D as proposed in the DA submitted under separate cover (SSD 5347).

2.2.3 Landscaping

The revised road layout triggers the need for updates to the landscaping plan.

The approved Concept Plan included a Landscape Report and Drawings by PLACE Design (Appendix X of the approved Concept Plan). That document has now been superseded by the updated proposed landscaping scheme prepared for the site which accompanies the Stage 2D DA (refer to SSD DA 5347). The landscaping plan submitted with SSD DA 5347 has adopted the overarching landscaping principles for the North Penrith Development and applied them to the revised road layout. The proposed landscaping amendments are therefore consistent with the approved Concept Plan. It is considered that a revised Landscaping Plan for the purposes of modifying the Concept Plan is not required at this stage, but could be prepared if considered necessary.

2.2.4 Project Implementation

As outlined earlier in this report, the approved Indicative Staging Plan (Figure 44 of the approved Concept Plan EAR and reproduced below in **Figure 4**) is proposed to be modified. The approved North Penrith Concept Plan indicates Landcom previously intended to seek approval for the remaining development at North Penrith through a single application and subsequently stage the construction works over 4 sub stages (i.e.: Stages 2A-2D).

The State Government's 10,000 Lot Program prompted Landcom to review the North Penrith development strategy. A revised staging plan for the development is provided at **Figure 5**, which provides Landcom with more flexibility in the roll out of the development, appointment of contracts and also provide better alignment of development consents and associated utility approvals. The revised staging better facilitates the expeditious delivery of residential lots to the market by isolating particular site constraints, whilst minimising development assessment being held up by issues that are not relevant to individual sub stages.

