



# Preferred Project Report

MP09\_0192 Concept Plan and Stage 1 works

164 Station Street

June 2013

**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

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Report Number	Final

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# Statement of Validity

## Submission of Environment Assessment:

Prepared in accordance with Schedule 6A of the *Environmental Planning and Assessment Act 1979*.

## Environmental Assessment prepared by:

Names:	Jennifer Cooper (Associate Director) and Sarah Houston (Consultant)
Address:	Urbis Pty Ltd Level 23, Tower 2, Darling Park 201 Sussex Street Sydney NSW 2000
In respect of:	164 Station Street, Penrith


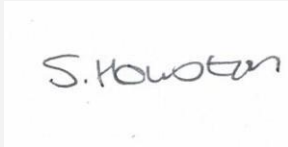
## Applicant and Land Details

Applicant:	Parkview Penrith Pty Ltd
Applicant Address:	Suite 3, 2 Wentworth Park Road, Glebe NSW 2037
Land to be Redeveloped:	164 Station Street, Penrith
Lot and DP	Lot 12 in Deposited Plan 234581
Project	<b>Concept Plan Application</b> for a mixed use development (residential, neighbourhood shops, bulky goods, hardware and building supplies and garden centre, food and drink premises, hotel and tavern); and <b>Stage 1 works</b> involving construction of 13,500m <sup>2</sup> of hardware and building supplies/garden centre/bulky goods retail, and a maximum of 400 parking spaces

## Declaration:

I certify that the contents of the Environmental Assessment to the best of my knowledge, has been prepared as follows:

- In accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulations 2000*; and
- The information contained in this report is true in all material particulars and is not misleading.

Name:	Jennifer Cooper, Associate Director	Sarah Houston, Consultant
Signature:		
Date:	June 2013	June 2013



# Executive Summary

This Preferred Project Report (PPR) has been prepared on behalf of Parkview Penrith Pty Ltd (Parkview); being the proponent for a Concept Plan Application (MP09\_0192) seeking approval for a mixed use development with Stage 1 works for the construction of a Masters Store at 164 Station Street, Penrith.

The Concept Plan seeks approval for the following key components:

- Non-residential: Bulky goods, hardware and building supplies and garden centre with ancillary café, tavern and neighbourhood shops with ancillary facilities.
- Residential: Approximately 570 residential dwellings with a gross floor area of approximately 60,000sqm in the form of residential flat buildings, up to ten storeys with ancillary facilities.
- Public domain improvement works: Construction and dedication of public plaza, local roads, street tree planting and stormwater management works.

The Stage 1 works comprises the construction of a Masters Store containing bulky goods, hardware and building supplies and garden centre uses with ancillary café and facilities, 375 car parking spaces, landscaping and associated site works. Sufficient detail is provided via this application to approve the stage 1 works and facilitate construction without the need for future approval.

In addition to consultation activities undertaken by Parkview prior to lodgement and during the assessment of the Concept Plan with Stage 1 works, formal public exhibition of the proposal and supporting Environmental Assessment (EA) was undertaken from 17 October 2012 to 16 November 2012. A total of 15 submissions were received from the public, including local land owners and residents.

Stakeholders were also consulted by the Department of Planning and Infrastructure (DPI) during the public exhibition period, with submissions received from Penrith City Council and four State government authorities and agencies, including:

- NSW Roads and Maritime Services (RMS).
- Transport for NSW (TNSW).
- Office of Environment and Heritage (OEH).
- Sydney Water.

This PPR outlines the proponent's response to the issues raised in the public and stakeholder submissions, proposing both:

- Changes to the original project to minimise its environmental impact.
- Revised Statements of Commitments to provide for additional management and/or mitigation measures to reduce the potential environmental impacts.

The Preferred Project responds to the key issues raised by DPI following exhibition of the EA being primarily to *'swap the Masters site with the mixed use residential site to co-locate compatible land uses and minimise negative impacts on existing and proposed residential development'*.

As a result of DPI comments and further technical assessment of the Concept Plan, the following amendments have been made to form the Preferred Project:

- Demolition of the Panasonic building as part of Stage 1 works.
- Masters Store (and associated Stage 1 works) occupies the northern portion of the site and the residential, plaza and tavern development occupies the southern portion.



- Reallocation of building heights to create a gateway entry to the City Centre at the corner of Jamison Road and Station Street.
- Masters Store is orientated to the west and addresses Station Street with the loading area screened with a landscape mound to Woodriff Street.
- The plaza, ground floor retail and the tavern are located in close proximity to Ransley Street, near the Penrith Stadium and Showground.
- A new street link is provided between Station Street and Woodriff Street.
- New residential building layout addressing the shape of the site.
- Revised internal street layout in the residential component including a cul-de-sac which allows for internal access to basement areas.

Other potential impacts can be appropriately managed through the proposed mitigations measures, with additional modelling to enable compliance throughout the staged redevelopment of the site.

The Preferred Project provides a scheme which substantially increases alignment with the strategic intent for the site documented in the Penrith City Centre LEP 2008, Penrith City Centre DCP 2007 and the Penrith City Centre Vision 2006. Overall it is considered that the proposal is appropriate to the site and its context, and will achieve a range of important outcomes for the local area and the local community including:

- Enable the development of a mixed use development on a currently underutilised and largely vacant site.
- Increase the role and presentation of the site in the City Centre and improve the public domain. It would also complement the role of Penrith as a Regional City.
- Considerable social benefits through the provision of housing that is affordable for the local community, as well as the public domain improvements that will benefit both existing and likely future residents within the site and surrounding local area.
- Economic benefits during both the construction and operational phases, including creation of additional employment and economic benefits arising from increased local spending.

It is concluded that the development proposed in the Concept Plan and Stage 1 works for a Masters Store is in the public interest and approval is recommended.



# 1 Introduction

## 1.1 OVERVIEW

This Preferred Project Report has been prepared on behalf of Parkview Penrith Pty Ltd (Parkview), being the proponent for a Concept Plan Application (MP09\_0192) seeking approval for a mixed use development with Stage 1 works for the construction of a Masters Store at 164 Station Street, Penrith.

This report has been prepared in accordance with the Part 3A transitional provisions under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 3(1) in Schedule 6A states that Part 3A continues to apply to transitional Part 3A projects. This report is in accordance with the provisions of Section 75H(6) of the EP&A Act which states:

*The Director-General may require the proponent to submit to the Director-General:*

- (a) *a response to the issues raised in those submissions, and*
- (b) *a preferred project report that outlines any proposed changes to the project to minimise its environmental impact, and*
- (c) *any revised statement of commitments*

This report responds to a request by the Department of Planning and Infrastructure (DPI) dated 25 April 2013 for the preparation of a 'Preferred Project Report' (PPR) and addresses additional correspondence (dated 26 November 2012, 19 December 2012 and 6 January 2013). The report responds to the issues raised as follows:

- Design amendments to the original proposal.
- Clarification of certain matters and additional information where relevant.
- Response to public and agency submissions including Penrith Council.
- Revised Statement of Commitments.

## 1.2 BACKGROUND TO THE PROJECT

The following provides a summary of the background to the project to-date from the declaration of its status as a Major Project to the exhibition of the Environmental Assessment (EA):

- On 7 July 2010, the Minister for Planning formed the opinion under clause 6(1) of the *State Environmental Planning Policy (Major Development) 2005* declaring the proposal to be a Major Project (MP09\_0192) to which Part 3A of the EP&A Act applies.
- The Director-General's Environmental Assessment Requirements (DGRs) for the Concept Plan with Stage 1 works were issued by the DPI on 8 September 2010 and updated on 5 June 2012.
- The EA was prepared in accordance with Part 3A of the EP&A Act and the provisions of the DGRs. The EA was initially lodged for a 'test of adequacy' on 3 August 2012 with formal lodgement with DPI on 28 September 2012.
- The Concept Plan was publicly exhibited from 17 October 2012 to 16 November 2012. Advertisements were placed in metropolitan and local newspapers and individual letters were sent to nearby land owners and residents advising the relevant details of the public exhibition of the EA.

Following the repeal of Part 3A of the Act on 1 October 2011, the project is to be assessed under the transitional provisions provided in Schedule 6A of the EP&A Act:

***Transitional arrangements—repeal of Part 3A***

*1) The following are, subject to this Schedule, transitional Part 3A projects:*

*(a) an approved project (whether approved before or after the repeal of Part 3A),*

*(b) a project that is the subject of an approved concept plan (whether approved before or after the repeal of Part 3A),*

*(c) a project for which environmental assessment requirements for approval to carry out the project, or for approval of a concept plan for the project, were last notified or adopted within 2 years before the relevant Part 3A repeal date (unless the environmental assessment is not duly submitted on or before 30 November 2012 or on or before such later day as the Director-General may allow by notice in writing to the proponent),*

*(d) a project for which an environmental assessment (whether for approval to carry out the project or for approval of a concept plan for the project) was duly submitted before the relevant Part 3A repeal date.*

The DGRs were issued on 8 September 2012 (i.e. within two years of the repeal of Part 3A) and the Environmental Assessment was lodged prior to 30 November 2012. Accordingly, the project remains one to which Part 3A of the EP&A Act applies.

### 1.3 EXHIBITION

DPI issued correspondence dated 26 November 2012 confirming that the public exhibition had concluded on 16 November 2012 and that the submissions were available on the DPI website.

A total of 15 submissions were received from the public, including local land owners and residents. Stakeholders were also consulted by DPI during the public exhibition period. Written submissions were received from the following authorities:

- Penrith City Council.
- NSW Roads and Maritime Services (RMS).
- Transport for NSW.
- Office of Environment and Heritage (OEH).
- Sydney Water.

The public and stakeholder submissions were made available to the proponent for review following the conclusion of the public exhibition period. The issues raised in the submissions have been assessed and responses provided in this PPR (refer Section 6). The proposed amendments to the Concept Plan and the Revised Statement of Commitments have also been provided (refer Section 2 and Section 7 respectively).

### 1.4 CORRESPONDENCE FROM DEPARTMENT OF PLANNING AND INFRASTRUCTURE

A number of letters were issued to the proponent by DPI following the exhibition of the EA providing information on the progression of the project and issues arising from the assessment period. A summary of the key requirements of the correspondence is provided below:

- **26 November 2012:** It was advised that the Director-General of DPI required the proponent to respond to the issues raised in the submissions through the preparation of a 'Submissions Report'. Alternatively, if amendments were to be proposed to minimise the potential environmental impact of the proposal, a 'Preferred Project Report' would be required, including revised Statement of Commitments.

- **19 December 2012:** Supplementary correspondence identified a list of issues that were to be addressed. The letter raised concern with regard to the justification for the proposal, particularly with regard to the strategic planning policy that applies to the site and the need to ensure satisfactory design excellence. This was accompanied by a copy of the submission from Penrith City Council.
- **16 January 2013:** Further comments were received from DPI's urban design team in Centres and Urban Renewal. The recommendations were to relocate the mixed use residential component to the south of the site to minimise negative impacts on existing and proposed residential development and to locate the Masters Store to the north of the site co-locating compatible retail land uses.
- **25 April 2013:** Following a meeting with DPI on 5 February 2013 and further information provided by the applicant, DPI issued additional correspondence advising that DPI strongly favours the location of Masters on the northern portion of the site.

Following the correspondence dated 25 April 2013, a design assessment and amendment process was undertaken by Parkview and the project team responding to DPI's comments. This is documented in full in Section 2 and the Preferred Project is presented in Section 3.

## 1.5 PURPOSE OF THIS REPORT

The PPR outlines the proponent's response to the DPI assessment comments and associated design amendments, the issues raised by the stakeholders and the revised technical studies undertaken to reflect the Preferred Project. A revised Statements of Commitments is also provided.

The report is structured as follows:

- **Section 2** – Description of the issues raised by the DPI on 25 April 2013, the design response incorporated into the Preferred Project and the merit of the revised Concept Plan.
- **Section 3** – A description of the Preferred Project including Stage 1 works.
- **Section 4** – Summary of key revised assessments undertaken to reflect the amended design.
- **Section 5** – Response to all issues raised in DPI correspondence.
- **Section 6** – Responses to issues raised by Penrith City Council, Government agencies and land owners and residents.
- **Section 7** – Revised Statements of Commitments to incorporate mitigation measures to minimise the potential environmental impacts of the Preferred Project.
- **Section 8** – Summary and conclusion.

The PPR is supported by the following revised technical studies provided in the appendices of this report. All other consultant reports remain unchanged from the EA lodgement in September 2012 and can be found on the DPI website.

TABLE 1 – PREFERRED PROJECT REPORT SUPPORTING DOCUMENTS

REPORT	PREPARED BY	REFERENCE
Correspondence from DPI	DPI	Appendix A
Revised Plan of Subdivision	Dunlop Thorpe & Co	Appendix B
Revised Concept Plans	Turner + Associates	Appendix C
Revised Stage 1 Plans	Leffler Simes	Appendix D
Revised DCP Compliance Table	Urbis	Appendix E

REPORT	PREPARED BY	REFERENCE
Concept ESD Report	Cundall	Appendix F
Heritage Impact Statement	Urbis	Appendix G
Noise Impact Assessment	Acoustic Logic	Appendix H
CPTED	Urbis	Appendix I
Economic Impact Assessment	Urbis	Appendix J
Residential Market Analysis	Urbis	Appendix K
Concept Landscape Plans	Site Image	Appendix L
Stage 1 Landscape Plans	Site Image	Appendix M
Pedestrian Wind Environment Statement	Windtech	Appendix N
Traffic and Access Report	CBHK	Appendix O
Concept Civil Plans and Report	Mott MacDonald	Appendix P
Stage 1 Civil Plans	Mott MacDonald	Appendix Q
Aboriginal Archaeology Report	AHMS	Appendix R
Concept Geotechnical Report	Douglas Partners	Appendix S
Stage 1 Geotechnical Report	Douglas Partners	Appendix T
Access Report	Access Design Solutions	Appendix U
Construction Management Plan	Parkview	Appendix V
Photomontages	Turner + Associates	Appendix W
Response to Submissions	Urbis	Appendix X
Architectural Statement	Turner + Associates	Appendix Y

## 2 Key Issues and Design Response

### 2.1 DEPARTMENT OF PLANNING AND INFRASTRUCTURE URBAN DESIGN COMMENTS

On 16 January 2013, DPI issued assessment comments from their urban design team. The key recommendation in relation to the allocation of uses on the site was summarised as follows:

*Swap the Masters site with the mixed use residential site to co-locate compatible land uses and minimise negative impacts on existing and proposed residential development.*

In relation to the allocation of uses on the site, DPI's suggested alternative is shown in Figure 1.

FIGURE 1 – DPI'S ALTERNATIVE SITING SUGGESTION



Following receipt of DPI's letter, Parkview and the project team met with DPI on 5 February and 25 February 2013 to discuss a potential urban design resolution. This process included further information being provided to DPI by the applicant detailing the merit and preference of providing the Masters Store in the south of the site.

On 25 April 2013, the DPI issued a further correspondence and direction for the preparation of a PPR. The letter stated the following:

*The Department has carefully considered your response and acknowledges the need to achieve a viable commercial outcome for the site. However, the Department is strongly of the view that the development as currently proposed does not represent the best long term outcome for the site. The Concept Plan remains inconsistent with the strategic intent for the site, being high density residential and will not provide for suitable gateway development.*

*From a strategic perspective, the Department strongly favours the siting of the Masters store on the northern part of the site, closer to the commercial centre of Penrith and other retail outlets. Furthermore, this approach has less impact on Council's strategic objectives for the site, which seek an eventual high density residential and possible mixed use outcome.*

*Accordingly, should you decide to proceed, you should amend the proposal and submit a Preferred Project Report.*



The applicant is committed to progressing the project with an acceptable design solution for delivery of high quality design outcome for both the residential component and the Masters Store. Accordingly, a design assessment and amendment process was initiated to address DPI's key concerns being:

- The best long term outcome for the site.
- The strategic intent for the site including Council's strategic objectives.

The design response is documented in the following section.

## 2.2 PREFERRED PROJECT DESIGN RESPONSE

A design review was initiated reallocating the uses across the site with the residential, tavern, ground floor retail and plaza uses being relocated to the southern portion of the site and the Masters Store to the north in accordance with DPI comments.

### 2.2.1 THE MASTERS STORE (STAGE 1 WORKS)

The Masters Store has been relocated to the north of the site to allow for the co-location of retail uses (with the Centro site to the north) in accordance with DPI's preference.

The alternative siting suggestion provided by DPI (refer Figure 1) to orientate the Masters Store to address Woodriff Street to the east was given detailed consideration however, it is not considered to provide the optimal design outcome for the following reasons:

- Given the active nature of the car park, this is anticipated to have a more significant potential amenity impact to residents on Woodriff Street compared to the loading dock which is a relatively passive area with only 6 deliveries per day.
- The back of house area would be presented to the adjacent Penrith Stadium and Station Street. This is considered an undesirable urban design outcome as it will prevent the flow of people into the public domain areas on the site such as the proposed plaza.
- The retail development on the Centro site (adjacent to the northern boundary) is orientated north away from the subject site. An east-west road link to the south of this boundary would therefore present as back of house areas and would not contribute positively to the public domain.
- DPI correspondence indicates a preference to channel the majority of traffic via Station Street which already handles larger traffic volumes due to the special events uses on its western side. However, the layout in Figure 1 could result in higher traffic volumes along Woodriff Street.
- Service vehicles will also be directed towards Station Street causing potential conflict with existing traffic generation.

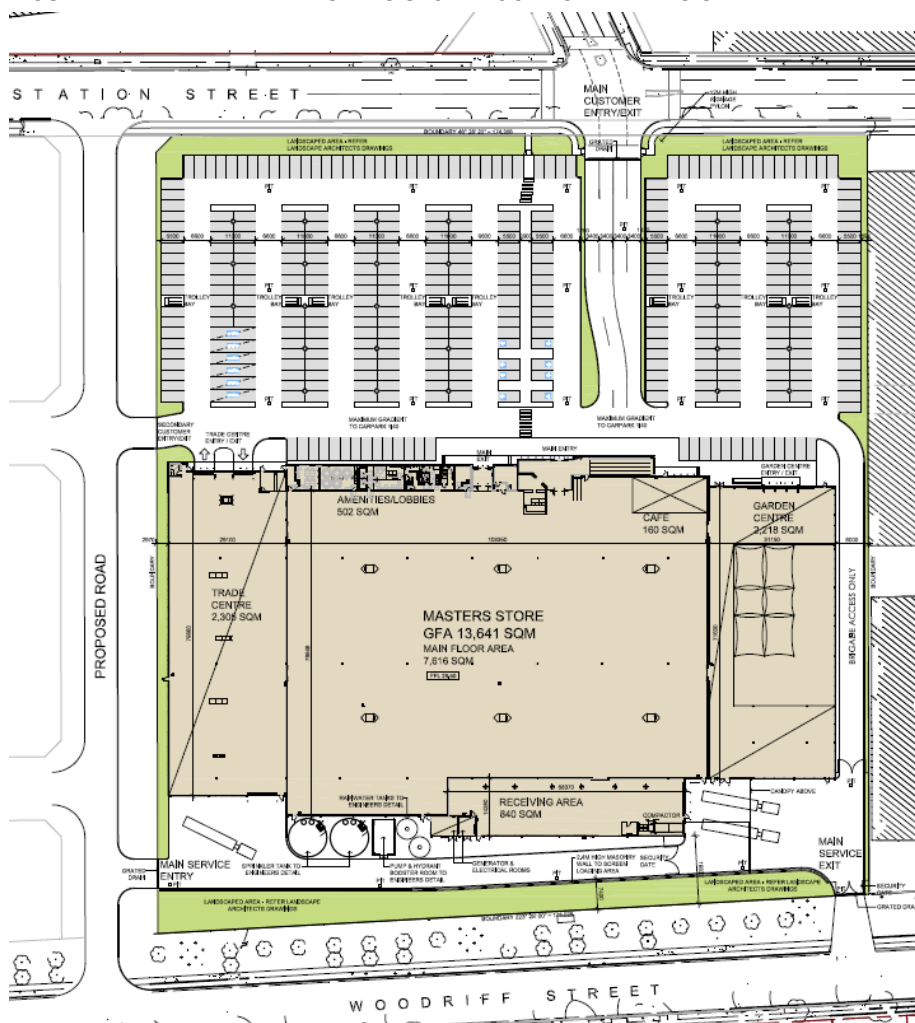
A number of options were explored orientating the Masters Store to the south and to the west. Orientating Masters to the south had some benefit by placing the back of house areas adjacent to the back of the retail tenancies on the Centro site. However, it is considered more appropriate to orientate it to the east to avoid large expanse of car parking onto the proposed residential area and to allow main customer access from Station Street as shown in Figure 2.