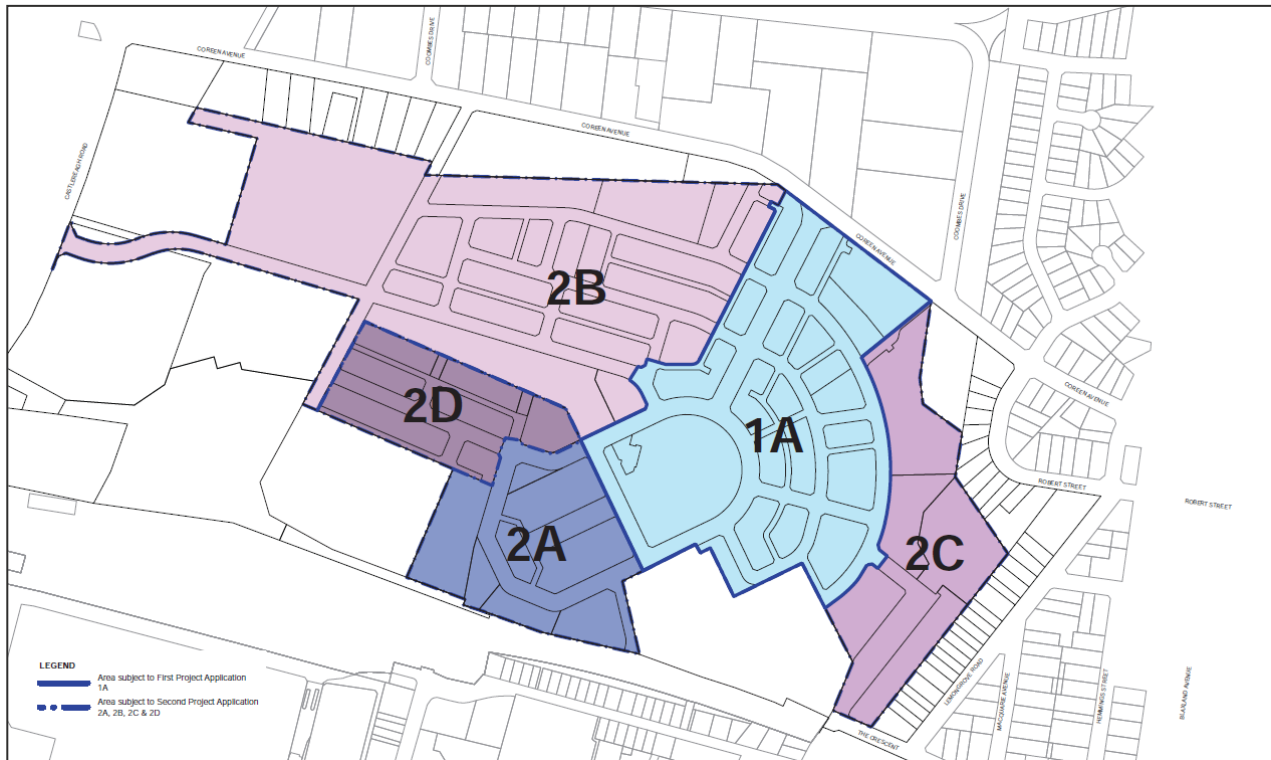


Figure 4 – Currently approved Indicative Staging Plan (Source: Annand Alcock)

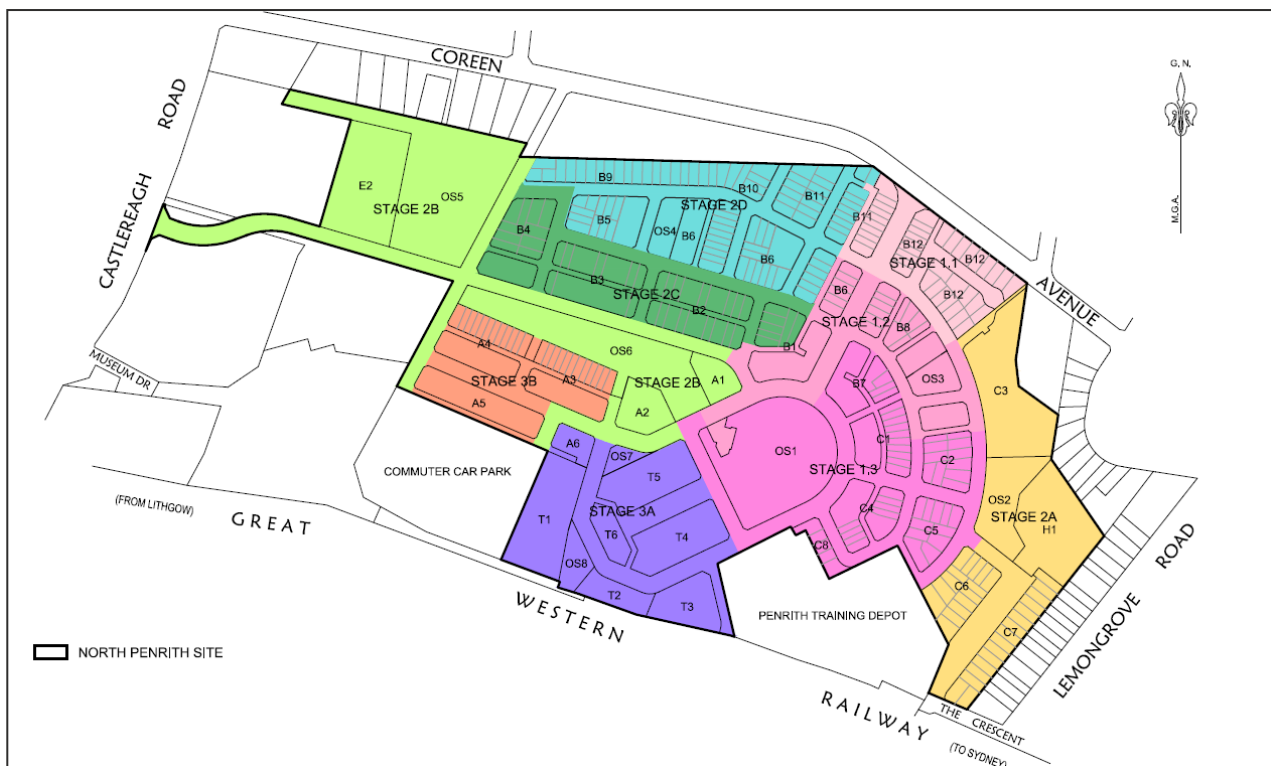


Figure 5 – Revised staging plan

2.3 Proposed Modifications to Conditions of Approval

The proposed modifications described above necessitate amendments to the approved conditions which are identified below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in **bold italics**.