The Masters Store is orientated to the west and is considered appropriate for the following reasons:

- To minimise acoustic and privacy issues to the residents on Woodriff Street by orientating the car park (the active area) away from this boundary.
- Allows for adequate treatment including a landscaped mound to screen the back of house area to Woodriff Street where there is an existing large vegetated verge.
- Traffic will enter the site predominantly from Station Street avoiding increased traffic on Woodriff Street.

- The parking area is adjacent to the plaza and tavern providing an extension of active public domain areas to the existing sporting precinct to the west.
- The residential flat buildings have been designed to avoid direct overlooking of the Masters Store.

FIGURE 2 – THE AMENDED MASTERS STORE LOCATION AND DESIGN



A public street is proposed to be extended between Station Street and Woodriff Street between the Masters store and the residential, tavern and plaza component.

The following recommendation was also provided by DPI in the letter dated 16 January 2013:

*Extend a public street between Station Street and Woodriff Street along the northern boundary to provide a better interface with the Centro site to the north.*

A second public street between the site and Centro to the north is not considered appropriate for the following reasons:

- A street along the northern boundary is not considered appropriate as the existing retail provided along the southern boundary of the Centro site is orientated north towards the main shopping precinct and away from the subject site. It is considered highly unlikely that any retail on the Centro site would orientate itself away from the main retail uses in the future. Accordingly, a street in this location would not provide a high quality public domain presentation or the best long-term outcome for the site.

- As the Masters Store is orientated west, the street would also be adjacent to the proposed emergency vehicle access road and the car parking area. The store can be accessed from the Centro site via Station Street or Woodriff Street which is considered appropriate.
- The proposed road from Woodriff Street and Station Street is provided 165m to the east, a further street road is not considered necessary in this location.

A detailed assessment of Masters Store built form and design is provided in Section 2.4.

## 2.2.2 RESIDENTIAL COMPONENT

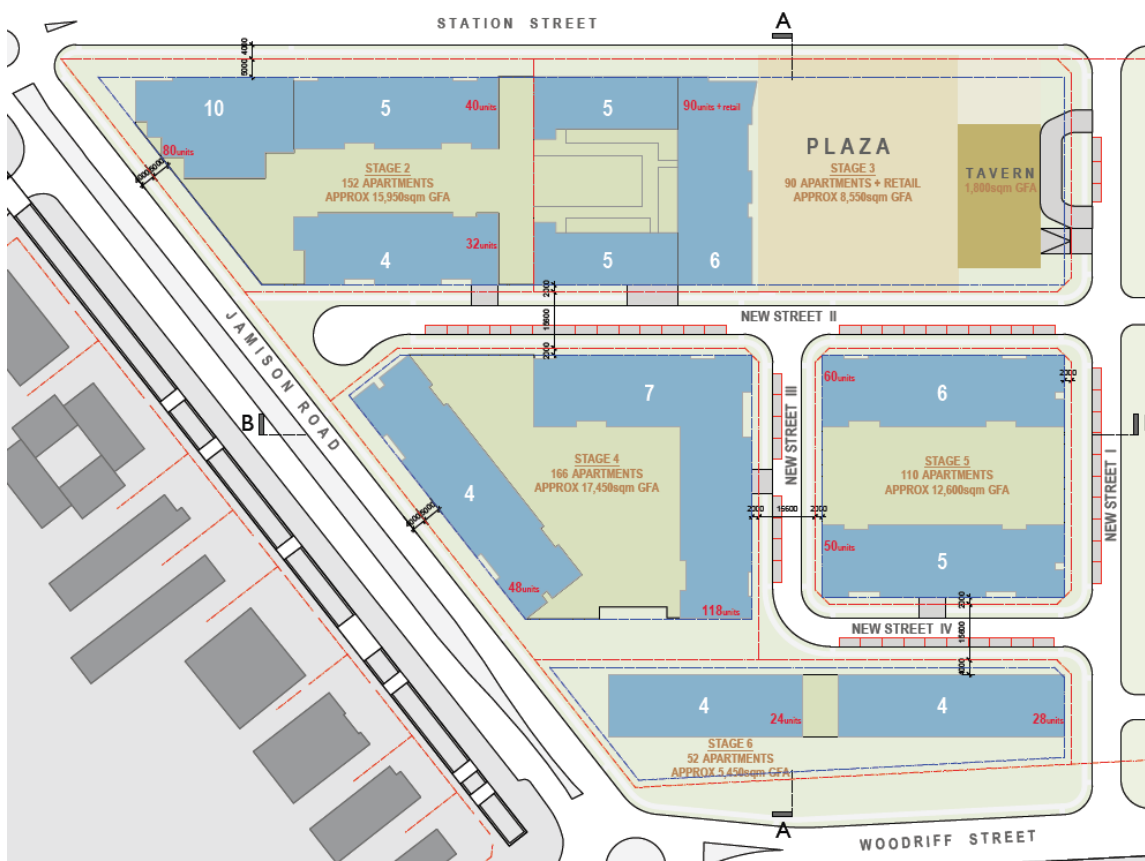
The residential component and internal street layout were redesigned to prioritise:

- Compliance with SEPP 65 including solar access, building separation and privacy.
- An appropriate internal street layout which will provide access to basement car parking associated with the residential flat buildings, tavern, ground floor retail and plaza areas.
- A high level of open space and public amenity through a landscape design which incorporates landscape, communal areas, public plaza areas and visual vegetation buffers.
- Residential buildings which respond to the low density residential development to the south and east and provide an attractive and consistent streetscape.
- Gateway presentation at the corner of Station Street and Jamison Road through reallocation of height.

It should be noted that the GFA, apartment number and parking rates do not change as a result of the Preferred Project and remain as proposed in the EA.

A detailed assessment of residential built form and design is provided in Section 2.4.

FIGURE 3 – THE AMENDED RESIDENTIAL LOCATION AND DESIGN



## 2.3 AMENDMENTS TO THE CONCEPT PLAN

In summary, the following amendments have been made to the Concept Plan and Stage 1 works as part of the design review process:

- The residential, plaza and tavern development is relocated to the southern portion and the Masters Store (and associated Stage 1 works) is to be located on the northern portion of the site.
- The residential layout provides nine residential flat buildings with heights from four to ten storeys compared to the previous ten buildings of four to eight storeys.
- Reallocation of building heights to create a gateway entry to the City Centre at the corner of Jamison Road and Station Street.
- Revised internal street layout in the residential component, including a cul-de-sac, allowing for internal access to basement areas.
- The new road between Station Street and Woodriff Street has been relocated to reflect the reallocation of uses on the site.
- The plaza, ground floor retail and the tavern are relocated in close proximity to Ransley Street and the adjoining recreational facilities.
- Demolition of the Panasonic building now forms part of Stage 1 works to facilitate delivery of the Masters Store.
- The Masters Store is orientated to the west and addresses Station Street with the loading area screened with a landscape mound to Woodriff Street.
- Customer access to the Masters Store is primarily from Station Street with a secondary access from the new road. Service access is from a separate entry on the new road and exit is via Woodriff Street.
- Appropriate traffic and access arrangements including:
  - The intersection of Station Street with Ransley Street to be signalised, with a fourth approach providing access to the Masters site.
  - Give way controls at the t-intersections of the new internal road with Station Street and Woodriff Street.
- Revised landscaping will provide communal open space for each residential building and provide appropriate landscaped setbacks between uses and to the main street frontages.
- Revised subdivision to reflect the two lots for the Masters Store and the residential component as well as providing a separate lot for the new road.

The Preferred Project is detailed in full in Section 3.

## 2.4 MERIT AND STRATEGIC ALIGNMENT OF THE REVISED SCHEME

The Preferred Project responds to the comments provided by DPI and has logic and merit. The Concept Plan provides for non-residential uses to the north and a residential interface to the south that is more aligned with Council's strategic objectives. The following benefits arise from the Preferred Project:

- Co-location of like uses:
  - The residential component is located alongside existing residential uses along Jamison Road to the south and Woodriff Street to the east.

- The Masters Store is adjacent to the exiting retail within the Centro site immediately to the north and in close proximity to retail uses associated with Penrith City Centre and the railway station.

FIGURE 4 – DCP DESIGN PRINCIPLES



- Relocates the Masters Store, tavern and plaza area along Station Street opposite Penrith Stadium and the sporting precinct to the west which:
  - Locates active uses along the border of the sports precinct encouraging the flow of people into the site, aligning the plaza with Ransley Street and integrating the non-residential uses.
  - Locates the residential component further to the south to avoid noise and traffic impacts associated with sporting events.
- Creation of a higher density gateway entry to Penrith City Centre through the inclusion of a ten storey residential building at the corner of Station Street and Jamison Road. This will be appropriately designed to reflect its gateway location during detailed design at Stage 2 of the Concept Plan.
- High density residential zoning:
  - The Preferred Project continues to provide residential development up to a height of ten storeys with a mix of uses across the site to meet the needs of the existing and proposed local residents including ground floor neighbourhood shops/cafes, tavern, public plaza and other associated works.
  - The total gross floor area of the development is 76,398sqm, of which 60,000sqm is for residential uses, consistent with the envisaged character for the site.
  - The proposed apartments comprise a higher level of density similar to an urbanised city, with a built form that is comparable to the existing residential development to the south and compatible with the existing residential development to the east.

- Demonstrates appropriate consideration of the residential built form and suitable amenity including:
  - Internal cul-de-sac and circular road system allowing vehicular access to the residential basement car parking.
  - Internal access paths provide links between individual residential buildings and the new access roads. The proposed site links will enable ease of access to the main roads and surrounding site uses such as Penrith Station and Centro. All streets include tree planting, verges and landscaped setbacks.
  - Residential buildings are four to ten storeys and provide a varied skyline and prevent overshadowing. The lower buildings are generally at the perimeter of the site to provide a transition to the surrounding lower scale land uses with the exception of the 'gateway' entry.
  - The massing and orientation of residential buildings have been organised so as to provide good natural daylight and solar access into the primary living spaces, external living areas and courtyards.
  - The tavern and small scale retail uses will provide for active uses to the new plaza.
  - The alignment, scale, articulation and separation of all building envelopes reinforce streetscape and create perceptible urban spaces.
  - Appropriate building separations and setbacks have been applied and all building envelopes are aligned and scaled to reinforce streetscapes and the public domain.
- The interface between the residential development and the proposed Masters Store has been appropriately treated to maximise residential amenity by:
  - Orientating the buildings so that few apartments directly overlook the Masters Store with the majority of apartments overlooking the internal open space.
  - The residential uses and the Masters Store are separated by the new road connecting Station Street and Woodriff Street. The setback between the two uses includes an 8m road reservation, a 6m landscaped buffer to the residential uses and 4m landscaped setback to the Masters Store.
- The orientation of the Masters Store results in:
  - Minimised residential / retail interface where units would overlook the side elevation of the store and the car park area.
  - The current loading dock which is a relatively passive area and deliveries will cease in the evening period. The loading area is to be treated through a landscape mound to Woodriff Street to provide appropriate presentation to the public domain and to reduce any amenity impacts.
- The intersection of Station Street with Ransley Street is proposed to be signalised, with a fourth approach providing access to the Masters site. With the new roads and intersections proposed, the road network will be able to cater for the additional traffic from the proposed development.

## 3 The Preferred Project

The following section present the Preferred Project which incorporates the amendments discussed in Section 2.3.

### 3.1 CONCEPT PLAN

The Concept Plan application is for a staged mixed use development including residential, neighbourhood shops, bulky good, hardware and building supplies and garden centre, food and drink premises and tavern provided in six stages.

The proposal comprises the following key components:

- Stage 1: Bulky goods, hardware and building supplies and garden centre.
- Stage 2: Approximately 15,950sqm of residential development (152 apartments):
  - A four storey residential flat building containing approximately 32 apartments.
  - A five to ten storey residential flat building containing approximately 120 apartments.
  - 163 car parking spaces including 152 residential, eight visitor and three car wash spaces.
  - Communal open space shared between residents of the two buildings.
- Stage 3: Residential development of approximately 8,550sqm (90 apartments), neighbourhood shops, cafés and a tavern:
  - A five to six storey residential flat building containing approximately 90 apartments with ground floor retail premises.
  - 166 car parking spaces, including 90 residential, five visitor, two car wash, ten retail/commercial spaces (staff), 73 tavern spaces (visitor).
  - Neighbourhood shops/cafes of approximately 995sqm.
  - Communal open space for the use of residents.
  - Public open space in the form of a plaza of approximately 2,300sqm.
  - A tavern of 1,800sqm.
- Stage 4: Approximately 17,450sqm of residential development (166 apartments) as follows:
  - A four storey residential flat buildings containing approximately 48 units.
  - A seven storey residential flat building containing approximately 118 units.
  - 178 car parking spaces including 166 resident, nine visitor and three car wash spaces.
  - Communal open space to be shared by the residents of the buildings.
- Stage 5: approximately 12,600sqm of residential development (110 apartments) as follows:
  - A six storey residential flat building containing approximately 60 units.
  - A five storey residential flat building containing approximately 50 units.



- 118 car parking spaces including 110 resident, six visitor and two car wash spaces.
- Communal open space to be shared by the residents of the two buildings.
- Stage 6: Approximately 5,450sqm of residential development (52 apartments) as follows:
  - Two x four storey residential buildings, one with 24 units and one with 28 units.
  - Communal open space to be shared by the residents of the two buildings.
  - 56 car parking spaces including 52 residential, three visitor and one car wash space.
- Construction of a local road network of approximately 8,980sqm, including an east-west street providing through connection between Station Street and Woodriff Streets and internal local residential streets.
- Stormwater infrastructure works designed to comply with relevant Council guidelines and DCP controls.

### 3.2 STAGE 1 WORKS

The proposal seeks Stage 1 approval for the construction of a Masters Store consisting of bulky goods, hardware and building supplies and garden centre uses. The Home Improvement Store and associated facilities and landscaping will occupy land of 33,259qm. Sufficient detail is provided via this application to approve the Stage 1 works and facilitate construction without the need for future approval.

The Stage 1 works include demolition of the existing Panasonic building and single storey industrial / warehouse style buildings on the northern portion of the site.

Subdivision of the site is proposed to create three separate lots for the proposed Masters Store site, the proposed road along the southern boundary and the remaining area for Stages 2 to 6 of the Concept Plan.

The proposed Masters Store comprises approximately 13,641sqm gross floor area and is divided into four separate components:

- General sales area for hardware and building supplies comprising approximately 7,616qm. The general sales area will comprise the central portion of the building envelope, offering a range of home improvement goods, including:
  - Hardware (tools, plumbing, electrical etc.)
  - Timber and Building (building materials, doors, joinery etc.)
  - Décor / home decoration (paint, flooring etc.)
  - Kitchen and bathroom fittings.
- Garden centre of approximately 2,218sqm. The garden centre will comprise the northern portion of the building envelope, offering a range of gardening products including:
  - Plants.
  - Landscaping products.
  - Garden tools.
  - Outdoor living.

Part of the nursery area will have a shade sail on a fixed steel post grid to provide natural sunlight and ventilation to garden area within the building.

- Trade sales area of approximately 2,305sqm. The trade sales area will occupy the southern portion of the building envelope and will accommodate a drive-in loading system, where products from both the general sales and nursery area will be available.
- A 'back-of-house' area for loading goods and materials with approximately 840sqm, located to the east of the main trade floor.
- A small internal office area and a general amenities area of 502sqm.
- A small ancillary café of approximately 160sqm to the west of the general sales area. The café will include a food preparation area, serving area and seating area. It is proposed to serve meals and snacks, and hot and cold beverages and will provide an area for customers to sit and review catalogues, product samples, concept designs, etc. Fit out of the café will be subject to a future Development Application.

The Stage 1 works also include:

- A 375 space car park within the western part of the site, including eight accessible parking spaces located near the customer entry and six trailer spaces.
- 30 bicycle racks located adjacent to the nursery.
- Landscaping along the boundaries and within the car park.
- Servicing area including waste and recycling collection along the eastern boundary of the site.
- Separate customer and general servicing entries to the site:
  - Main customer access from Station Street for all directions into and out of the site.
  - Two way secondary customer access onto the new proposed road to the south of the site.
  - Service entry from the proposed road to the south and a separate exit onto Woodriff Street along the eastern boundary.
- Sprinkler storage tanks for fire sprinkler system and pump room are proposed near the south eastern corner of the site.
- One main entry sign and two trade and garden identification signage located on the western elevation of the building.
- One 12m pylon sign adjacent to the Station Street access point.
- 2.4m masonry wall along the eastern boundary to create visual separation between future residential development to the east.
- Rainwater tanks for on-site water use are proposed on the south eastern corner of the site.
- One main entry sign and two trade and garden identification signage located on the western elevation of the building.
- A 12m pylon sign along the Station Street boundary.
- Information signs within the car park and loading dock.

The following traffic and access arrangements are also proposed in accordance with the Traffic Report provided in Appendix O:

- Construction of the internal road link between Station Street and Woodriff Street.
- The intersection of Station Street with Ransley Street to be signalised, with a fourth approach providing access to the Masters site.
- Give way controls at the t-intersections of the new internal road with Station Street and Woodriff Street.

The building will be articulated along its main southern façade, with a main customer entry. The building will be constructed from a variety of materials including concrete panels, glazing, alucabond panels and coloured panels. The building includes operational facilities such as a back-of-house area for receiving and dispatching goods located along the northern boundary.

Separate entry will be provided to the trade area from the customer car park and each entry will be distinctly legible from the exterior of the building. Internal access between operation areas will be available at several points within the building envelope.

The proposed hours of operation for the Masters store are as follows:

- Monday to Friday: 6am to 10pm.
- Saturday/Sunday: 6am to 8pm.

All loading and servicing will be carried out within these retail hours.

## 4 Revised Environmental Assessment

### 4.1 BUILT FORM AND AMENITY

An updated Architectural Statement to reflect the amended residential concept design has been prepared by Turner Architects including a SEPP 65 and Residential Flat Design Code assessment (refer Appendix Y). In relation to the built form design, the following is noted:

- *The alignment, scale, articulation and separation of all building envelopes work together to reinforce streetscape, create perceptible urban spaces and provide a variety of urban experiences.*
- *The residential proposal responds to the surrounding urban area whilst developing a new and appropriate high density residential centre. The architecture of the new buildings will contribute to the quality and identity of the existing area whilst at the same time addressing the wider objectives of the City Centre Vision for Penrith as one of the six Regional Cities.*
- *The proposal reflects Council's expectation for the site in providing new high density housing.*
- *The buildings are typically four to ten storeys in height above the podium. They are arranged so as to give a varied skyline and to prevent overshadowing. The lower buildings are generally at the perimeter of the site as a transition to the existing context.*
- *The new street network within the site, reinforced by perimeter block building forms, will provide clear view corridors through the site, improving the visual permeability.*
- *The existing residential uses external to the site adjacent to the residential component of the proposal are to the east on Woodriff Street and to the south on Jamison Road. The existing residential properties are between 38m to 52m away from the proposed building envelopes.*
- *A new network of streets between Woodriff Street and Station Street gives a grain to the development as well as providing street frontage.*
- *A 23.6m road verge and combined an additional 6m wide planting zone as a buffer on the opposite side of the road separates the retail and residential uses.*

The layout, proportion and height of the envelopes for the new residential buildings have been carefully designed to maximise amenity for existing and future residents and includes the following:

- *The buildings are separated within the lots by large communal courtyards that typically include deep soil zones allowing the provision of large trees. The verges and setbacks also provide deep soil areas. This will all provide for both acoustic and visual privacy in the detail design of these buildings.*
- *The location and orientation of the proposed building forms have been considered in relation to the proposed Masters development to the north. The primary outlook is away from this aspect, with only the ends of the residential buildings taking in this orientation, so all units have the opportunity for their primary aspect to be perpendicular to this.*
- *The taller buildings face onto the new public plaza in response to the civic nature of the space. A new public plaza will provide active open space for use by both the new residents and the existing community. It sits at the corner of the residential precinct, adjacent to the Masters and near to Penrith Stadium. The ground level uses to the plaza are retail and entertainment in nature to provide active uses.*
- *The buildings exceed the minimum SEPP65 requirements in terms of building separation.*
- *The orientation of the buildings is designed to maximise solar access, privacy and views.*

- *The residential streets are more private in nature with the residential ground levels an average of 1m above street level for privacy and security. The delineation between the public streets and communal courtyards will be very legible. The streets will have active frontages due to the potential for multiple entry points.*

The residential amenity of existing and future residents has been maximised through the Preferred Project design and avoids any negative impacts on existing land users.

## 4.2 SUBDIVISION

A revised subdivision plan is provided in Appendix B. The Stage 1 works include subdivision of the site into three separate revised lots to reflect the Preferred Project as follows:

- Proposed Lot 11 (4.058ha): To accommodate the Masters Store.
- Proposed Lot 13 (0.46ha): To accommodate the proposed road along the southern boundary of the Masters Store.
- Proposed Lot 12 (3.325ha): To accommodate the remaining site area for Stages 2 to 6.

## 4.3 TRAFFIC, ACCESS AND PARKING

A Traffic and Accessibility Study has been prepared by CBHK (refer Appendix O) which provides an updated assessment of the Preferred Project in relation to traffic generation, accessibility and parking rates. A summary of these findings are provided in the following sections.

### 4.3.1 PARKING

The proposed car parking rates are consistent with those proposed in the EA and are summarised as follows:

- **Bulky goods:** Approximately one space per 36sqm gross floor area.
- **Residential:** Approximately one space per unit for residents and one space per 20 units for visitors.
- **Tavern:** Approximately one space per 24.5sqm gross floor area.
- **Retail:** Approximately one space per 100sqm gross floor area

The proposed parking provision for the Concept Plan and Stage 1 works are considered appropriate.

### 4.3.2 TRAFFIC GENERATION

Based on RMS 'Guide to Traffic Generating Development', the proposed residential development would continue to generate 140 vehicles per hour two-way at peak times as 570 apartments remain proposed. The tavern would continue to generate approximately 60 vehicles per hour two-way at peak times.

Taking into account the minor amendment to the GFA, the reallocated Masters Store is anticipated to generate between 530 and 1,090 vehicles per hour two way peak hour during weekday afternoon and Saturday peak hours. The RMS guidelines also anticipate that 20 percent of trade to Masters will be passing trade. To accommodate traffic at the Masters the following will be included:

- The intersection of Station Street with Ransley Street is proposed to be signalised, with a fourth approach providing access to the Masters site.
- Give way controls at the t-intersections of the new internal road with Station Street and Woodriff Street.

With the proposed road works and intersections treatments, the road network will be able to cater for the additional traffic from the proposed development.

An appropriate Statement of Commitments is provided requiring the proposed access arrangements to be incorporated into the Stage 1 works and the preparation of a Traffic Management Plan Study prior to commencement of works.

#### 4.3.3 ACCESS

Revised access is proposed via the following arrangements:

- A new road connection between Station Street and Woodriff Street.
- Internally, the new roads including cul-de-sac will provide access to the proposed residential buildings and basement car parking.
- Masters Store access will be provided via Station Street (primary customer access) and the new road (secondary customer access).

Access and internal circulation and layout will be provided in accordance with the relevant Australian Standards and have been assessed in the Traffic and Accessibility Study as being appropriate for the development.

#### 4.3.4 SERVICING

Service vehicles for the residential development will generally be accommodated on-street with detailed servicing arrangements being determined at the appropriate stage of the Concept Plan. A dedicated loading bay for the Tavern remains part of the Concept Plan with the ability to enter and exit in a forward direction.

Service vehicles will enter the Masters Store from the new road connection between Station Street and Woodriff Street. The new road as well as the driveways to and from Masters will provide for entry and exit in a forward direction. Exit will be via Woodriff Street.

### 4.4 ECONOMIC

A supplementary letter in relation to economic impacts has been prepared by Urbis and is provided in Appendix J. This provides the following additional information:

- Implications of the proposed relocation of the Masters Store within the subject site.
- Response to the Peer Review of Urbis' Retail Impact Assessment prepared by SGS in January 2013.
- Further commentary concerning the Penrith Panthers Planning Proposal in accordance with the letter from DPI dated 19 December 2012.

In relation to the revised plans, the supplementary advice concludes the following:

*The proposed amendment **will not** have any significant impact on the Masters store turnover forecast, or on any subsequent impact assessment calculations.*

*On balance therefore we consider that the original turnover and impact calculations in the Masters EIA need not be amended. Masters have also confirmed that they do not anticipate store turnover to be materially affected by the proposed layout amendment.*

A Peer Review of the Retail Impact Assessment prepared by SGS was provided by DPI on 25 January 2013. The Peer Review noted that *"in general, the approaches Urbis has taken to complete the EIA are sound"*.

Further information in relation to the following was requested:

- Extent of the secondary east trade area.
- Resident population in 2015.
- Comment on average income profile and expenditure per capita.
- Key competing retailers.
- Market share assumptions.
- Impact calculations.
- Impact of ancillary specialty retailing.

This information is provided in the letter attached in Appendix J.

Further commentary concerning the Penrith Panthers Planning Proposal has also been prepared. In summary, the following is noted:

*Development of a Masters store on the subject site (which is identified as being within the Penrith City Centre) provides an opportunity to ameliorate any potential cumulative impact concerns associated with the Panthers scheme and a Neighbourhood Shopping Centre on the Parkview site proceeding at the same time. Each development will service different spending markets and different needs of Penrith residents. Urbis has undertaken a robust review of Penrith retailing as part of the Masters EIA and the impacts that are identified on the CBD (0.1% impact or \$0.9m) are not considered significant.*

Accordingly, the economic impacts have been assessed and no significant impact as a result of the proposed Masters Store will arise.

## 4.5 ACOUSTIC ASSESSMENT

The Noise Impact Assessment has been prepared by Acoustic Logic (refer Appendix H) to provide an assessment of the Preferred Project. The following provides an assessment of noise sources and the potential impact as a result of the proposal.

### 4.5.1 TRAFFIC NOISE

The investigation into noise associated with additional traffic movements concluded that any increased traffic flows will cause either no noise increase to existing roadways or compliance with Industrial Noise Policy criteria. Accordingly, the anticipated traffic generation will not adversely impact on the acoustic amenity of surrounding residential receivers.

### 4.5.2 RESIDENTIAL ACOUSTIC AMENITY

The Noise Impact Assessment states that compliance with the relevant internal noise level criteria *'is both possible and practical'*. While the additional traffic will not increase road noise, the external façade of future residential development will be acoustically treated where necessary to ensure internal noise levels comply with specified noise levels including specified glazing and other façade elements. Typically the required upgraded glazing for acoustics will include 6.38mm laminated or 10.38mm laminated glazing.

This has been included as a Statement of Commitment relating to the provision of residential flat buildings within the Concept Plan.



### 4.5.3 SPORTING EVENTS

As above, the Noise Impact Assessment states that compliance with the relevant internal noise level criteria '*is both possible and practical*' and provides details regarding the acoustic treatment where necessary to ensure internal noise levels comply with specified noise levels.

A number of external glass treatments have been provided in the Acoustic Assessment. Provision of the relevant glass and façade treatment form a Statement of Commitment for Stages 2-6 of the Concept Plan

### 4.5.4 MECHANICAL NOISE

A detailed mechanical noise assessment will be conducted once plant selections and services have been finalised as part of the construction documentation to ensure noise levels comply with the criteria detailed in the Noise Impact Assessment. This forms a Statement of Commitment for the Stage 1 works.

### 4.5.5 NOISE ASSOCIATED WITH THE LOADING DOCK

The noise impact of Masters service vehicles accessing and exiting the site, delivery truck being idle in the dock, movement of pallet trucks and operation of compactors has been undertaken. The predicted noise levels at the nearest residence on Woodriff Street to the south east of the proposed loading dock and within the proposed development were within the allowable noise level (providing the report's recommendations are adopted). No deliveries will be undertaken after 10pm Monday to Friday and 8pm at the weekends. Accordingly, the activity associated with the loading dock would not produce any adverse sleep arousal impacts.

The Noise Impact Assessment recommends that the following management and physical controls be implemented into the design and operation of the proposed loading dock associated with the Masters Store:

- *Bail and/or garbage compactors are to be used only within the building fabric.*
- *Loading dock receiver area walls to fully enclosed from external environment access doors will be opened only for deliveries entry and exit and will be closed while goods are being moved within the facility without a truck serving the area.*
- *Neoprene rubber buffers should be installed on the vertical face of the loading dock where vehicles park to absorb impacts.*
- *A detailed assessment of noise emissions from plant and equipment associated with the loading dock is required to be conducted prior to installation in conjunction with Penrith council requirements.*
- *Vehicle engines should be switched off during loading and unloading within the dock.*

These recommendations have been incorporated into the Preferred Project and Statement of Commitments provided in Section 7. The Noise Impact Assessment concludes the following:

*Based on the assessment detailed in this report the proposed development will comply with all relevant noise and vibration criteria.*

## 4.6 STORMWATER AND CIVIL ENGINEERING

### 4.6.1 CONCEPT PLAN

A Civil, Infrastructure and Stormwater Report has been prepared by Mott Macdonald to assess the Preferred Project and is provided in Appendix P. The site has been identified as being prone to localised flooding in large storm events. Appropriate stormwater drainage infrastructure has been proposed.

The stormwater drainage for the proposed development is to be designed to comply with the following guidelines:

- Penrith City Councils Development Control Plan DCP (2010).
- Penrith City Councils Guidelines for Engineering Works for Subdivisions and Developments (1997).
- Australian Rainfall and Runoff (2001).
- Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition, March 2004.

The proposed stormwater includes the following:

- OSD is proposed for Stage 1 works to restrict the post developed discharge flow rate to pre development levels.
- The proposed discharge point for the Concept Plan stages (existing 1050mm dia stormwater pipe) has sufficient capacity to accept 5yr ARI post development flows from the residential component. OSD is therefore not required as the proposed site will have no adverse impact on the downstream stormwater system. A below ground tank located beneath the hardstand pavement on the southern portion of the site is proposed to control flows to Woodriff Street (subject to detailed design of future Concept Plan stages).
- However, consideration will be given to the management of overland flows to ensure that additional flooding to downstream properties is not caused as a result of future Development Applications.

Connections to potable water, electricity and sewer systems are discussed in the report in Appendix P.

#### 4.6.2 STAGE 1 WORKS

The proposed stormwater management for Stage 1 has been prepared by Mott MacDonald and is provided in Appendix Q.

The majority of the catchment is to drain to the existing stormwater network in Station Street. Piped flows will be conveyed to the downstream open channel and culvert system via the existing street stormwater drainage network. The remaining areas are proposed to discharge to the existing pit and pipe network in Woodriff Street.

Preliminary assessment of Council's drainage network in Station Street and Woodriff Street indicates that the existing stormwater systems have insufficient capacity to receive increased stormwater flows as a result of the proposed development. As such, OSD will be required for Stage 1 works to restrict the post developed discharge flow rate to pre development levels.

Investigations undertaken for the site using the DRAINS software package indicates approximately 630m<sup>3</sup> of storage would likely be required to satisfy council's pre post requirements. It is proposed to provide above ground storage within the Masters Store carpark to detain flows prior to discharge to Station Street.

Appropriate erosion and sedimentation control is proposed as shown in the plans prepared by Mott MacDonald and provided in Appendix Q.

#### 4.7 LANDSCAPING

Landscape Plans for the Concept Plan and Stage 1 Masters Store have been prepared by Site Image and provided in Appendix L and M respectively. An integrated approach was undertaken with regard to the development of the built form and associated landscaping treatment.

The establishment of attractive landscaped public spaces will create a useable public domain which links the new development to the surrounding streets. The provision of a range of uses and integration

between the retail and residential components of the development will create a vibrant neighbourhood focal point that caters to a broad spectrum of the community.

The Concept Plan provides the following elements:

- Dense vegetative buffer planting with localised mounding along the site boundaries particularly on the Woodriff Street boundary. Low grasses and groundcovers on the mounding with tree planting.
- Woodriff Street has a verge of 10m with existing trees which are to be retained. The proposed landscaping on this frontage also includes a landscape mound which will screen the loading dock from residents to the east and present as a 20m setback to Woodriff Street.
- A 12m setback is provided to the proposed access road between Station Street and Woodriff Street which includes turf and tree planting. A 7m setback is provided to Station Street and includes turf and tree planting.
- Avenues of broad canopy, deciduous trees to create a highly formal visual identity complementing pedestrian footpaths, accommodating generous walkways and formal roadside hedge planting.
- The proposed landscaping including the avenue of buffer trees which increase residential amenity and softening the appearance of the built form.
- Communal open space areas will be for the exclusive use of residents and their guests, with appropriate landscaping and site works to provide visual privacy and residential amenity.
- Landscaped plaza area will also provide access into the site. The plaza design creates an active community and retail hub with water features, grids of trees and seating and level changes overlooking cafes and retail.
- Landscaping along the boundaries of the Masters Store with particular emphasis on the internal road to the south and softening the visual presentation from within the car park.
- The Concept Plan provides for a new pedestrian circulation network which will enhance the existing public pedestrian walkways along Station Street and Woodriff Street as follows:
  - Cross site footpaths are provided along the new access roads and link with the existing main roads and provide north to south through site links.
  - Internal access paths also provide links between individual residential buildings and the new access roads.
- Landscaping along the Woodriff Road frontage, which includes a range of drought tolerant, low maintenance and foliage year-round plants. This complements the existing avenue of trees in the road reserve along Jamison Road.

## 4.8 ABORIGINAL ARCHAEOLOGY

The Aboriginal Archaeological Report prepared by AHMS and lodged with the EA stated that the southern portion of the site had potential to contain shallow buried archaeological deposits in the upper soil levels, and that at deeper levels the site was situated on the Cranebrook Terrace. It was recommended in this report that sub-surface investigations focussing on the shallow surface deposits and the deeper Cranebrook Terrace be undertaken.

AHMS carried out a test excavation programme in October 2012 (following lodgement of the EA) on the southern part of the site where the Stage 1 Masters Store was located. The excavations enabled the following conclusions:

- *No Aboriginal objects were recovered.*

- *The southern portion of the site is considered low likelihood to contain uncovered or undisturbed Aboriginal objects.*
- *A thin strip of the Cranebrook Terrace as uncovered along the western margins of the study area which was considered to extend into the un-investigated northern portion of the site.*
- *In the northern portion, the heavy disturbance is likely to have removed much of the well-drained Richmond Unit of the Cranebrook Terrace.*
- *Based on the results of the test excavation, the potential for Aboriginal objects to occur is low.*

A further letter has been prepared by AHMS (refer Appendix R) which provides an assessment of the Preferred Project and reallocation of uses across the site. The letter concludes the following:

*The greater impact is now proposed in the southern parts of the study area, which have been investigated and reveal low likelihood of Aboriginal objects being present. Based on the information above, there is no requirement to re-consider Aboriginal heritage issues within the study area.*

The letter provides the following recommendations:

- *Consultation between Parkview Penrith Pty Ltd and the Registered Aboriginal Parties should be maintained as appropriate throughout the design and construction stages of the proposed development.*
- *If the boundaries and/or design of the proposed development are revised to include areas not investigated during this archaeological assessment and the overall ACHA, assessment of these additional areas should be undertaken in order to identify and appropriately manage Aboriginal objects, sites and/or places that may exist in these areas.*
- *Parkview Penrith Pty Ltd should ensure that the removal of any Aboriginal object or the disturbance or destruction of any Aboriginal site or place is undertaken professionally, in consultation with relevant Registered Aboriginal Parties, according to applicable heritage statutory requirements and is documented, as appropriate to the level of significance of the object, site or place.*
- *Parkview Penrith Pty Ltd should ensure that any project-related Aboriginal heritage reports or documents are prepared in accordance with and/or comply with applicable statutory requirements and best practice professional standards. Where appropriate, findings of this work are to be provided to the OEH AHIMS Registrar and the relevant Registered Aboriginal Parties.*
- *Parkview Penrith Pty Ltd should advise all relevant personnel and contractors involved in the design, construction and operation of the proposed development, of the relevant heritage issues, legislative requirements and recommendations identified in the present ACHA.*
- *In the event that previously undiscovered Aboriginal objects, sites or places (or potential Aboriginal objects, sites or places) are discovered during construction, all works in the vicinity of the find should cease and Parkview Penrith Pty Ltd should determine the subsequent course of action in consultation with a heritage professional, relevant Registered Aboriginal Parties and/or the relevant State government agency.*

These recommendations are incorporated into the Statement of Commitments provided in Section 7.

## 4.9 HERITAGE IMPACT

The Heritage Impact Statement has been prepared by Urbis in context of the revised scheme (refer Appendix G).

The subject site is not considered to have built heritage significance. There are two local heritage items in the vicinity, known as Items 13 and 14 listed in Schedule 5 of the Penrith City Centre LEP 2008. These

items, being 146 and 148 Station Street, are representative examples of late Victorian cottages, however are not common in the immediate area.

The report states that the location of the residential development further to the south of the site will lessen the impact of higher development closer to the heritage items and the car park and retail building will not be visible from the items not change their relationship in heritage terms.

In summary, the report states the following:

*The design and scale of the proposal with regard to the heritage items is not an issue for the reasons outlined above and there will be no heritage impacts. The public and users of the heritage items will still be able to view and appreciate them and they are not the responsibility of the applicant.*

#### 4.10 RESIDENTIAL SUPPLY ANALYSIS

A review of the Residential Supply Analysis was undertaken by Urbis as part of the Preferred Project assessment (refer Appendix K). It should be noted that the dwelling numbers remain the same as those proposed in the EA.

An updated review has been completed on the medium and high density residential development pipeline to identify if any additional projects that have been added or existing projects removed which may impact on the supply of residential development.

The review states that a reduction of 191 dwellings (excluding seniors living) for both the Lamrock Gardens and Panthers developments has since occurred. However, an additional ten medium to high density developments (each yielding in excess of 20 dwellings) have been proposed subsequent to July 2012 with a proposed 539 units.

Having regard to new development proposals and reduced yields of existing projects, the development pipeline in the local area has increased by 348 apartments to 2,363 dwellings subsequent to the review in July 2012. The Residential Supply Analysis concludes the following:

*A reduction in the residential development yield of the subject proposal from 1,100 to 570 dwellings is not considered to limit or impact on the provision of future dwelling supply in Penrith LGA.*

#### 4.11 CONTAMINATION

The Contamination Report prepared by Geo\_Logix and submitted as part of the EA concluded the following:

*Outside the building areas the land has been adequately assessed and as there has been no use of that land since 2005 one can conclude that land is suitable for the proposed development.*

*The risk of consequential contamination under the building footprint is considered to be low for the following reasons:*

- *The areas of operation, excluding the builders yard, are concrete sealed.*
- *Small business tenants since 2005 have not been industries that result in widespread contamination.*
- *There has been no voluminous chemical storage or use onsite.*

*To facilitate the development the following environmental works will be necessary;*

- *Demolition of buildings and removal of concrete pads;*

- *Soil contamination testing for waste classification purposes as the proposed residential area (northern half) will require excavation 0.5 – 1m below current grade; and*
- *Offsite disposal of excavated soils.*

As the assessment was considered robust and sufficient to conclude the subject site has not been contaminated by past land uses, the results remain valid to the Preferred Project. As the Stage 1 works now include demolition of the existing warehouse buildings on the northern portion of the site, the soil sampling will be undertaken as a Statement of Commitment for the Stage 1 development.