PART A – ADMINISTRATIVE CONDITIONS

A1. Development Description

(1) Except as modified by this approval, Concept Plan approval is granted only to development solely within the Concept Plan area as described in the document titled "North Penrith State Significant Site Study, Concept Plan and Stage 1 Project Application" report prepared by JBA Planning dated November 2010, as amended by the "Preferred Project Report - North Penrith Mixed Use Development" dated April 2011, prepared by JBA Planning Consultants to facilitate the following development:

- a) 1000 residential dwellings*
- b) 4,500 m² of retail floor space,*
- c) 10,650 m² of commercial floor space,*
- d) 7,000 m² of light industrial floor space*
- e) 7 hectares of open space; and*
- f) Associated estate works and infrastructure.*

A2. Development in Accordance with Plans and Documentation

(1) The development shall generally be in accordance with the following plans and documentation (including any appendices therein):

- "North Penrith State Significant Site Study, Concept Plan and Stage 1 Project Application" report prepared by JBA Planning dated November 2010, as amended by Preferred Project Report for the North Penrith Mixed Use Development prepared by JBA Urban Planning Consultants dated April 2011 **and the plans prepared by JBA dated November 2012.***
- The indicative subdivision plan produced by ~~Craig and Rhodes, ref 07210113 (02), dated 13.04.2011~~ **JBA dated November 2012.***

Except for otherwise provided by the Department's modifications of approval set out in Schedule 2, Part B and further assessment requirements set out in Schedule 2, Part C.

(2) In the event of any inconsistencies between the modifications of this concept approval and the plans and documentation described in Part A, Schedule 2, the modifications of this concept approval prevail.

(3) In accordance with Section 75P(2)(a) of the Act, where there is an approved Concept Plan, any approval given under Part 4 of the Act, must be generally consistent with the terms of the approval of the Concept Plan.

2.4 Proposed Modifications to Statement of Commitments

The modification does not trigger any amendments to the approved Statement of Commitments that were originally approved as part of the Concept Plan (MP 10_0075).

2.5 Proposed Modifications to Design Guidelines

Subject to the Department supporting the amended drawings attached at Appendix A, several figures within the Design Guidelines will need to be replaced to reflect the revised layout.

The figures that will require replacing are:

- Figure 6 - Minimum dwelling target plan
- Figure 7 - Sites that shall be undertaken as Integrated Housing Development Applications;
- Figure 8 - Maximum building height plan (storeys);
- Figure 14 - Specific provisions for key sites;
- Figure 15 - Apartment sites; and
- Figure 17 - Preferred location of ancillary dwellings.

3.0 Environmental Assessment

This section of the report describes and assesses the potential environmental impacts associated with the proposed modification.

As demonstrated in the following assessment, there are very few potential impacts from the revised Concept Plan and none that cannot be managed. Potential impacts in relation to the following are associated with the proposed works:

- Consistency with Conditions of Approval;
- Consistency with relevant EPIs, Policies and Guidelines;
- Built Form;
- Landscape;
- Transport and Access;
- Subdivision; and
- Services and Infrastructure.

3.1 Consistency with Conditions of Approval

3.1.1 Part A – Administrative Conditions

By its nature, this modification seeks to amend a number of the approved plans/ drawings established under the approved documentation described in the Part A – Administrative Conditions. Justification for the proposed amendments to these development controls is provided at **Section 3.3** of this report.

3.2 Consistency with Relevant EPIs, Policies and Guidelines

3.2.1 Environmental Planning and Assessment Act 1979

The Concept Plan for the North Penrith Development was approved by the Minister for Planning and Infrastructure under Part 3A of the EP&A Act. Part 3A of the EP&A Act was repealed in October 2011, however Schedule 6A of the EP&A Act was inserted in order to provide transitional arrangements for approved Part 3A projects.

The North Penrith Development is an approved project under Part 3A and as such is considered a 'transitional Part 3A project'. In accordance with clauses 3 and 3C of Schedule 6A, Part 3A continues to apply to transitional Part 3A projects, and Section 75W continues to apply for the purpose of the modification of an approved concept plan.

3.2.2 Environmental Planning Instruments

The proposed modification does not significantly affect any aspect of the final form or use of the North Penrith Development and specifically Stage 2D of the project. As such, the assessment of the approved project against most environmental planning instruments remains unchanged from what was presented in the EAR. This is the case for:

- Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 -1997) (SREP 20);

- State Environmental Planning Policy No. 32 – Urban Consolidation (SEPP 32);
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64);
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP);
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Exempt and Complying Development SEPP);
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (HSPD SEPP);
- State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Housing SEPP);
- State Environmental Planning Policy (Temporary Structures) 2007 (Temporary Structures SEPP); and
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP).

An assessment of the project has been undertaken against Penrith City Centre Local Environmental Plan 2008, Penrith City Centre Development Control Plan 2008 and the North Penrith Design Guidelines below.

Instrument	Comments	
Penrith City Centre LEP 2008	Part 7 Clause 49 and 50 Land Use Zoning	The land affected by the revised layout is zoned Part R1 – General Residential and Part RE1- Public Recreation. The revised layout is permissible within the relevant zonings and continues to meet the zone objectives.
	Clause 51 - Height of buildings	This modification proposes to only amend the base plan that informs the height controls to reflect the revised layout. No change in building height is proposed.
	Clause 52 - Development Near Zone Boundaries	This modification proposes to only amend the plans to reflect the revised layout. The revised layout is permissible within the relevant zonings and continues to meet the zone objectives.
	Clause 53 - Architectural Roof Features	No buildings are proposed and therefore Clause 53 is not applicable at this stage.
	Clause 54 - Heritage	The revised layout does not affect heritage.

3.2.3 Strategic Plans

The proposed modifications do not significantly affect any aspect of the final form or use of the North Penrith Development. As such, the assessment of the approved project against the relevant aspects of the following strategic plans remains unchanged from what was presented in the EAR:

- NSW State Plan; and
- Metropolitan Plan for Sydney 2036 and North-West Draft Subregional Strategy.

3.3 Urban Design and Subdivision Layout

The revised Concept Plan is generally consistent with the parameters established under the existing approved Concept Plan. This is reflected in the proposed land use (residential) being retained, and the subdivision and road layout remaining generally consistent with the approved controls. A modification to the layout of the subdivision pattern and road layout is sought and therefore the distribution of future built form will change marginally from that envisaged in the approval. However, the proposed layout has taken into consideration the North Penrith site's orientation and opportunities for permeability and has adopted a simple design for future Development Blocks.

The layout of development on the site is proposed to be modified to reflect the current planning principles adopted for the site. The proposed layout has been designed to enhance the distribution of future residential development across this portion of the site, optimise site orientation and solar access, improve permeability and provide clearer sight lines and maximise the use of space.

The approved layout of this part of the site under the Concept plan has guided the design of the proposed layout. The proposed layout rationalises approved Development Blocks B5 and B6 to create four superlots, rather than the currently approved six superlots. The currently approved east-west oriented superlots within Development Block B4 are proposed to be replaced with a finer grain of subdivision. The approved park (referred to as OS4 or Howell Park in the Concept Plan) will be bound by residential development on the eastern side rather than being bound by streets on all boundaries as currently approved. Three north-south roads are proposed, whilst the east-west street laneway with Block B4 and north-south laneway within Block B5 are to be removed. This modified layout will establish a substantial improvement in terms of amenity for future residents in reducing the number of south facing lots, direct dwelling exposure to roads and establishing additional permeability.

A better urban design outcome is also achieved through the location of residential dwellings adjacent to the open space providing increased surveillance opportunities. The road layout will also maximise local views towards the Village Centre and facilitate way finding.