#### 4.12 OTHER REVISED REPORTS

A number of other inputs that were submitted with the EA have been reassessed in accordance with the Preferred Project. These include:

- ESD.
- Access.
- Construction Management.
- Geotechnical.
- Wind Environment.

Those remain consistent in terms of recommendations as provided in the EA and are included in the Statement of Commitments. A list of the consultant inputs accompanying this report is provided in Section 1.5.

All other consultant reports remain unchanged from the EA lodgement in September 2012 and can be found on the DPI website.

## 5 Response to DPI Issues

As documented in Section 1.4, a number of correspondence was received from DPI following the exhibition of the EA. The key design issue that arose from this was been discussed further in Section 2.1.

This section of the report now provides a detailed response to all issues raised by DPI.

### 5.1 DPI LETTER DATED 26 NOVEMBER 2012

The Director-General of DPI required the proponent to respond to the issues raised in the submissions through the preparation of a 'Submissions Report'. Alternatively, if amendments were to be proposed to minimise the potential environmental impact of the proposal, a 'Preferred Project Report' would be required, including revised Statement of Commitments.

This report constitutes a Preferred Project Report and a response to all submission is provided in Section 5 and Section 6. Revised Statement of Commitments are provided in Section 7 of this report.

### 5.2 DPI LETTER DATED 19 DECEMBER 2012

Supplementary correspondence identified a list of issues that were to be addressed. A response to these issues is provided in Table 2 below.

TABLE 2 – RESPONSE TO DEPARTMENT OF PLANNING AND INFRASTRUCTURE ISSUES 19/12/12

COMMENT	RESPONSE
<b>Relevant EPIs, Policies and Guidelines, Strategic Context</b>	
<i>Metropolitan Plan for Sydney 2036</i>	
<u>Clustering of Bulky Goods Retailing</u>	
Objective B1 of the Metropolitan Plan identifies the need for local planning to identify appropriate locations (out of centre) to cluster bulky goods retailing. The need for clustering of this activity needs to be appropriately acknowledged and discussed in the regard to the EA discussion of the Metropolitan Plan. Other sections of the EA also fail to acknowledge and provide appropriate analysis in this regard. This is an important feature in planning strategies for the location of bulky goods premises, and also needs to be given weight in consideration of the suitable alternative sites and clustering within existing bulky goods areas, in particular those bulky goods areas along and off Mulgoa Road as identified under Penrith LEP2010.	<p>A Masters Store provides a mix of uses including 'hardware and building supplies', 'bulky goods' and 'garden centre uses'.</p> <p>Additionally, on 30 October 2012, the Department of Planning and Infrastructure (DP&amp;I) released a draft Planning Circular to provide assistance in determining the 'principle purpose' of a development to determine whether a particular development is permitted on land in a specific zone under a Standard Instrument Local Environmental Plan. Based on the Circular and the composition of used comprising a Masters store, the 'principle purpose' of a Masters is 'hardware and building supplies'.</p> <p>The Draft Centres Policy states that bulky goods premises should be accommodated within centres in Zones B2to B4, or where this is not realistic; they should be clustered together in an appropriate B5 zone in an edge-of-centre location.</p> <p>The site is located within the Penrith City Centre within close proximity of other retail uses including the retail uses associated with the Centro site. While the site is not located within Zones B2 to B4, the range of uses permitted under Schedule 1 result in the site being akin to a Zone B4 Mixed Use location. As such, the site is considered to be an appropriate location for a bulky</p>



COMMENT	RESPONSE
	<p>goods retail outlet.</p> <p>The Draft Centres Policy also states that timber (hardware) and building supplies and landscape and garden supplies should be accommodated within Zones B2 to B6. Similar to the points made above, the site is located within the City Centre and is considered appropriate. The site is well positioned to meet the locational demands of the development while not compromising the nature of the City Centre within which it is located.</p>
<i>The City Centre Vision – Revitalising – Penrith City Centre Plan</i>	
The consideration of relevant policies and guidelines fails to consider the Penrith City Centre Vision 2006 and any inconsistencies with the that vision, and vision in respect to site.	An assessment of the proposed development against the Penrith City Centre Vision 2006 is provided in Appendix X in response to Council's submission.
<i>Penrith City Centre LEP 2008</i>	
<u>Design Excellence</u>	
The department questions whether the EA adequately establishes and whether the design of the proposal exhibits design excellence, including whether it fundamentally resolves design issues with siting the extent of stand alone retail floor space on the southern part of the site. This potentially results in amenity issues, which should not otherwise arise, refer also to further comments below in regard to built form, urban design. Further consideration of these matters is required.	<p>As discussed in Section 2, a design review process was undertaken as part of the preparation of the PPR. The uses on the site have been reallocated to co-locate like uses and ensure adequate residential amenity arrangements.</p> <p>The merit of the Preferred Project design is discussed in Section 2.4.</p>
<u>Preservation of Trees</u>	
The EA indicates that the trees located on the northern boundary of the proposed Master's site (proposed lot 11) are proposed to be retained. It is unclear whether these trees are also to be retained within stages 2 and 6 of concept plan, or only at stage 1.	These trees will be removed to facilitate the residential development on the southern portion of the site. This will be accompanied by appropriate landscaping as proposed in the Concept Landscaping Plans provided in Appendix L.
An assessment of the trees by a qualified arborist, or the like, has not been undertaken to determine whether the trees are suitable to retain. If they can be suitably retained then further assessment should be undertaken to determine how they might be incorporated within proposed landscaping buffering to the rear of the Master's store, adjacent to the southern internal road. It is also noted that no assessment of trees proposed	Refer above.

COMMENT	RESPONSE
to be removed for stages 2 -6 has been undertaken.	
<u>Open Space</u>	
Refer to comments below in regard to SEPP 65. The extent of open space referred to as 58% of the site area should be reviewed.	A response has been provided in relation to more detailed open space comments below in this table.
<b>Economic Impact Assessment</b>	
<i>Consideration of Alternative Retail Sites</i>	
As indicated above, clustering of bulky goods is a consideration to be given some weight in reviewing alternative sites.	A response has been provided in relation to more detailed open space comments in relation to clustering of bulky goods below in this table.
<u>Former Westbus Site – 72-76 Mulgoa Road, Jamisontown</u>	
The former Westbus depot site at 72-76 Mulgoa Road, Jamisontown (in conjunction with adjoining sites with access to Regentville Road) has been the subject of some preliminary discussions with council and RMS for redevelopment as a Master's store, which are not acknowledged in the EA.	<p>The feasibility of locating the Masters development at the Mulgoa Road site has been considered as part of the EIS submitted with the EA. This concludes the following:</p> <p><i>Limited existing accessibility to the site and potential contamination investigations add significant risk and potential cost and uncertainty, which collectively impact on the economic viability of development.</i></p>
The concerns raised in the EA about accessibility to this site could be further explored and resolved. For example, this site could have access for traffic movements off Regentville Road along with two existing access points on Mulgoa Road (both left in/left out). The site would have right turn access from a traffic signalled intersection at Batt Street/Mulgoa Road intersection (to the south) and then via Regentville Road.	Access to and from the subject site has been adequately addressed and provides a suitable arrangement for the proposed development. The feasibility of the Mulgoa Road site has been assessed by Masters and in the EIS provided with the EA. This is not the preferred site and presents further issues in relation to access and economic viability.
<b>Economic Impact Assessment (Section 5.4)</b>	
<i>Penrith Panther's Planning Proposal</i>	
The DGRs required that the EA address the economic impact of the proposal on existing retail floor space and future potential zoned retail floor space. The department's adequacy review of the draft EA also referred to need for consideration of the Penrith Panther's site, in regard to this key issue.	<p>The Net Community Benefit states the following in relation to the Panther's development:</p> <p><i>The proposed development includes the Masters specialist retail which is limited to uses which are not proposed on the Panthers site. Accordingly, no conflict will result from the retail uses proposed on the two sites. The additional small amount of neighbourhood retail will only cater for residents in the precinct.</i></p>

COMMENT	RESPONSE
<p>In section 5.4 of the EA, and in the Retail Economic Impact Assessment at Appendix P, it is indicated that the potential timing, scale and nature of the Panther's development is uncertain, and if it were to proceed with factory outlet retailing it would not compete directly with the proposed Master's Home Improvement store. Details regarding the scale and nature of the Panthers planning proposal is within the public domain and readily available. A report on the proposal was considered by council at its meeting of 26 March 2012. Also details of the Panthers proposal are referred to in the section 5.3 of the EA related to net community benefit.</p> <p>I note that in the report to council's meeting of the 26 March 2012 it is indicated that Hill PDA undertook an independent assessment for council of the retail impacts. This identified a preferred scenario where retail impacts across the retail components in the City Centre would generally be moderate based upon no additional retail being provided on the Parkview site.</p> <p>Consideration of the Panthers proposal is required, and the impact of additional retail floor space of the subject site.</p>	<p>A supplementary letter in relation to economic impacts has been prepared by Urbis and is provided in Appendix J. This provides the following additional information concerning the Penrith Panthers Planning Proposal:</p> <p><i>Development of a Masters store on the subject site (which is identified as being within the Penrith City Centre) provides an opportunity to ameliorate any potential cumulative impact concerns associated with the Panthers scheme and a Neighbourhood Shopping Centre on the Parkview site proceeding at the same time. Each development will service different spending markets and different needs of Penrith residents. Urbis has undertaken a robust review of Penrith retailing as part of the Masters EIA and the impacts that are identified on the CBD (0.1% impact or \$0.9m) are not considered significant.</i></p> <p>The letter also provides commentary on the Hill PDA assessment referenced by DPI.</p>

## **Built Form and Urban Design/Environmental & Residential Amenity**

### Design and Amenity Issues

<p>The department considers that an integrated design for development of the site should avoid, rather than try to mitigate, any potential amenity impacts arising due to the relationship between the Master's component of the development and the future residential, particularly those impacts related to back of house activities and service access and hours of truck movements.</p> <p>It is noted in this regard that the current design will lead to mixing of service access with access to residential development, off Station and Woodriff Streets, into and along the southern internal road, between stage 1 (Master's store) and stages 2 and 4. The EA should investigate options for reorienting/relocating these activities within stage 1, to move the 'back of house' service access/loading dock areas away from the</p>	<p>The revised design for the Concept Plan largely avoids amenity impacts as identified by DPI with regard to the original proposal. The service access is provided via the proposed road with customers entering predominantly via Station Street. Access to the residential component is provided via separate residential access roads and cul-de-sac areas.</p> <p>The proposed servicing hours for the Masters Store are confined to the hours of operation for the retail operating hours being:</p> <ul style="list-style-type: none"> <li>▪ Monday to Friday: 6am to 10pm</li> <li>▪ Saturday/Sunday: 6am to 8pm</li> </ul> <p>As these hours are also the retail hours, the back of house activities will also be confirmed to these hours. The potential for sleep arousal (the night time period) is between 10pm to 7am. The only proposed encroachment on this is between 6am – 7am</p>
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COMMENT	RESPONSE
<p>southern road and interface with stages 2-6.</p> <p>No details have been provided as to whether truck movements will be restricted through the length of the southern internal road, and the means for dealing with this.</p>	<p>and is therefore amenity impacts on future residents is considered to be minimal.</p> <p>Additionally, the Noise Impact Assessment recommends treatments to ensure internal noise levels from surrounding sources in the proposed residential stages (roads, Centro Nepean and Penrith Stadium) comply with relevant standards. These recommendations have been included in the Statement of Commitments.</p> <p>Service vehicles will not travel the length of this internal road and therefore conflict with private vehicles will be minimal. Customer entrance and exit to the Masters store is provided separately.</p>
<b><u>Amenity Impacts for Uses within Woodriff Street</u></b>	
<p>The EA fails to fully consider the traffic impact of the development including this truck service access on existing uses within Woodriff Street, and in particular the child care centres at 118 and 120 Woodriff Street (Nepean Early Learning Centre and Tiny Tots).</p>	<p>The Noise Impact Assessment (refer Appendix H) notes that there will be no noise increase to the existing roadways as a result of the proposed development and would not adversely impact on the acoustic amenity of surrounding residential receivers. Additionally, the use of the loading dock will be managed to minimise noise creation and will meet all relevant Australian Standards.</p> <p>Accordingly, no impact to the childcare centres is anticipated as a result of this proposal.</p>
<b><u>Noise Impacts</u></b>	
<p>The Concept Plan Noise Impact Assessment, Appendix N, fails to clearly address the internal noise impacts for residential receivers (in particular within stages 2 and 4) due to truck movements, and loading/unloading and servicing of the Master's store during evening and night periods (including early mornings).</p>	<p>Internal noise impacts for future residential units will be assessed and any impacts mitigated against in association with separate Development Applications for Stages 2 to 6 of the Concept Plan. As noted above, the Noise Impact Assessment recommends treatments to ensure internal noise levels from surrounding sources in the proposed residential stages which have been included in the Statement of Commitments.</p>
<b>SEPP 65</b>	
<b><u>Open Space</u></b>	
<p>The EA does not establish that stages 2-6 of the concept plan will provide for adequate areas of communal open space and deep soil zones. The SEPP 65-assessment with the EA, Appendix I, indicates that the area of public or communal open space is 25,600m<sup>2</sup></p>	<p>The SEPP65 Assessment submitted with the EA states the following:</p> <ul style="list-style-type: none"> <li>▪ The area of the plaza is 3,660sqm;</li> <li>▪ The area of the new roads is 8,980sqm;</li> <li>▪ The area of the communal open space is 12,700sqm.</li> <li>▪ The total public or communal open space area is therefore</li> </ul>

COMMENT	RESPONSE
<p>However it seems that this includes areas associated with internal/ new roads, whereas the site statistics included in the architectural plans, Dwg DA015, indicate that communal open space/setbacks is 11,000m2 and public open space within the plaza area is 2,300m2.</p> <p>Review and clarification of the open space areas is required.</p> <p>The illustrative basement plan- DA031 indicates that there will be limited deep soil areas within the main communal areas of open space. Areas of deep soil zones should also be calculated in respect to the area of stage 2 to 6 only, and exclude the area of stage 1.</p>	<p>25,340sqm of which 9,800sqm is deep soil. This equals:</p> <ul style="list-style-type: none"> <li>- 38% of the open space area.</li> <li>- 58% of the site area.</li> <li>▪ The new residential lots has an area of 26,945sqm (residential overall site area, less the roads, plaza and tavern). 12,700sqm is communal open space. This equals 47% of the residential site area.</li> <li>▪ 9,800sqm of deep soil is provided (excluding the stage 1 site).</li> </ul> <p>The proposal includes 9,800sqm of deep soil areas. Under the definition of open space in the RFDC, it is considered reasonable that this calculation includes deep soil areas in road reserves and the plaza. There is no requirement under the RFDC for the deep soil areas to be provided in the communal open space specifically.</p> <p>The open space and deep soil calculations do not include the curtilage of the Masters development</p>
<b>Transport and Accessibility Impacts</b>	
<u>Right Turn Lane – Station Street</u>	
<p>The concept plan and stage 1 project does not establish any justifiable need for the proposed right turn lane in Station Street, in this regard the issues raised by the SRDAC are noted.</p> <p>Options should be investigated for removal of this right turn lane and/or dedication of land from the site to provide it.</p>	<p>This is no longer relevant the access point has been removed from Jamison Road.</p>
<u>Left Turn Lane – Jamison Road</u>	
<p>Details of a left turn lane at the Jamison Road entrance, as referred to by the SRDAC, are also required.</p>	<p>This is no longer relevant the access point has been removed from Jamison Road.</p>
<u>Bus Stops</u>	
<p>You should liaise with Westbus regarding impacts and changes to bus services/bus stops, as raised by Transport for NSW in their submission.</p>	<p>This issue is discussed in response to Transport for NSW's submission provided in Section 5.</p>

COMMENT	RESPONSE
<b><u>Traffic and Parking Impacts Surrounding Uses</u></b>	
The traffic analysis needs to review traffic impacts in context of the busiest times for surrounding activities including sporting events at the adjoining stadium and facilities in Station Street (noting that Centre bet Stadium has capacity of 22,500 and in 2012 experienced a crowd average of 10,714). In this regard consideration should also be given to any measures required to restrict non-customer parking within the Masters site, and non-resident/visitor parking on internal roads within the stage 2-6 area.	<p>Consideration of the traffic generation during sporting events has been assessed as part of the revised Traffic Report provided in Appendix O. The report concludes that the traffic generation would be small in comparison to traffic associated with these events and their peak periods would not coincide.</p> <p>No car parking restrictions are proposed for the Masters site, however it is possible to provide boom gates or other access controls in the future if required.</p>
<b><u>Truck Access Details</u></b>	
The Mott Macdonald vehicle movement drawings, MMD-31 057 4/0200 show truck access to the rear of the Master's store with turning/swept path diagrams, with right in off Woodriff Street and right out to Station Street. If this means that left in/out truck movements will be prohibited then details are required as to how will this be controlled. Otherwise the drawings should also provide details of these truck movements. The traffic lanes in Station Street and Woodriff Street should also be shown on the drawings, in respect to truck movements in these streets.	Service vehicle access was reconsidered in context of the revised Masters location in the north of the site. Truck access is provided along the new access road and swept path have been prepared and provided in Appendix P.
<b><u>Heritage</u></b>	
<b><u>Site Testing - PAD</u></b>	
Details including any relevant amended reports are required in respect to further site testing undertaken on the PAD identified in the Aboriginal archaeological assessment undertaken by AHMS.	This is addressed in full in Section 4.8.

### 5.3 DPI LETTER DATED 16 JANUARY 2013

Further comments were received from DPI's urban design team in Centres and Urban Renewal. The key recommendations of this letter have been responded to in the design changes outlines in Section 2. The following table responds to each of the specific comments made in this correspondence.

TABLE 3 – RESPONSE TO DEPARTMENT OF PLANNING AND INFRASTRUCTURE ISSUES 16/01/13

COMMENT	RESPONSE
<b>Concept Plan</b>	
<p>The proposed concept plan sandwiches mixed use residential between the existing Centro development and the proposed Masters development which is the subject of the project application. It would seem more logical in a master planning sense to co-locate the residential component of the site with existing residential adjoining the site– i.e. on the site where the Masters development is proposed. Co-locating residential would limit impacts from competing land uses. In turn, co-locating the Masters development with the exiting Centro development would group like land uses, again reducing impacts from competing land uses. It would also place the Masters development opposite Penrith Stadium, shifting residential further away from Penrith Stadium and the noise and traffic impacts that are likely when this facility is being used for events.</p>	<p>As discussed in Section 2, the Preferred Project relocates the residential/mixed use component to the south and the Masters Store to the north of the site. This allows for:</p> <ul style="list-style-type: none"> <li>▪ Co-location of the proposed residential flat buildings with existing residential uses adjacent to Jamison Road and Woodriff Street.</li> <li>▪ Locates the Masters Store adjacent to the exiting Centro development grouping retail uses together.</li> <li>▪ Increases the separation between the residential component and Penrith Stadium to reduce noise and traffic impacts.</li> <li>▪ Locates the tavern, plaza and Masters Store car park adjacent to Penrith Stadium to extend the public domain areas into the site.</li> </ul> <p>Accordingly, the amended scheme full addresses these comments.</p>
<b><u>Siting strategy</u></b>	
<p>Locating the Masters development on the southern extremity however, whilst in close proximity to the main arterial route of Mulgoa Road and not requiring any demolition (this site is currently vacant) is not necessarily the best location in terms of potential impacts on existing residential development. In addition, due to the long time frame likely before the development of the residential component, it is highly probable that the existing Panasonic building will not be demolished and remain derelict attracting vandalism and detrimentally affecting safety and security for existing residents adjacent to this site.</p> <p>The option that has better outcomes for existing residents would be therefore, to co-locate the Masters development with the Centro development, channelling the majority of traffic via Station Street which already handles larger traffic volumes due to the special events uses on its western side (refer figure 1 below). This will</p>	<p>As above and described in Section 2, the amended layout of the concept plan results in:</p> <ul style="list-style-type: none"> <li>▪ Approval for demolition of the Panasonic building is now sought as part of Stage 1 works to avoid any potential environmental impacts i.e. safety and security issues.</li> <li>▪ Location of the residential component to the south of the site has been designed to allow for optimal residential amenity.</li> <li>▪ The main customer entry and exit for the Masters Store will be provided via Station Street.</li> <li>▪ The southern portion of the site will remain cleared until the point at which Stages 2 to 6 of the Concept Plan are constructed.</li> </ul>



COMMENT	RESPONSE
<p>require the demolition of the Panasonic building, removing it as a target for vandalism. The southern site can remain in its current state, which is a green open field that provides a pleasant outlook for existing residents and an attractive edge to Jamison Road.</p>	<ul style="list-style-type: none"> <li>▪ Traffic generation has been fully assessed in the revised Traffic Report provided in Appendix O and discussed further in Section 4.3.</li> </ul>
<p><u>Interface at northern boundary</u></p>	
<p>Whether or not the Masters site and the residential site swap locations, a public street should be extended between Station Street and Woodriff Street along the northern boundary to provide an appropriate interface between this site and the Centro site to the north. This will also support the redevelopment of the buildings on the Centro side of the boundary in the future to new activated frontages that provide a better interface with the subject site.</p>	<p>A public street is to be constructed between Station Street and Woodriff Street, separating the Masters Store and the residential and plaza component.</p> <p>A new link road along the northern boundary is not considered appropriate as the retail development on the Centro site is orientated north, away from the subject site and any future road. It is considered highly unlikely that any retail in this area would be reorientated away from the main retail uses. Accordingly, a street in this location would be unlikely to make a positive contribution to the public domain.</p> <p>Additionally, an access road is already provided between Station Street and Woodriff Street and a further link is not considered necessary.</p>
<p><b>Stage 1 Works</b></p> <p>Notwithstanding the comments above regarding the Concept Plan application, there are a number of measures that are recommended to mitigate potential negative impacts from the subject of the Stage 1 works if the Concept Plan goes ahead unchanged. These include:</p>	
<p><u>Landscaped setbacks</u></p>	
<p>The Project Application drawings for the Masters home improvement store indicate a 6m landscaped setback (including the verge in the road reserve) to the Jamison Road frontage.</p> <p>This width is not sufficient to allow for large trees and an understorey which is necessary to screen the at-grade car park from the road frontage and mitigate glare that is likely to impact on residential development on the other side of Jamison Road. Ideally 8-10m widths should be provided to accommodate crown spreads and root balls of mature growth large trees, minimising the amount of pruning that may be necessary along the road side and ensuring sufficient space for an understorey.</p>	<p>The proposed landscaping has been revised to reflect the amended design for the Concept Plan. The Masters Store includes the following:</p> <ul style="list-style-type: none"> <li>▪ A 20m setback to Woodriff Street. This street has a verge of 10 with existing trees which are to be retained. The proposed landscaping on this frontage also includes a landscape mound which will screen the loading dock from residents to the east.</li> <li>▪ A 12m setback is provided to the proposed access road between Station Street and Woodriff Street which includes turf and tree planting. Additionally, an 8m road verge and 6m setback on the opposite side of the road separates the retail and residential uses.</li> <li>▪ A 7m setback is provided to Station Street and includes turf and tree planting.</li> </ul>

COMMENT	RESPONSE
Likewise, the landscaped setback along the rear of the building adjoining proposed residential buildings in Stages 2 and 4 is only 4m wide and almost entirely within the road reserve. A similar generous width of 8-10m is required to ensure sufficient space for large mature growth trees and an understorey which are essential to mitigate potential noise and traffic impacts from heavy vehicles accessing the rear of the Masters development.	
<u>Location of service entry at rear of Masters building</u>	
The service entry to the masters building should be moved eastwards so that it is opposite open space rather than apartment windows.	<p>The service entry to the Masters Store is now provided via the proposed road with entry onto Woodriff Street.</p> <p>Residential apartments provided in Stage 6 will not directly overlook the loading area with balconies orientated to the west. The Noise Impact Assessment provided in Appendix H states that provided the recommendations of the report are incorporated into the development, no adverse noise impact will result from use of the loading docks including entry and exit of trucks. This includes an assessment of impacts to the residents on Woodriff Street.</p> <p>These mitigation measures form part of the Statement of Commitments.</p>
<u>Landscaping to at-grade car parking</u>	
While trees are shown within the at grade car park, ensure planter beds are sufficiently wide to accommodate large mature growth trees which are necessary to mitigate glare and modify the heat island affect generated by such a large expanse of bitumen.	<p>Planter beds within the Masters car park are sufficiently wide to accommodate large mature trees.</p> <p>The Landscape Plans for Stage 1 are provided in Appendix M.</p>

## 5.4 DPI LETTER DATED 25 APRIL 2013

The DPI letter dated 25 April 2013 has been addressed in full in Section 2.1 of this report.

## 6 Response to Stakeholder and Public Submissions

The submissions received and associated responses are provided in the following section. As the Concept Plan has been amended to reallocated uses across the site, some of the issues are no longer relevant and have been addressed by the Preferred Project design.

### 6.1 PENRITH CITY COUNCIL

Penrith City Council prepared a submission dated 7 December 2012 in response to the public exhibition of the Concept Plan with Stage 1 works.

The key issues identified by Council in the main body and attachment comprising their submission are as follows:

- Prohibited land use.
- Inconsistency with repeal of Part 3A legislation.
- Inconsistency with strategic direction for site.
- Loss of future City Centre housing supply.
- Incompatible design.
- Lack of design excellence.
- Other available sites.
- Traffic impacts.

Further detailed/technical comments were provided in attachment 1 regarding the following matters:

- Access, traffic and transport.
- Engineering matters.
- Environmental matters.
- Heritage.
- Public health matters.
- Safety, security and crime prevention.
- Site design.
- Waste management.

The proponent's responses to each of the issues identified in Council's submission are provided in the Appendix X.

## 6.2 AGENCY SUBMISSIONS

Four stakeholder submissions were received during and following the public exhibition of the Concept Plan and Stage 1 works from:

- NSW Roads and Maritime Services.
- Transport for NSW.
- Office of Environment and Heritage.
- Sydney Water.

The key issues raised by these agencies include:

- Internal road system and intersections.
- Construction traffic management.
- Recommendations of the Archaeological Report.
- Overland flows and flood planning.

A response to each of the issues identified by agency submissions is provided in Appendix X.

## 6.3 PUBLIC SUBMISSIONS

A total of 15 public submissions were received during the exhibition period. The key issues raised in the public submissions include the following:

- Land use.
- Compatibility with surrounding development.
- Impact on amenity.
- Height.
- State and regional direction.
- Part 3A process.
- Staging.
- Location of licensed premises.
- Traffic and access.
- Net community benefit.
- Consistency with the DCP.
- Response to gateway location.
- Visual impacts.
- Stormwater.

An analysis of these issues has been undertaken and a response to these has been provided in Appendix X.

## 7 Revised Statement of Commitments

### 7.1 OVERVIEW

The Statement of Commitments details the measures that the Proponent will implement as part of the development to mitigate potential residual environmental impacts associated with the proposal.

A draft Statement of Commitments was included as part of the original Environmental Assessment. To reflect the proposed amendments to the design for the Concept plan and Stage 1 works revised and consolidated draft Statement of Commitments has been prepared.

The commitments are made by the proponent and will be incorporated into the Concept Plan and Project Application as indicated below.

### 7.2 CONCEPT PLAN

#### **Built Form and Urban Design**

- The architectural drawings required to be lodged with the future Development Applications are to be generally consistent with the Preferred Project Concept Plan Submission prepared by Turner + Associates Architects.
- The landscape drawings required to be lodged with the future Development Applications are to be consistent with the Preferred Project Landscape Proposal prepared by Site Image.

#### **Environmental and Residential Amenity**

- Shadow diagrams demonstrating the potential overshadowing impacts of the proposed buildings on 21 June, 21 December and 21 March/September at 9.00am, 12.00 noon and 3.00pm are to be prepared and lodged with the future Development Applications.
- The detailed design of the development proposed in the future Development Applications is to incorporate the following recommendations to avoid adverse wind impacts:
  - The inclusion of proposed densely foliating trees along Station Street, Jamison Road, Woodriff Street and the proposed roads within the development. These trees should be capable of growing to a height of at least 5m with a 4m wide canopy. They should also be of an evergreen variety to ensure their effectiveness in wind mitigation during the winter period.
  - The inclusion of the proposed densely foliating trees and vegetation within the outdoor public plaza, the various central landscape communal areas and retail car-parking site.
  - To be effective in wind mitigation during the winter period, these trees should be of an evergreen variety.
  - The inclusion of impermeable balustrades along the perimeter of the corner balconies within the site.
  - The inclusion of full-height impermeable end screens on one end of the corner balconies, preferably those that face the north to north-easterly, western or south to south-easterly directions.

#### **Ecologically Sustainable Development (ESD)**

- ESD principles and measures will be implemented for the project in accordance with the ESD Strategy prepared by Cundalls.
- All building will be designed in accordance with the Building Code of Australia, SEPP 65 and the Building Code of Australia (BCA) Section J for Energy Efficiency.

## **Drainage and Flooding**

- The recommendations of the Stormwater Report prepared by Mott Macdonald will be implemented including:
  - Finalise the detailed survey of the developable area to identify above ground and below ground structures, services and utilities requiring modification, removal or replacement.
  - Preparation of Earthworks Management plans to coincide with the construction stages as part of the design development. This would minimise the double handling of excavated material or exporting surplus and importing deficit material from independent stages thereby providing cost savings.
  - Investigation of the capacity of existing Authority services on the site and the extent of augmentation, and retention that is possible.
  - Further discussion with service providers to determine any requirements for the area.
  - Further investigation of the type, size and location of the site stormwater quantity and quality strategies needed to satisfy council's statutory requirements.
  - Further investigation of the site flooding requirements pending results of the Council commissioned flood study.
- WSUD measures will be implemented in accordance with the Stormwater Management Report and ESD Report.
- Appropriate stormwater quality treatment measures are to be finalised and incorporated in the detailed development.
- Runoff from any car wash bay will be directed to the sewer or appropriate treatment devices will be connected.
- An Earthworks Management plans including Erosion and Sedimentation Plans will be prepared to coincide with the construction stages as part of the design development.
- A detailed Stormwater Treatment Measure Maintenance Plan is to be submitted prior to construction for all applications.

## **Staging**

- Further Development Application will be lodged to seek approval for Stages 2 -6.

## **Transport and Accessibility Impacts**

- A Traffic Management Plan will be prepared prior to the commencement of work which will detail the implementation of these principles including appropriate measures for pedestrian amenity, construction fencing, vehicle management and construction activity.
- Car parking is to be provided in accordance with the following rates:
  - Bulky goods: Approximately one space per 36sqm gross floor area.
  - Residential: Approximately one space per unit for residents and one space per 20 units for visitors.
  - Tavern: Approximately one space per 24.5sqm gross floor area.
  - Retail: Approximately one space per 100sqm gross floor area.

- The project will provide for bicycle facilities and parking in accordance with Council's standards.
- A Travel Access Guide is to be developed in conjunction with Council, RMS, Sydney Buses and other key stakeholders and is consistent with key policies including NSW 2021 to reduce car dependency.
- Consultation will be undertaken with the RMS during the detailed preparation of the Concept Plan application stages to confirm the appropriateness of the proposed road layout and traffic impact analysis.
- All bicycle path construction is to be in accordance with the RTA's Bicycle Guidelines.
- All residential internal access roads and drainage works for Stages 2-6 will be in accordance with Penrith City Council's Guidelines.

### **Noise and Vibration**

- Detailed design will be in accordance with the Acoustic Report prepared by Acoustic Logic and recommended treatments are to be incorporated at each stage of the development.
- A further Acoustic Report will be prepared to assess the impact of the proposed Tavern on the proposed residents.

### **Heritage**

- The Aboriginal Heritage Assessment prepared by AHMS will be distributed as follows:
  - One hard and one electronic copy should be forwarded to the AHIMS Registrar (Office of Environment and Heritage, PO Box 1967, Hurstville NSW 1481 (*as amended by OEH request*)).
  - One copy of the Aboriginal Heritage Assessment should be forwarded to each of the following Aboriginal stakeholders: Deerubbin LALC, Darug Custodian Aboriginal Corporation, Darug Tribal Aboriginal Corporation.

### **Utilities**

- All relevant services will be further investigated at the detailed design stage as recommended by the Civil, Infrastructure and Stormwater Report prepared by Mott Macdonald.

### **Waste**

- A Waste Management Plan relating to demolition, construction and operation will be prepared for each of the proposed buildings in the Concept Plan.
- Any waste storage for residential and non-residential development will be separated.
- Suitable waste conveying systems serving every storey of each building to a central storage area at basement level will be considered in the design of multi-storey residential buildings.
- Separate collection points for garbage and recyclables will be incorporated in the building design at ground level within 20m of the street kerb.
- Separate storage space must be provided in each building for temporary storage of bulky waste prior to arrangements being made for its disposal.
- Waste storage rooms and rooms for collection points will be adequate and comply with Council's requirements for access, floor area, lighting and ventilation.



## **Social Impacts**

- The recommendations of the CPTED report prepared by Urbis will be included in the relevant detailed design stages:
  - Provide appropriate measures, such as pedestrian crossings, signage and signals, particularly along Station Street between the Stadium and the proposed tavern, and within local roads of the residential development.
  - Ensure that all external and relevant internal areas of the development are well lit to the relevant Australian Standards without spilling into neighbouring residential properties on Jamison Road and Woodriff Street.
  - Ensure that lifts and escalators are optimised for wheelchair access in accordance with the appropriate Australian Standards.
  - Ensure that pedestrian pathways through and around the site are easy to navigate and safe through the use of signage, lighting and landscaping as appropriate.
  - Install CCTV cameras at entry, access and egress points to all areas of the development, including access areas to car parks, residential lobbies and lift areas, as well as the brick wall border to the Centro site.
  - Ensure that landscaping does not interrupt sightlines and is used on external surfaces to deter malicious damage, show ownership and improve aesthetics.
  - Avoid blank walls in the external layout of the development to reduce opportunities, and coat external surfaces to facilitate the removal of graffiti.
- A further more detailed CPTED assessment will be prepared in the final design of the development improve crime and safety outcomes.

## **Landscaping**

- Landscaping within future road reserves or public areas shall be in accordance with Council's specifications.

## **Construction**

- Construction will be carried out in accordance with the Construction Management Plan.
- Reasonable measures will be undertaken to minimise disturbance to adjacent residences during the construction phase with regard to:
  - Movement of vehicles.
  - Construction noise attenuation.
  - Visual intrusion, dust and light spill.

## **Consultation**

- Consultation with adjoining landowners will be undertaken to inform of the project process at significant stages of the Concept Plan.
- The community will be kept informed about the construction process.

## **Contributions**

- Section 94 Contributions will be paid or a Voluntary Planning Agreement entered into for the residential stages will be addressed prior to approval of future Development Application stage.

## **7.3 STAGE 1 WORKS**

### **Built Form and Urban Design**

The proposed Home Improvement Store will be in accordance with the following documents:

- Architectural Plans prepared by Leffler Simes Architects dated June 2013.
- Acoustic report prepared by Acoustic Logic dated 3 June 2013.
- Waste Management Plan dated July 2012.
- ESD report prepared by Aecom dated 9 July 2012.
- Civil, Infrastructure and Stormwater Report prepared by Mott MacDonald dated 31 May 2013.
- Stormwater Report preparing by Mott MacDonald dated 31 May 2013.
- Landscape Plans prepared by Site Image dated June 2013.
- Traffic Report prepared by CBHK dated May 2013.
- Accessibility Report prepared by Access Design Solutions dated 6 June 2013.

### **Construction**

- Demolition will be undertaken in accordance with the requirements of Australian Standards AS2601 – 2001: The Demolition of Structures which is incorporated into the Occupational Health and Safety Act 2000 administered by WorkCover NSW.
- Any found remains of the grandstand are to be archived and recorded to Penrith Council's standards and a copy deposited in Penrith Council's Library.
- A Traffic Management Plan Study in relation to construction traffic management will be prepared prior to commencement of works.
- No works will be carried out in Council's Road Reserve without the written approval of Council (acting as the Roads Authority) in accordance with Sections 138 and 139 of the Roads Act.

### **Site Contamination and Geotechnical**

- Soil contamination testing and offsite disposal of excavated soils are to be carried out following demolition of buildings and removal of concrete pads.

### **Acoustic**

- The recommendations of the Noise Impact Assessment prepared by Acoustic Logic are to be implemented into the design and operation of the proposed loading dock:
  - Bail and/or garbage compactors are to be used only within the building fabric.
  - Loading dock receiver area walls to fully enclosed from external environment access doors will be opened only for deliveries entry and exit and will be closed while goods are being moved within the facility without a truck serving the area.

- Neoprene rubber buffers should be installed on the vertical face of the loading dock where vehicles park to absorb impacts.
- A detailed assessment of noise emissions from plant and equipment associated with the loading dock is required to be conducted prior to installation in conjunction with Penrith council requirements.
- Vehicle engines should be switched off during loading and unloading within the dock.
- A detailed mechanical noise assessment is to be conducted once plant selections and services have been finalised as part of the construction documentation to ensure noise levels comply with the criteria detailed in the Noise Impact Assessment.

### **Utilities**

- Consultation with the relevant electricity authority prior to the determination of the application to establish the likely safety risks.

### **Landscaping**

- Landscaping will be provided in accordance with the Landscaping Report with regard to screening adjacent to Woodriff Street.

### **ESD**

- ESD measures will be incorporated into the detailed design in accordance with the ESD report where practical and appropriate.

### **Contributions**

- Relevant Section 94 Contributions will be paid prior to release of the Construction Certificate.

### **Traffic**

- The following works will be undertaken in accordance with the Traffic and Access Impact Study prepared by CBHK as follows:
  - The intersection of Station Street with Ransley Street will be signalised, with a fourth approach providing access to the Masters site.
  - Give way controls at the t-intersections of the new internal road with Station Street and Woodriff Street.
- Parking and cycleway provisions are to be maintained along Station Street, with a 2.5m-3m wide shared use path on Jamison Road provided to Council's specifications.

### **Car Parking**

- 375 car parking spaces will be provided with appropriate disabled facilities in accordance with the Traffic Report.
- Speed humps and multiple zebra crossings are to be provided within the Masters car park where required.
- All car parking will be in accordance with relevant Australian Standards.

## **Cafe**

- A separate application will be submitted for fitout and use of the food premises including details of activities to be carried out, floor plan, sectional elevation drawings and details of mechanical ventilation, waste and recycling management.
- Food outlets will comply with the requirements of AS 4767-2004 and the Food Safety Standards.

## 8 Summary and Conclusion

This Preferred Project Report has been prepared on behalf of Parkview and seeks approval for a Concept Plan (MP09\_0192) for mixed use development with Stage 1 works for the construction of a Masters Store at 164 Station Street, Penrith.

The issues raised by DPI following exhibition of the EA have been carefully considered and the Proponent has refined the design of the proposal to respond to the key issues identified as:

- A need to provide the best long term outcome for the site.
- Strategic intent for the site including Council's strategic objectives.