A significant improvement to the Block B6 east-west superlots has been made through the breaking up of those lots in place of the arguably long stretch of smaller residential lots in the approved Concept Plan. The reconfigured superlot layout allows for the breaking up of built form, stronger street address and the opportunity to design a number of corner lots that benefit from dual street frontages, thereby promoting enhanced street address and activity.

The Concept Plan does not approve a dwelling mix or pre-determine the number of dwellings or mix within each stage of development. Notwithstanding this, the amended distribution of superlots, is consistent with the approved Concept Plan scheme in that it maintains the residential densities within this portion of the site, through the indicative subdivision pattern which envisages "medium density" residential lots (ie: 120-360m²) as approved under the Concept Plan. The revised mix and density of dwellings will also respond to the current housing market and continue to create a mix of density across the site which allows for the best possible use of the space. The concentration of density is consistent with the surrounding area and will not result in any adverse environmental impacts.

3.4 Landscape

As outlined at Section 2.2, amended Landscape Plans for the site (have been prepared in support of the Stage 2D Development Application and are generally

consistent with the principles established in the approved Concept Plan Landscape Plan. The original principles for landscaping have therefore been maintained.

Consistent with the approved Concept Plan, street trees will be planted within road reserves to reinforce the street hierarchy. A differentiation in the arrangements, sizes and species will be selected to provide view corridors and link with Howells Park.

3.5 Transport and Access

This modification seeks amendments to the existing site access arrangements; however the scheme retains the fundamental site access principles approved under the Concept Plan. Specifically, the revised layout:

- provides a more permeable network that reduces travel distances;
- provides clearer paths from Coreen Avenue to the village centre, and Penrith Station;
- minimises commuter car park traffic in residential areas;
- more clearly matches road capacity and standards to the anticipated traffic volumes; and
- provides minor local streets for short lengths only.

Internal Street Network

The amended internal street network achieves more legible lines with clearer connections from the site's surrounds to Howell's Park and the central public open space area of the water course and Village Centre. A more defined road hierarchy creates a clear path between Stage 2D and the rest of the North Penrith Development site.

All roads will be designed in accordance with the AMCORD guidelines and will be constructed in accordance with Council requirements. Typical cross sections of these roads are provided in the Engineering Drawing prepared by Reinhardt (**Appendix G**). These are submitted for approval to update the previously approved sections prepared by BSA with the original Concept Plan.

Traffic Generation

An assessment of the traffic impacts of the proposed modifications has been carried out by CBHK in the Traffic Report (**Appendix B**). The Traffic Impact Assessment demonstrates that the traffic impacts of the revised road layout are legible, and indeed improved. The existing predicted performance levels of the surrounding intersections will remain, and do not trigger upgrades or augmentations to the current configuration. Accordingly, Parsons Brinckerhoff has demonstrated the Concept Plan modification to revise the road and superlot layout does not increase the number of expected dwellings and therefore is supportable on traffic grounds.

3.6 Services and Infrastructure

The approved Concept Plan includes an Infrastructure Servicing Strategy. The revised layout does not significantly impact on the location of future services. Detailed engineering and servicing plans prepared in support of the Stage 2D Development Application already contemplate the revised layout and demonstrate outline the availability of existing utilities and those proposed installation to service the development.

4.0 Conclusion

The proposed modifications relate to the updating of the approved plans to provide greater certainty for the North Penrith Development to guide future detailed applications for the residential development of this site. These modifications relate to Stage 2D and result in design refinements to the approved layout to enhance lot orientation, permeability, street address and solar access over that portion of the site, and responds to current standards of urban design.

The amendments proposed in this modification will have no adverse environmental impacts that cannot be managed or mitigated and will ultimately improve the amenity of future residents. The proposed changes are generally consistent with the philosophy of the Concept Plan for the North Penrith Development (MP10_00075). Despite the proposed amendments to the site layout Concept Plan and Design Guidelines, the concept plan will remain consistent with the relevant development principles and density controls detailed in the Concept Plan Approval.

In light of these planning merits and in the absence of any adverse environmental impacts, we therefore request that the Minister or his delegate approve the modification.