In summary the following were undertaken to prepare and inform the Preferred Project:

- A design assessment and amendment process initiated to address DPI's key design concerns.
- Reallocation of uses across the site where the residential, plaza and tavern development now occupies the southern portion and the Masters Store (and associated stage 1 works) occupies the northern portion of the site.
- Associated design consideration to maximise residential amenity and appropriate consideration of integrating the uses with the surrounding land uses.
- Response to all comments by DPI demonstrating how the Preferred Project responds to the key issues raised.
- Revised technical studies which assess the impacts of the Preferred Project and where appropriate recommends mitigation measure to ensure amenity of existing and future residents is maintained.
- Where appropriate and relevant to the Preferred Project, incorporates comments from the agency and resident submissions.
- Provides a revised Statement of Commitments to reflect the ongoing commitment made by the proponent to ensure a high quality design outcome for the site.

The Preferred Project provides a scheme which co-located like uses and substantially increases alignment with the strategic intent for the site documented in the Penrith City Centre LEP 2008, Penrith City Centre DCP 2007 and the Penrith City Centre Vision 2006.

An updated suite of technical reports have been submitted with this PPR, which provide an assessment of the Preferred Project including acoustic, traffic access and parking, archaeological, landscaping and stormwater assessments. The assessments by specialist consultants demonstrate that potential impacts associated with the proposal are considered to be acceptable. A range of recommendations are provided and will be implemented to safeguard the amenity and safety of the surrounding area.

The Preferred Project seeks to undertake the redevelopment of the site in a manner that responds to the surrounding context and that has been assessed to be within the capacity of existing infrastructure. Overall it is considered that the proposal is appropriate to the site and its context, and will achieve a range of important outcomes including:

- Co-locates like uses with the residential component is located alongside existing residential uses along Jamison Road to the south and Woodriff Street to the east.
- Creation of a gateway entry to Penrith City Centre through the inclusion of a ten storey residential building at the corner of Station Street and Jamison Road.
- Demonstrates appropriate consideration of the residential built form and suitable amenity.

- Locates the Masters Store, tavern and plaza area along Station Street opposite Penrith Stadium and the sporting precinct to the west which locates active uses along the border of the sports precinct.
- The interface between the residential development and the proposed Masters Store has been appropriately treated to maximise residential amenity.
- Appropriate access arrangements including the signalisation of the intersection at Station Street with Ransley Street.

All issues raised in the DPI's correspondence have been suitably addressed and overall, the Preferred Project is considered to be in the public interest having regard to the following positive environmental, social and economic benefits:

- Enable the development of a mixed use development on a currently underutilised and largely vacant site.
- Increase the role and presentation of the site in the city centre and improve the public domain. It would also complement the role of Penrith as a Regional City.
- Considerable social benefits through the provision housing that is affordable for the local community, as well as the public domain improvements that will benefit both existing and likely future residents within the site and surrounding local area.
- Economic benefits during both the construction and operational phases, including creation of additional employment and economic benefits arising from increased local spending.







## Appendix A

## Correspondence from DPI

## Appendix B

## Plan of Subdivision

## Appendix C

## Revised Concept Plans

## Appendix D

## Revised Stage 1 Plans

## Appendix E

## Revised DCP Compliance Table

## Appendix F

## Concept ESD Report



## Appendix G

## Heritage Impact Statement

## Appendix H

## Noise Impact Assessment

## Appendix I

## CPTED

## Appendix J

## Economic Impact Assessment

## Appendix K

## Residential Market Analysis

## Appendix L

## Concept Landscape Plans

## Appendix M

## Stage 1 Landscape Plans

## Appendix N

## Pedestrian Wind Statement



## Appendix O

## Traffic and Access Report

## Appendix P

## Concept Civil Plans

## Appendix Q

## Stage 1 Civil Plans

## Appendix R

## Aboriginal Archaeological Report

## Appendix S

## Concept Geotech Report

## Appendix T

## Stage 1 Geotech Report

## Appendix U

## Access Report

## Appendix V

## Construction Management Plan



## Appendix W

## Photomontages

## Appendix X

## Response to Submissions

## COUNCIL SUBMISSION

The proponent's responses to the issues identified in Council's submission are provided in the following tables.

TABLE 4 – RESPONSE TO PENRITH CITY COUNCIL SUBMISSION

COMMENT	RESPONSE
<b>Prohibited Land Use</b>	
The proposed home improvement store significantly exceeds the 3,000m <sup>2</sup> retail floor space maximum permitted on the site under Clause 15 and Schedule 1 of the LEP. This part of the proposal is therefore prohibited under the LEP.	<p>The proposed development is permitted under the transitional Part 3A provisions. While the home improvement store exceeds the 3,000m<sup>2</sup> retail floor space maximum permitted under Clause 15 and Schedule 1 of the LEP, the development is permitted in accordance with the provisions of Section 75O(3) and Section 75R of the EP&amp;A Act.</p> <p>Under these provisions, the Minister may (but is not required to) take into account the provisions of any environmental planning instruments (other than state environmental planning policies) in determining a Concept Plan. The land is not considered to be an '<i>environmentally sensitive area of State significance</i>' having regard to the significant disturbance of the site during its use for extractive industry and landfill. The site is also not appropriately defined as a '<i>sensitive coastal location</i>'. Accordingly, the Minister may approve the proposed works, irrespective of the provisions of the Penrith City Centre LEP.</p> <p>The proposal is considered acceptable on a merit basis having regard to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Co-location of like uses: <ul style="list-style-type: none"> <li>– The residential component of the site sits alongside existing residential uses along Jamison Road to the south and Woodriff Street to the east.</li> <li>– The Masters Store sits adjacent to the exiting retailing within the Centro site immediately to the north and in close proximity to retail uses associated with Penrith City Centre and the railway station.</li> </ul> </li> <li>▪ While the site is zoned R4 High Density Residential, the provisions of Schedule 1 of the LEP are of relevance. This Schedule allows for up to 43,000m<sup>2</sup> of non-residential development, including: <ul style="list-style-type: none"> <li>– 20,000m<sup>2</sup> of business premises or office premises.</li> <li>– 20,000m<sup>2</sup> of entertainment facilities, hotel accommodation, function centre or a combination of all.</li> <li>– 3,000m<sup>2</sup> of retail premises.</li> </ul> </li> </ul>

COMMENT	RESPONSE
	<p>The site is considered to be more akin to a B4 Mixed Use Zone having regard to the range of non-residential development that may be accommodated on the site in comparison to a 'standard' R4 High Density Residential zone.</p> <ul style="list-style-type: none"> <li>▪ While the proposed development includes a slightly different range of non-residential uses compared to the Schedule 1 provisions, the total gross floor area of these uses (16,398m<sup>2</sup>) is significantly less than those permitted under Schedule 1 (43,000m<sup>2</sup>). The gross floor area of the proposed non-residential uses is broken down as follows: <ul style="list-style-type: none"> <li>– 13,641m<sup>2</sup> home improvement store.</li> <li>– 1,800m<sup>2</sup> tavern.</li> <li>– 995m<sup>2</sup> neighbourhood shops and food and drink premises.</li> </ul> </li> <li>▪ The proposed residential component will still enable local housing targets to be met within the City Centre, having regard to both the 570 dwellings proposed on this site and additional housing developments within the surrounding area which were not envisioned within the original City Centre Strategy.</li> </ul>
<b>Inconsistency with Repeal of Part 3A Legislation</b>	
<p>The proposal is inconsistent with the intent of the State Government's repeal of the Part 3A and the new legislative arrangements for state significant development and concurrent rezoning. Approval of the proposal would constitute a rezoning of the site from residential purposes.</p>	<p>The project constitutes a transitional Part 3A project and therefore Part 3A of the EP&amp;A Act continues to apply. The Preferred Project is considered to be generally consistent with the current local planning regime (refer Section 2), which seeks to provide for both residential and non-residential development on the site. The future Part 4 development applications will be generally consistent with any Concept Plan approval.</p>
<p>The current Concept Plan is not substantially the same as the plan which was originally lodged with the Department and should not proceed as a transitional Part 3A project.</p>	<p>The proposed development is consistent with the DGRs issued by the DPI on 6 September 2012. As such, the project can be assessed and determined in accordance with the relevant provisions for a Part 3A transitional project.</p>
<b>Inconsistency with Strategic Direction for Site</b>	
<p>The DCP identifies the site as being within a 'High Density Residential' precinct, with the following design principles:</p> <ul style="list-style-type: none"> <li>▪ Good east-west and north-south connectivity</li> </ul>	<p>Section 2 of this report provides an assessment of the Preferred Project against the strategic direction for the site. The Preferred Project provides for increased consistency with the strategic direction for the site (including Council's objectives) in accordance with DPI assessment comments. The proposal generally complies with the design principles as outlined below:</p>

COMMENT	RESPONSE
<ul style="list-style-type: none"> <li>▪ New public open space</li> <li>▪ Non-residential uses located to the north</li> <li>▪ High quality public domain interface</li> </ul>	<ul style="list-style-type: none"> <li>▪ The site provides for east-west connectivity via a new road connection from Station Street to Woodriff Street and new north-south connections through to the residential component, plaza and tavern to the Stage 1 Masters Store.</li> <li>▪ The site provides for a public plaza opposite Penrith Stadium which is considered to be an appropriate public open space for future residents, noting the existing passive and active public open spaces in the surrounding area and the large communal open spaces proposed within each of the apartment developments.</li> <li>▪ The tavern and neighbourhood shops and food and drink premises are located to the west, which is considered appropriate taking into account the interface with Penrith Stadium. The proposed home improvement centre is located to the north which allows for co-location of retail uses with the Centro site and enables residential flat buildings to be located adjacent to the existing residential uses to the south.</li> <li>▪ The site provides for a high quality public domain interface with appropriate setbacks to the proposed buildings and high quality landscaping along site boundaries.</li> </ul>
<p>Council's strategic preference for the site is for residential development to occur on the site. The proposed home improvement store is inconsistent with this strategic direction for land use on the site.</p>	<p>As noted previously, Schedule 1 of the LEP permits up to 43,000m<sup>2</sup> of non-residential development to be accommodated on the site. The proposal seeks to accommodate a total non-residential GFA of 16,398sqm which is considered to be acceptable, taking into account the reasons outlined within this report.</p>
<p>The site is considered a key entry into the Penrith City Centre. Planning that preceded the current DCP and zoning for the site sought to encourage development which would promote this sector of the Penrith City Centre, while at the same time considering the interface with the residential land adjacent to it. The 2008 master plan included a public square and iconic buildings on key locations as well as a residential component consistent with Council's expectations.</p>	<p>The 2008 master plan lapsed on 15 December 2010 and has no legal status. However, the Preferred Project provides increased alignment with the strategic intent for the site and Council's strategic objectives by providing residential buildings up ten storeys at the corner of Jamison Road and Station Street to emphasise the 'gateway' entry to the site.</p> <p>Further, the Preferred Project locates the Masters Store, tavern and plaza area along Station Street opposite Penrith Stadium and the sporting precinct to the west which extends the public domain areas bordering the sports precinct, aligning the plaza with Ransley Street and integrating the non-residential uses.</p>
<p>The current Concept Plan does not accord with Council's strategic framework or the interface between existing residential development to the south and the existing commercial and retail development to the north.</p>	<p>The Concept Plan was redesigned to increase the consistency of the project with Council's strategic framework. This is documented in Section 2 of this report and is considered to largely address these concerns.</p>

COMMENT	RESPONSE
It is unclear as to when the delivery of residential development will be forthcoming and it is of particular concern that the number of residential dwellings has decreased from the original 1,100 dwellings to approximately 570 dwellings.	The residential components will be provided in accordance with Stages 2-6 of the Concept Plan. The proposed staging of the residential development proposed in the Concept Plan allows for the release of residential units to the market in a sustainable manner and will assist in creating a competitive market through the provision of appropriate housing choice. No residential uses are proposed in the first stages of the Concept Plan, similar to the original 2008 master plan.
<b>Loss of Future City Centre Housing Supply</b>	
The proposed reduction in dwelling density on the site will undermine delivery of these Metropolitan Strategy and draft Regional Plan targets for the Penrith City Centre.	The proposed non-residential component of the development is significantly less than the range of permitted uses under Schedule 1 of the Penrith LEP. The proposal is consistent with the provisions of the Metropolitan Plan and draft Subregional Strategy as it will provide high density residential development within walking distance of retail/commercial services and high frequency public transport. The apartment building typology will be able to accommodate housing types and sizes at an affordable price point which meets the needs of the local market. The proposed ground floor non-residential uses will accommodate retail and commercial activities to service the future local residents, as well as providing for an active streetscape with good natural surveillance.
The proponent's residential market analysis and net community benefit test, reported anticipated dwelling yield for the Panthers Penrith site has been overestimated.	The Residential Market Analysis states that a considerable proportion of the aggregate medium density dwelling yield (approximately 1,385 dwellings) is contained within two developments - both the Penrith Panthers Expansion and North Penrith Defence Site. An addendum Residential Market Analysis accompanies the PPR in Appendix K.
<b>Incompatible Design</b>	
The "big box" nature of the proposed home improvement store and its extensive external car parking is out of context with the grain and scale of the neighbourhood, particularly the adjacent residential precincts to the east and south of the site.	<p>The Masters Store has been relocated to the north of the site to consolidate retail uses and allows for the residential component of the Concept Plan to be located adjacent to existing residential uses to the south and east.</p> <p>The urban design and architectural merit of the Masters development has been addressed in detail within Section 5.6 of the EA. Further, it is considered that the 'big-box' nature of the proposed home improvement store is not incompatible with the surrounding development, which includes a number of large-scale developments, including Centro Nepean to the north and Penrith Stadium to the west.</p>

COMMENT	RESPONSE
<b>Lack of Design Excellence</b>	
<p>The residential area would not offer a high quality living environment and would drastically lower the residential amenity.</p>	<p>The Preferred Project prioritises the residential component locating it adjacent to the existing residential uses providing higher density residential built form to signify the gateway to Penrith City Centre.</p> <p>The amenity of the future residential development has been assessed in context of solar access, acoustic amenity and view analysis along with a detailed assessment in accordance with the provisions of the Residential Flat Design Code. The proposed development site is effectively an 'island' site with large separation distances between the proposed buildings and the nearest existing buildings. It is difficult to perceive how the proposed development could have any significant impact on solar access/overshadowing, views and the like, while potential operational impacts, such as noise, will be appropriately managed and mitigated to avoid any unacceptable off-site impacts.</p>
<p>The site is identified as a key site under the LEP which requires that an architectural design competition be held before development of the nature proposed is consented to. The LEP further requires that design excellence be achieved.</p>	<p>The assessment of the Preferred Project design and consistency with strategic direction for the site along with a merit assessment has been provided in Section 2 of this report.</p> <p>Based on the above, it was considered that an architectural design competition was not warranted or necessary. Section 75O(3) and Section 75R of the EP&amp;A Act enable the Minister to set aside the provisions of any environmental planning instruments (other than state environmental planning policies) in determining a Concept Plan. The land is not considered to be an 'environmentally sensitive area of State significance' having regard to the significant disturbance of the site during its use for extractive industry and landfill. The site is also not appropriately defined as a 'sensitive coastal location'. Accordingly, the Minister may approve the proposed works, irrespective of the provisions of the Penrith City Centre LEP.</p> <p>The Preferred Project includes the creation of a higher density gateway entry to Penrith City Centre through the inclusion of a ten storey residential building at the corner of Station Street and Jamison Road. This will be appropriately designed to reflect its gateway location during detailed design at Stage 2 of the Concept Plan. The residential proposal responds to the surrounding urban area whilst developing a new and appropriate high density residential centre. The architecture of the new buildings will contribute to the quality and identity of the existing area whilst at the same time addressing the wider objectives of the City Centre Vision for Penrith as one of the six Regional Cities.</p> <p>The layout, proportion and height of the envelopes for the new residential buildings have also been considered in relation to the principles of the Residential Flat Design Code.</p>

COMMENT	RESPONSE
<b>Other Available Sites</b>	
The proposed home improvement store could be more appropriately located on other land in the area which is zoned for bulky goods/retail hardware premises and is currently vacant.	<p>An assessment of other sites was carried out as part of the Economic Impact Assessment for the proposal. The report concluded:</p> <p><i>From a town planning perspective, and having regard to the requirements of the DGEARs, the Nepean Green site offers the best opportunity to secure Masters at this point in time by providing a site that meets all of its locational requirements at a site that is strategically located within the Penrith CBD and adjacent the existing Penrith Bulky Goods / Home Improvement Precinct on Mulgoa Road.</i></p> <p><i>Whilst there are two other sites within the Mulgoa Road precinct which could potentially accommodate a Masters store, the Nepean Green site offers superior outcomes in terms of visibility and accessibility, as well as being located within the CBD. Given that the Nepean Green site is close to both of these alternative sites, the competitive impacts of a Masters development would be very similar.</i></p>
<b>Traffic Impacts</b>	
The traffic volumes likely to result from the proposed home improvement store, including heavy vehicle use, will place significant pressures on the existing intersections adjoining the site and will also result in significant amenity impacts on existing and future residents.	<p>A revised assessment of traffic generation has been carried out as part Preferred Project which concludes that the proposal will not result in impacts to intersections. The acoustic report provides an assessment of the amenity impacts of service vehicles and concludes that this will be within reasonable limits.</p> <p>Refer to Section 4 for a further technical assessment on these issues.</p>
Significant concern is the proponent's lack of concurrent infrastructure delivery via intersection upgrades and footpath and cycleway provision.	The need for intersection upgrades has been assessed as part of the Traffic Report with a signalised intersection at Station Street and Ransley Street. The internal road layout will provide for good accessibility, including for pedestrians, cyclists and service vehicles. The detailed design of footpaths and cycleway locations can be assessed as part of future applications for the stages of the Concept Plan.



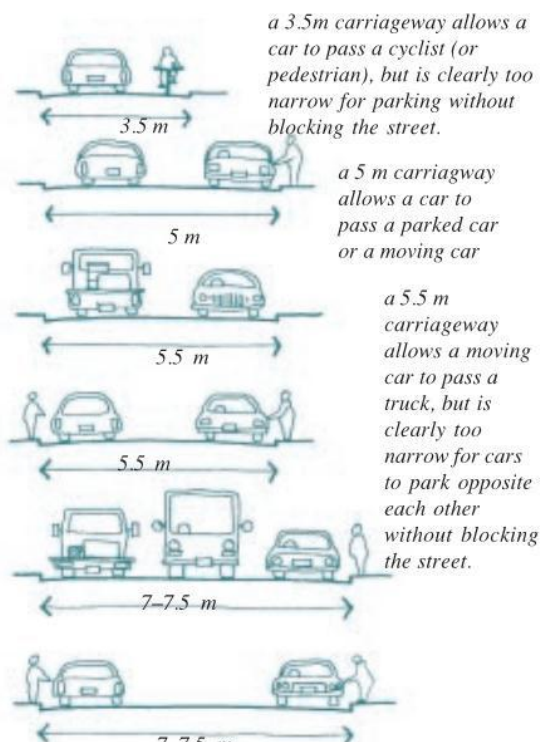
The additional matters raised by Council in 'Attachment 1' of their correspondence are addressed within the following table.

TABLE 5 – RESPONSE TO PENRITH CITY COUNCIL SUBMISSION - ATTACHMENT 1

COMMENT	RESPONSE
<b>Access, Traffic and Transport</b>	
<p>The proposal has omitted the two signalised intersections required under the 2008 approval issued by Council for the site. Whilst the dynamics and access points of the new development have changed, the need for signalised access and support remains.</p> <p>The traffic consultant (CBHK) has not provided a detailed SIDRA printout or detailed analysis and it is not clear if the LOS is accurately prescribed.</p> <p>The proposal must cater for future traffic growth demand (year 2031) in line with the Panthers Penrith redevelopment.</p>	<p>The proposed traffic generation is less than that associated with the previous approval and accordingly no signalised intersection access is required. This is assessed in the Traffic Report submitted with the EA.</p> <p>The detailed SIDRA information has been provided to DPI for assessment.</p> <p>A transport assessment has been lodged in association with the Panthers development. This builds upon the report prepared for the wider Riverlink Precinct. It includes consideration of the same series of developments to the year 2031, including infill development of some 4,000 residential dwellings. These previous studies have therefore included allowance for development previously envisaged on the subject site.</p>
<p>The proposal for the Ransley Street and Station Street intersection to be retained as an uncontrolled intersection is not supported. It is recommended that the Ransley Street and Station Street intersection be equipped as a signalised intersection to cater for traffic movements and provide pedestrian connectivity to the site.</p>	<p>The Ransley Street and Station Street intersection is to be signalised as documented in the Traffic Report.</p>
<p>The proposal for the home improvement store access and Station Street intersection in its current sheltered right turn arrangement is not supported, as inadequate right turn egress exists (particularly for trailers and MRV and HRV) and a high loss of parking is envisaged with the proposed arrangement</p>	<p>Access to the Masters Store is now provided at the Station Street/ Ransley Street intersection or the secondary access from the new internal road. This has been tested by swept paths and is considered appropriate.</p>
<p>A heavy vehicle management plan, including turn paths of the largest vehicle servicing the site and interaction with the local road environment, is required to ensure no BB lines are crossed or pedestrian paths and movements compromised.</p>	<p>Swept paths of the Masters service vehicles have been prepared as part of this PPR and a heavy vehicle management plan is not considered necessary.</p>
<p>Parking and cycleway provisions are to be maintained along Station Street, with the proponent to provide a 2.5m-3m wide shared use path on Jamison Road fronting the development, to Council's specifications.</p>	<p>This is a revised scheme and therefore the comments did not consider this layout arrangement.</p> <p>The Preferred Project will result in loss of on street parking on Station Street. The scheme has been redesigned in accordance with DPI comments and is more strategically aligned with</p>

COMMENT	RESPONSE
	<p>Council policy as discussed in Section 2.4.</p> <p>DPI correspondence indicates a preference to channel the majority of traffic via Station Street which already handles larger traffic volumes due to the special events uses on its western side. The loss of parking facilitates the signalised intersection and access from Station Street which is considered to be a feasible access arrangement.</p> <p>The on street parking on Station Street is underutilised and therefore the loss of parking will have minimal impact on the city centre site where public transport is in close proximity.</p> <p>The provision of a cycleway along Jamison Road will be considered as part of the detailed design for future Concept Plan stages.</p>
All bicycle path construction is to be in accordance with the RTA's Bicycle Guidelines.	Noted - this requirement has been included within the Revised Statement of Commitments.
Jamison Road access is not supported unless a deceleration lane is considered, catering for both MRVs and HRVs	The Preferred Project does not include access from Jamison Street.
Speed humps and multiple zebra crossings are to be provided within the home improvement store car park	Noted - this requirement has been included within the Revised Statement of Commitments.
The parking shortfall for the tavern has not been substantiated and no evidence of a reduced rate can be validated, therefore DCP requirements should be met.	<p>The Traffic Report states the following in relation to parking for the tavern:</p> <p><i>The proposed 1,800m<sup>2</sup> tavern would require some 120 to 180 parking spaces. It would be appropriate to provide parking toward the lower end of this range, given the location of the site in the Penrith town centre, and consistent with Government objectives to constrain parking and encourage alternative modes of travel in areas with good access to public transport.</i></p>
<b>Engineering Matters</b>	
<u>General Matters</u>	
Any project approval granted should only allow Penrith City Council to be nominated as the PCA for subdivision works.	Any Development Approval would be subject to the relevant requirements of the EP&A Act 1979, including any provisions regarding certification during the construction or subdivision phases of the development.
A staging plan for the delivery of all civil infrastructure should be provided.	Infrastructure associated with the Stage 1 Project Application is described in Section 3. Concept Plan infrastructure has also been described. Further details regarding infrastructure staging will be provided in further stages of the Concept Plan and will be

COMMENT	RESPONSE
	required to function in isolation. Accordingly, a staging plan is not considered to be required.
All future public roads and drainage works are required to be in accordance with Penrith City Council's Guidelines.	Public roads and drainage works will be in accordance with the Concept Plan in consultation with Council.
<u>External Roads</u>	
Dedication of appropriate splay corners at the intersection of Jamison Road and Station Street and at the intersection of Jamison Road and Woodriff Street will be required for any future upgrade works	The intersection of Jamison Road and Station Street has been assessed in relation to the Preferred Project. The Traffic Report does not identify a need for upgrade of this intersection to facilitate the proposed development.
Land is to be dedicated as road reserve adjacent to Jamison Road to ensure that a 4.8m wide verge is provided to allow for services, a cycleway and street tree planting.	Land is no longer required to be dedicated as a road reserve adjacent to Jamison Road as the access to Masters has been relocated to Station Street and the new internal road.  The Jamison Road frontage has been appropriately treated as shown in the Landscape Plans provided in Appendix M.
The construction of a new shared cycleway should occur along Jamison Road to provide connectivity to existing cycleway infrastructure.	The provision of a cycleway along Jamison Road will be considered as part of the detailed design for future Concept Plan stages.
Upgrade of existing road assets in the surrounding streets, including verge regrading/filling of low level verges, reinstatement of redundant laybacks and crossings and provision of 1.5m wide footpaths along Station Street and Woodriff Street, should be considered to ensure the development provides for adequate on-street parking and pedestrian accessibility.	This is shown on the Civil Plans and the report provided in Appendix P.
Planning approval should detail that Roads Act Approvals from Penrith Council.	Noted - this requirement has been included within the Revised Statement of Commitments.
<u>Proposed Local Road Network</u>	
Concerns regarding the intersection of the proposed local road network with Station Street and Woodriff Street. Lengthy queuing will occur at these intersections due to high traffic volumes	Traffic generation has been assessed against key intersections in the Traffic Report which forms part of the PPR.
There are concerns about the widths of the proposed local roads. An 11m road width from kerb to kerb is more appropriate.	The proposed new street network to be constructed as part of the Nepean Green development has been designed in accordance with Penrith Council's DCP 2010 - C10 Transport, Access and Parking, which specifies a minimum carriageway width of 8m for local roads.

COMMENT	RESPONSE
	<p>It is understood that the new road network will be used primarily by residents for access to the new multi-unit residential development i.e. minimal through traffic, with the majority of vehicle movements to the Stage 1 commercial development to be via the new intersection treatment off Station Street.</p> <p>As documented on the architectural plans prepared by Turner + Associates, on-street parking on the new local road network is to be restricted to one side only. Based on the Australian Government's publication "AMCORD – A National Resource Document for Residential Development", it is our understanding that an 8m carriageway width will be sufficient to allow two vehicles to pass by each other unimpeded while passing a parked car (see figure below for details).</p> <p>As noted in the AMCORD document, street narrowing and on-street parking are identified as effective mechanisms for reducing vehicle speeds on residential roads. As such, it is recommended to keep the carriageway width of the new road network to 8m within the residential areas of the site to improve the safety of pedestrians / road users / residents.</p> <div data-bbox="730 1030 1324 1971"> <div> <div>AMCORD</div> <div>Design Elements</div> </div>  <p><i>a 3.5m carriageway allows a car to pass a cyclist (or pedestrian), but is clearly too narrow for parking without blocking the street.</i></p> <p><i>a 5m carriageway allows a car to pass a parked car or a moving car</i></p> <p><i>a 5.5m carriageway allows a moving car to pass a truck, but is clearly too narrow for cars to park opposite each other without blocking the street.</i></p> <p><i>A 7-7.5 m carriageway is wide enough for two vehicles to pass each other while passing a parked car. It is wide enough for a moving car to pass between two parked cars, but is clearly not wide enough for two moving vehicles to pass at once. One must give way.</i></p> </div> <p><b>Figure 1: Carriageway width alternatives.</b></p>

COMMENT	RESPONSE
	Two travel lanes will be available within the eight metre carriageway.
There are concerns regarding heavy vehicle access and turning paths for the home improvement store impacting on parking lanes and intersections.	Access to the Masters Store for service vehicles has been tested and swept paths are provided in Appendix P.
There are concerns with some of the priority intersections proposed within the local road network. A Stage 2 Road Safety Audit addressing the proposed local road network and intersection treatments should be undertaken.	The capability and safety of the proposed intersection has been assessed in both the Traffic Report provided in Appendix O and the swept paths to ensure that this is appropriately designed.
Landscaping within future road reserves or public areas shall be in accordance with Council's specifications.	Noted - this requirement has been included within the Revised Statement of Commitments.
<u>Car Parking, Access and Manoeuvrability</u>	
All car parking and manoeuvring shall be in accordance with relevant Australian Standards.	Noted - this requirement has been included within the Revised Statement of Commitments.
<u>Local Flooding</u>	
Insufficient information has been provided which demonstrates that overland flows can pass safely through the site without adversely impacting the development or adjoining properties.	The impact of the proposal on neighbouring residents is considered in the Stormwater Report provided in Appendix P.
Insufficient information is provided that quantifies overland flows or their extents. Whilst the proponent has nominated overland flow paths within the proposed road network, no information has been provided to support discharge levels or kerb capacities.	Preliminary investigations undertaken for the site using the DRAINS software package indicates approximately 630m <sup>3</sup> of storage would likely be required to satisfy council's preBpost requirements. It is proposed to provide above ground storage within the customer carpark (maximum pond depth = 0.2m) at the northern portion of the site to detain flows prior to discharge to Station Street, while a below ground tank located beneath the hardstand pavement on the southern portion of the site is proposed to control flows to Woodriff Street.
Council's engineers would appreciate the opportunity to meet with the proponent's consultants to provide information on Council's current overland flow study being undertaken in this catchment, which is currently in its draft form.	Correspondence from Council officers provided in the Stormwater Report states that the draft overland flow study model that is being reviewed confirms that there is very minimal overland flow affectation on the subject site externally other than internal surface runoff from within (from the formed depression on the southern part of the site draining towards Jamison Road). Proposed filling of the site considers the overland flow runoff.
All basement entry levels should have appropriate freeboard above the 1% AEP storm event so as to prevent inundation from local overland flows.	Engineered fill is proposed across the development site to build up the building pads to the required levels and allow surface flows to fall away from the proposed buildings and basement access locations.

COMMENT	RESPONSE
<u>Stormwater Drainage</u>	
The application has not clearly demonstrated that there will be no adverse impact on the downstream stormwater system. The proponent must demonstrate that post-development flows do not exceed pre-development flows at all discharge locations.	On-site OSD is proposed for the site to restrict the post developed discharge rate to pre development levels to ensure that no adverse impacts or additional flooding is caused to downstream properties as a result of the development.
A detailed hydraulic analysis should be undertaken to determine the impact of the proposal on existing drainage infrastructure in regards to flow capacity.	Detailed hydraulic calculations is to be undertaken during the DAs for Stages 2-6 to size the proposed site pit and pipe network to adequately convey the minor (5yr ARI) storm event with safe overland flows for the 100yr ARI storm event.
Water quality devices should be located within private property. Any proposal for water quality devices within a public road will require direct consultation with Council.	Water quality devices for the Development Application are located within private property. Further details will be provided within the future Part 4 development applications for individual stages of development.
<u>Stormwater Quality Treatment</u>	
In order to achieve Council's statutory target pollutant removal requirements, the proposed treatment train of rainwater tanks and GPTs needs to be implemented in all stages of the development. Any detailed design for Stage 1 (home Improvement centre) is to consider appropriate stormwater quality treatment measures to achieve Council's pollutant removal targets.	The Stormwater Report prepared for the Development Application proposed a treatment train consisting of GPTs (Humegard and Humeceptor) and rainwater re-use to enable Council's water quality to be met. The detailed design and implementation of rainwater tanks and GPTs will be assessed in association with the preparation of the Part 4 development applications for individual stages of development.
For Stages 2 to 6, appropriate stormwater quality treatment measures are to be finalised and incorporated in the detailed development.	Noted - this requirement has been included within the Revised Statement of Commitments.
Consideration needs to be given to the appropriateness of the two GPTs being positioned in a series at the outflow of each sub catchment.	The allocation and appropriateness of GPTs is assessed in the Stormwater Reports prepared and submitted with the PPR.
To cover all development stages, a detailed Stormwater Treatment Measure Maintenance Plan is to be submitted prior to construction.	Noted - this requirement has been included within the Revised Statement of Commitments.
Confirmation is to be provided that runoff from any car wash bay will be directed to the sewer or that appropriate treatment devices will be connected.	This will be addressed during detailed design of the residential stages however forms a Statement of Commitment for the Concept Plan.

COMMENT	RESPONSE
Rainwater re-use and water savings strategies are to be implemented in line with the Nepean Green Project ESD Environmental Application Report.	Noted - this requirement has been included within the Revised Statement of Commitments.
<b>Environmental Matters</b>	
<u>Noise</u>	
Section 4.2 of the Concept Plan Noise Impact assessment is to address the operations of the proposed home improvement store on the residential component of the proposal.	The revised Noise Impact Assessment provides details of the impact of the operation of the proposed Masters Store on future and existing residents.
Any amended report that addresses the operations of the home improvement store is to consider truck and vehicle movements entering and exiting.	The proposed truck and vehicle movements have been included in the acoustic impact assessment lodged with the EA and the report provided with this PPR. All movements will be limited to the store operating hours.
The report should address any potential impact from the proposed ground floor commercial uses on the residential units above.	The noise levels generated by the non-residential ground floor uses will be considered as part of a future Part 4 development application.
Consideration needs to be given to noise generated from the future tavern.	The noise levels generated by the tavern will be considered as part of a future Part 4 development application.
The location of plant and equipment is to be determined prior to the issue of a Construction Certificate. It needs to be confirmed whether any mitigation measures are required to manage potential noise impacts	The Acoustic Assessment states that a detailed mechanical noise assessment will be conducted once plant selections and services drawings have been finalised as part of the construction documentation. This forms a Statement of Commitment that will be addressed prior to the issue of the Construction Certificate.
Section 8.1 of the report outlines the requirements for construction noise under the EPA Guidelines. However, the report does not address the construction noise generating activities.	The Acoustic Assessment states that detailed construction noise planning is typically undertaken after engagement of a builder and a construction programme has been prepared (i.e. post-approval). A detailed construction noise and vibration management plan will be provided as part of the CC submission once construction (including demolition, excavation and construction) programmes and required activities methodologies have been developed. This provision has been included within the Statement of Commitment for the Concept Plan.
The site plan prepared by Leffler Simes indicates a 2.4m high masonry wall along the north-east side of the Masters store. This masonry wall has not been recommended by the acoustic consultant	While not an acoustic requirement, a 2.4m wall is proposed to the rear of the loading dock to assist in screening the activities and service vehicles to Woodriff Street. The loading dock will further be screened by a landscape mound as shown on the Landscape Plans.



COMMENT	RESPONSE
<b><u>Land Contamination</u></b>	
The Geotechnique report requires further investigation once the existing buildings on the site are demolished.	Noted - this requirement has been included within the Revised Statement of Commitments.
<b><u>Wastewater</u></b>	
The proposal is to connect to the existing sewer main.	Noted. It is anticipated that the sewer will need to be locally realigned on site to suit the Stage 1 building footprint. Design of the proposed main adjustment will need to be undertaken by a qualified water servicing coordinator for approval by Sydney Water. As such, ongoing discussions with Sydney Water will be initiated throughout the design development phase.
<b><u>Air/Odour</u></b>	
Air pollution is considered to be mainly associated with construction. These impacts can be adequately dealt with through appropriate conditions of consent.	Noted.
<b><u>Heritage</u></b>	
Any found remains of the grandstand are to be archivally recorded to Penrith Council's standards and a copy deposited in Penrith Council's Library.	Noted - this requirement has been included within the Revised Statement of Commitments.
<b><u>Public Health Matters</u></b>	
Food outlets associated with the development will need to comply with the requirements of AS 4767-2004 and the Food Safety Standards.	Noted - this requirement has been included within the Revised Statement of Commitments.
When submitting an application for a food premises, it is necessary to provide a brief overview of activities to be carried out, floor plan, sectional elevation drawings and details of mechanical ventilation, waste and recycling management.	Noted - this requirement has been included within the Revised Statement of Commitments.
<b><u>Safety, Security and Crime Prevention</u></b>	
Potential issues with people heading to the proposed tavern after football games, increasing opportunities for over-congestion and alcohol related assaults, etc.	<p>This issue has been addressed on page 20 of the CPTED report lodged with the EA – refer to the following extract:</p> <p><i>An issue identified was the proximity of the Centrebet Stadium, (capacity 22,000 people) to the site and the related crowds that will be in the area particularly on games days/nights. Safety on the roads and thoroughfares is paramount, with particular need for good lighting. Penrith Council has had requests for improved lighting around the Stadium strip already. Pedestrian and</i></p>



COMMENT	RESPONSE
	<p>vehicular traffic calming methods with appropriate safe road crossings will be important to consider, as well as landscaping and safe and secure car parking.</p> <p>Specific recommendations included the need for street frontages to be active to provide surveillance to the street, particularly for Station Street, The use of nooks and crannies or alleyway and laneway designs in the development should be avoided, access points for vehicles and residents/visitors need to be carefully designed, and surfaces that can be vandalised should be minimised or coated with anti graffiti paint. Any active security processes, including CCTV, safety systems or card access, should also be included.</p> <p>The tavern was also identified as an area for careful management. It was suggested that most of the licensed premises in Penrith town centre have closed down, leaving limited licensed premises options for patrons leaving Centrebet Stadium on game nights. As a result, it was identified that hours of operation will be important to consider, as well as spillover from Centrebet Stadium at these times. The thoroughfare from Penrith Panthers should be considered in terms of pedestrian crossings and pathways, and a security management plan will be required to demonstrate that the tavern will not have a detrimental effect on the area.</p>
The 'plaza' civic space outside the proposed tavern will need to be well-activated. There may be difficulties in regulating night-time use. Lighting, signage, CCTV and ongoing maintenance will be critical.	Refer to comment above – it is recognised that the plaza will need to be well-designed and managed appropriately to avoid anti-social behaviour. An appropriate Statement of Commitment has been included which requires further detailed assessment of the plaza within the future detailed application.
The recommendations in Section 6 of the CPTED Assessment should be re-worded from "should", consider and "recommend" to "must" and "will".	The recommendations of the CPTED report will be considered as part of the detailed assessment for Stages 2-6 and forms a Statement of Commitment. The amendment of the wording is therefore not considered necessary.
<b>Site Design</b>	
<u>General Matters</u>	
The landscape treatment at the junction of Jamison Road and Station Street is weak and poorly proportioned in relation to the expanse of on-ground car parking.	This comment no longer applies to the revised scheme. Landscaping is proposed at the corner of Jamison Road and Station Street in association with residential development.

COMMENT	RESPONSE
Jamison Road and Woodriff Street corner is weakened by side elevation that does not address external activity areas. Address requires improvement addressing scale and context of urban forms opposite	This comment no longer applies to the revised scheme.
<u>Pedestrian Circulation Movement</u>	
Maintenance and access concerns are raised over the proposed rain garden swales. More details are required.	There are no rain garden swales proposed.
Key origins and destinations are not illustrated nor are logical desire lines between them recognised.	Pedestrian access and movements across the site are shown on the Architectural Plans provided in Appendix C.
A cycle network is required	A cycleway along Jamison Road will be considered as part of detailed design for future DAs for the Concept Plan.
<u>Jamison Road and Station Street</u>	
Need for signage to celebrate gateway to the City. Iconic or landmark structure is required.	The gateway to the city centre is signified by the new ten storey residential tower and will be designed to reflect this as part of detailed design of future Concept Plan stages.
Overhead power lines around the site should be undergrounded as part of the proposal to improve streetscape amenity and reduce impact on existing trees.	Services will be provided underground within the development site. Servicing and infrastructure will be considered further as part of the Concept Plan detailed design.
<u>Landscape Elevations</u>	
Council will be unable to sustain and maintain a "highly manicured landscape identity" along internal roads.	Noted. Further details regarding the proposed landscaping will be provided within the future Part 4 development applications for the individual stages of the residential component of the Concept Plan.
<u>Public Open Space</u>	
The functionality of the plaza should be demonstrated. This will need to be the subject of much more detailed documentation.	This level of detail will be provided within the future Part 4 development applications for the individual stages of the residential component of the Concept Plan.
<u>Internal Landscape Courtyards</u>	
Details are required as to whether the internal landscape courtyards are private/gated.	This level of detail will be provided within the future Part 4 development applications for the individual stages of the residential component of the Concept Plan.

COMMENT	RESPONSE
The locations of the ground floor courtyards have not been provided and whether these are separated from the common areas (e.g. level changes).	This level of detail will be provided within the future Part 4 development applications for the individual stages of the residential component of the Concept Plan.
Details shall be provided as to whether these areas are accessible and how these spaces can be intimate given they will be overlooked.	This level of detail will be provided within the future Part 4 development applications for the individual stages of the residential component of the Concept Plan.
Details of rooftop amenity shall be provided. There is an opportunity for innovation through green roofs.	This level of detail will be provided within the future Part 4 development applications for the individual stages of the residential component of the Concept Plan.
<b>Waste Management</b>	
<u>Concept Plan</u>	
Council will provide domestic waste collection services and processing services for wastes generated from the residential development.	Noted.
Non-residential uses require waste collection services from the private sector. Any waste storage for residential and non-residential development must be separated.	Noted - this requirement has been included within the Revised Statement of Commitments.
Suitable waste conveying systems serving every storey of each building to a central storage area at basement level must be considered in the design of multi-storey residential buildings.	Noted - this requirement has been included within the Revised Statement of Commitments.
Separate collection points for garbage and recyclables need to be incorporated in the building design at ground level within 20m of the street kerb	Noted - this requirement has been included within the Revised Statement of Commitments.
Separate storage space must be provided in each building for temporary storage of bulky waste prior to arrangements being made for its disposal.	Noted - this requirement has been included within the Revised Statement of Commitments.
Waste storage rooms and rooms for collection points must be adequate and comply with Council's requirements for access, floor area, lighting and ventilation.	Noted - this requirement has been included within the Revised Statement of Commitments.
Access roads in and around the development must be suitable for 9.8m heavy rigid garbage trucks.	Noted - this requirement has been included within the Revised Statement of Commitments.

COMMENT	RESPONSE
<u>Stage 1 (Home Improvement Store)</u>	
There is a similar home improvement store in Gregory Hills from which waste data relevant to this proposal could have been obtained. Given the nature of the development, a high volume of recyclable waste would be anticipated with the major component being cardboard packaging.	The Waste Management Report submitted with the EA details how waste will be stored and collected from the site. This has been accommodated in the Stage 1 Masters plans.
Further, suitable waste and recycling storage areas are to be provided that complement the development and are screened from public view.	Refer above. Further waste details will be provided in future residential DAs.
<u>Waste Management Plan</u>	
Garbage storage areas for the proposed residential and commercial uses are to be included in a Waste Management Plan.	Noted - this requirement has been included within the Revised Statement of Commitments.
If the washing of bins is to occur in a garbage room, the floor wastes of this room are to be connected to sewer or that appropriate treatment devices.	Noted - this requirement has been included within the Revised Statement of Commitments.
Confirmation is to be provided that runoff from a car wash is directed to the sewer or that appropriate treatment devices are connected.	Noted - this requirement has been included within the Revised Statement of Commitments.

An assessment of the proposed development against the Penrith City Centre Vision 2006 is provided below.

TABLE 6 – CONSISTENCY OF THE PREFERRED PROJECT WITH CITY CENTRE VISION

STRATEGY	DESIGN RESPONSE
<i>Penrith will be a vibrant, forward looking centre that provides quality urban living, within easy access to unique natural surrounds.</i>	The proposed development will provide quality urban living with future residential buildings designed to a high standard of architectural design, materials and detailing appropriate to the building type and location. The residential units have access to open space areas including sporting and recreational activities such as Penrith Showground, Penrith Stadium, Penrith Park and Howell Oval. Jamison Park is also located to the south east on the opposite side of Jamison Road. The site is approximately 950 metres south of Penrith railway station and benefits from good public transport links.
<i>Maintains tangible links to the rural past and unique natural and community assets, whilst providing contemporary living and working opportunities.</i>	As described above, there are large number of open space and recreational areas in the surrounding areas, the links to which are maintained through the development of the site. The introduction of residential housing on the site takes advantage of the close proximity to working opportunities in the city centre and public transport links.
<i>Jobs will focus on high growth industries that build the city's strengths in business services, health, education, retail, tourism and cultural activities</i>	The Economic Impact Statement (EIS) submitted with the EA concludes that the Masters will contribute to increased competition within the home improvement sector and result in greater choice and price savings for customers. It will also increase expenditure retention within the area reducing the amount of expenditure that is leaked to other LGAs.
<i>The city centre will accommodate 10,000 new jobs and 10,000 new residents</i>	<p>The Concept Plan will encourage the efficient and economic use of existing urban land, contributing to meeting local and subregional housing targets and providing for economic and employment growth as follows:</p> <ul style="list-style-type: none"> <li>▪ The Masters development will generate approximately 130 to 150 staff (full time, part time and casual). The store will generate approximately 377 employment multipliers (including 186 direct jobs per store during construction).</li> <li>▪ Provision of approximately 570 apartments.</li> </ul>
<i>Maintains views of the escarpment by concentrating higher buildings along the railway line and closer to the railway station.</i>	<p>The heights of the residential buildings provide varied skylines which are appropriate to the city centre location and their proximity to the railway line.</p> <p>A gateway entry to the site is emphasised by higher built form at the corner of Station Street and Jamison Road.</p>
<i>All development will be subject to environmental, social and economic sustainability tests. This means that the built environment and public spaces will minimise the consumption of energy and water, and promote social interaction and activity, and a diversity of uses will</i>	<p>The proposed development has been assessed against environmental, social and economic factors as part of the EA and are summarised as follows:</p> <ul style="list-style-type: none"> <li>▪ The development will comply with regulatory requirements for sustainability, including BASIX, SEPP 65 and BCA Section J for Energy Efficiency.</li> </ul>

STRATEGY	DESIGN RESPONSE
<p><i>be encouraged to generate economic activity.</i></p>	<ul style="list-style-type: none"> <li>▪ The proposal will have a positive social impact through providing additional residential accommodation, job creation and the revitalisation of a large underutilised site. The development will contribute to the strengthening of the area as a thriving mixed use community, characterised by good quality design. The proposed development will create additional housing in a location with good access to existing employment opportunities, public transport, services and entertainment facilities.</li> <li>▪ The potential environmental impacts of the preferred project are further assessed in Section 4 of this report and are considered to be either positive or able to be mitigated through the adoption of appropriate measures to minimise their potential impact.</li> </ul>
<p><i>Planning and development will focus on street activation, a high quality public realm and promotion of pedestrian friendly environments. New development will be of a high quality and contribute to a visually attractive built form.</i></p>	<p>The proposed streets network will both provide new pedestrian routes through the site and activate the development. Appropriate landscaping is also proposed to complement the setting.</p> <ul style="list-style-type: none"> <li>▪ The residential development provides an appropriate scale for the residential built form and suitable amenity including: <ul style="list-style-type: none"> <li>– Internal cul-de-sac and circular road system allowing vehicular access to the residential basement car parking.</li> <li>– Internal access paths also provide links between individual residential buildings and the new access roads. All streets also include tree planting, verges and landscaped setbacks.</li> <li>– Residential buildings are four to a maximum ten storeys in height and are arranged to give a varied skyline and to prevent overshadowing. The lower buildings are generally at the perimeter of the site to provide a transition to the surrounding land uses with the exception of the 'gateway' entry to the site.</li> <li>– The massing and orientation of residential buildings have been organised so as to provide good natural daylight and solar access into the primary living spaces, external living areas and courtyards.</li> <li>– The tavern and retail uses will provide for active uses to the new plaza.</li> <li>– The alignment, scale, articulation and separation of all building envelopes work together to reinforce streetscape and create perceptible urban spaces.</li> <li>– Appropriate building separations and setbacks have been applied throughout the master plan and all building envelopes are aligned and scaled to reinforce streetscapes and the public domain.</li> </ul> </li> </ul>

STRATEGY	DESIGN RESPONSE
	<p>High quality built form is achieved in the Masters development suitable to its surrounding development adjacent to the Centro development to the north and Penrith Stadium to the west through use of the following:</p> <ul style="list-style-type: none"> <li>▪ Varying textures, surface treatments and architectural elements employed to provide relief in the façade.</li> <li>▪ A range of roof elements to break-up the roof plan through the inclusion of shade sails across a portion of the nursery.</li> <li>▪ Landscaping along the Jamison Road frontage, which complements the existing avenue of trees in the road reserve along Jamison Road.</li> <li>▪ Appropriate treatment to existing residential through landscape setback to the new internal road.</li> </ul>
<p><i>The form of the city centre will have a strong sense of place with buildings relating to streets and public areas. The major streets will have buildings with active frontages at pedestrian level with fewer blank walls.</i></p>	<p>The Preferred Project has been designed to provide an appropriate design response sympathetic to the existing streetscape and the gateway location within the city centre.</p> <p>The back of house area associated with the proposed Masters development is screened to Woodriff Street through the creation of a landscape mound.</p> <p>This avoids the presentation of a blank wall to future residential development.</p> <p>A setback of 23.6m is also provided between the boundary of the Masters site and the residential interface to the south with a 6m landscaped buffer.</p>
<p><i>Penrith Station will be the focus for regional train and bus services. It will also be a focus for development and improved local access arrangements for pedestrians, vehicles and cyclists, including across the rail line from north to south.</i></p>	<p>The site is located within walking distance of high frequency public transport services including Penrith Railway Station, regular local bus services including links to the interchange at the railway station and bicycles route along Station Street. The proposed internal roads will provide an appropriate layout enabling good access for vehicles, pedestrians, cyclists and service vehicles.</p>

## AGENCY SUBMISSIONS

The response to the issues identified by agency submissions is provided in the following table.

TABLE 7 – RESPONSE TO GOVERNMENT SUBMISSIONS

COMMENT	RESPONSE
<b>NSW Roads and Maritime Services</b>	
<i>Sydney Regional Development Advisory Committee</i>	
<u>Concept Plan</u>	
Penrith Council raised the issue of signalised access to the development from Station Street and/or Woodriff Street as was proposed in the original concept. RMS advised it would only support signalisation of these intersections should the projected traffic volumes at the final stages of the development indicated that the warrants for signalisation would be met. The traffic analysis does not provide traffic figures which would indicate that the warrants for signalisation would be met.	A detailed assessment of the need for the proposed signalised intersection at Station Street and Ransley Street is provided in the Traffic Report provided in Appendix O.
Penrith Council does not support the Ransley Street/Station Street intersection being retained as a T junction. To provide connectivity into the site and reduce the risk of accidents at this location, Council recommended that the Ransley Street/Station Street Intersection be designed as a four-way intersection to provide connectivity into the site. A four-way intersection would also provide a connection between the site and the Panthers site on Mulgoa Road.	This has been assessed in response to Council's submission.
The proponent should design the internal road system and intersections along Station Street to maintain existing parking levels on Station Street. As this parking is utilised by Howell Oval and Penrith Stadium visitors, the loss of parking in this area will result in a loss of amenity for those visitors.	<p>This is a revised scheme and therefore the comments did not consider this layout arrangement.</p> <p>As discussed above, the Preferred Project will result in loss of on street parking on Station Street. The scheme has been redesigned in accordance with DPI comments to channel the majority of traffic via Station Street and is more strategically aligned with Council policy as discussed in Section 2.4.</p> <p>The loss of parking facilitates the signalised intersection and access from Station Street which is considered to be a feasible access arrangement.</p>



COMMENT	RESPONSE
	The on street parking on Station Street is underutilised and therefore the loss of parking will have minimal impact on the city centre site where public transport is in close proximity.
<u>Project Application</u>	
On pedestrian safety and amenity grounds, Penrith Council does not support the location of the service area adjacent to the proposed residential properties.	This has been assessed in response to Council's submission.
The proposed internal road system and intersections along Station Street and Woodriff Street are to be designed to cater for 19 metre service vehicles. The plans submitted by the applicant at the meeting indicate that widening would be required at the intersections of the internal road (adjacent to the home improvement store) and Woodriff and Station Streets to allow heavy vehicles to access the loading dock for the home improvement store. The proponent advised at the meeting that these plans were not included in the application submitted to the Department.	Revised plans are provided as part of this PPR submission and provided in Appendix P.
RMS and Council do not support the proposed right turn into the home Improvement store development from Station Street. The proposed arrangement does not retain existing parking along Station Street and would reduce parking amenity for adjoining sites ie. Howell Oval and Penrith Stadium. Should the proponent wish to pursue the right turn facility into the site, then land will need to be dedicated from the development site to accommodate the additional lane and to retain existing parking in Station Street.	This has been assessed in response to Council and resident submissions.
The Committee requests that a left turn lane be provided at the entrance to the home improvement store on Jamison Road. Detailed plans are to be provided to Council and RMS for review and approval. The left turn lane shall be designed in accordance with AUSTROADS and other Australian Codes of Practice.	This is no longer relevant as access to the Masters Store is not provided via Jamison Road.
All works/regulatory signposting associated with the proposed development are to be at no cost to RMS.	Noted.

COMMENT	RESPONSE
The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1 - 2004 and AS 2890.2- 2002 for heavy vehicle usage.	Noted. This has been included in the draft Statement of Commitments.
A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to the Department prior to the issue of the Construction Certificate.	A Construction Traffic Management Plan will be prepared and is included as a draft Statement of Commitment.
The swept path of the longest vehicle (including garbage trucks and service vehicles) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to the Department for approval, which shows that the proposed development complies with this requirement.	Swept paths for Masters service vehicles have been prepared by Mott MacDonald and are provided as part of the PPR.
Consideration should also be given to providing bicycle parking facilities either within the development or close to it, as well as end trip facilities such as showers, changing rooms, etc. to encourage travelling to and from the development by bicyclists.	Provision for bicycles has been included in the Masters development. Bicycle and end of trip facilities will be included in the residential component of the Concept Plan.
<b>Transport for NSW</b>	
The proposal should address how proposed changes on Station Street, such as the 50m right turn lane, the removal of parking lanes and new local street intersections, may impact on the movement of buses and the operation of existing bus stops, particularly in the vicinity of the new vehicular entrance to the home improvement store.	The location of bus stops in relation to Station Street is shown on the intersection plan provided in Appendix P.
The proposal should consider and address the need for any changes to existing bus stops or for new bus stops in the immediate vicinity to provide better access by visitors/shoppers and future residents to/from the site.	Amendment to existing bus stops will be considered at the residential stages of the Concept Plan when the majority of additional patronage will be generated.

COMMENT	RESPONSE
There appears to be no consideration of any pedestrian crossing issues that might arise for accessing existing or new bus stops for northbound bus services on the western side of Station Street. To practically facilitate the encouragement of walking and public transport usage, the proposal should include safe, direct, comfortable and unobstructed pedestrian links to footpaths, and to/from existing or new bus stops on both sides of Station Street.	Pedestrian links will be incorporated as part of detailed design of the residential component of the Concept Plan in Stage 2-6.
The proposal should also ensure that adequate bus stop infrastructure is provided at bus stops adjacent to the site, as well as appropriate pedestrian crossing points, if required, in consultation with Penrith City Council.	As above.
<b>Office of Environment and Heritage</b>	
<i>Aboriginal Cultural Heritage</i>	
The Nepean Green PAD requires archaeological testing in order to identify if Aboriginal objects and archaeological deposit are present.	Additional archaeological testing has taken place and an addendum to the report has been provided with the submission response.
OEH is concerned with some Specific Recommendations. In Specific Recommendation 1, it is stated that testing of the PAD must occur in accordance with the Code of Practice and that if the methodology specified in the Code cannot be followed, then an AHIP will be required. As this project is being assessed as State Significant Development, there is no requirement for the Code of Practice to be followed, or for an AHIP to be sought under s.90 of the National Parks and Wildlife Act 1974 at any stage.	Noted. This has been incorporated into an amended archaeological report and is discussed in full in Section 4.8.
Special Recommendation 3 states that three copies of the report should be forwarded to Metropolitan Branch of OEH. Instead, one hard and one electronic copy should be forwarded to the AHIMS Registrar (Office of Environment and Heritage, PO Box 1967, Hurstville NSW 1481).	Noted. An amendment to the Archaeological Report and the Statement of Commitments has been undertaken to reflect this.

COMMENT	RESPONSE
<i>Floodplain Risk Management Aspects</i>	
OEH is aware that Penrith City Council is currently preparing an overland flood study for the Penrith CBD, which includes the Station Street site. Preliminary results from the flood study suggest that the 164 Station Street site is subject to minor isolated overland flooding.	Refer below.
The EA acknowledges the overland flooding and advises that this will be addressed through stormwater and site layout. This is considered a reasonable approach.	Noted.
Whilst the modelled overland flooding is unlikely to be mapped as hazardous, the proposed construction of multiple structures can concentrate overland flow velocities and depth. The overland flow path system should be designed to ensure public safety and to divert flow away from building entrances and the entrances to the basement car parks.	This has been addressed in relation to Council's submission.
Basement car parks should be designed to have access above the Flood Planning level and to ensure safe egress of pedestrians via separate route in the event of floods greater than the Flood Planning level. Emergency management and response should consider flooding up to the Probable Maximum Flood (PMF).	This has been addressed in relation to Council's submission.
<b>Sydney Water</b>	
Section 73 Certificate is required.	Noted. A Section 75W certificate will be sought for the Project Application and at detailed assessment of each of the Concept Plan stages.

## PUBLIC SUBMISSIONS

The response to issues identified in public submissions is provided in the following table.

TABLE 8 – RESPONSE TO PUBLIC SUBMISSIONS

COMMENT	RESPONSE
<b>Land Use</b>	
The application has prohibited uses under the Penrith LEP.	The majority of the development is permitted with development consent in accordance with the provisions of the LEP including the residential, tavern and retail components of the Concept Plan. The only exception is the proposed Masters development (the subject of the Project Application) which includes bulky goods, hardware and building supplies and garden centre uses. This is discussed further below.
Bulky goods and timber and building supplies are both prohibited in the R4 zone.	Under the Part 3A transitional provisions (EP&A Act) bulky goods and timber and building supplies can be approved in the R4 zone. While bulky goods, hardware and building supplies and garden centre uses are prohibited in the R4 zone, the Stage 1 site is considered to be appropriate. The Masters Store is located on the southern portion of the site allowing co-location of the store with the retail uses associated with Centro development.
The development is inconsistent with the objectives of the zone.	<p>Section 5.1.11 of the EA addressed the objectives of the zone. As noted, the development is generally consistent with the land use objectives as follows:</p> <ul style="list-style-type: none"> <li>Provides a residential environment through provision of residential flat buildings.</li> <li>Has the ability to provide a number of unit types which will be determined prior to lodged of Development Applications for Stages 2 to 6.</li> <li>Schedule 1 of the Penrith City Centre LEP allows for additional permitted uses of up to 43,000sqm of non-residential development, in addition to the non-residential uses that are permitted under the R4 zone provisions. Provision of ground floor neighbourhood shops/cafes, tavern, public plaza and other associated work which will provide facilities or services to meet the day to day needs of future residents.</li> <li>Ability to provide units at an affordable price (refer below).</li> </ul>
No affordable housing has been allocated.	The residential component of the Concept Plan allows for provision of modern architecturally designed dwellings at an affordable price. The proposed development will result in considerable social benefits through the provision of housing

COMMENT	RESPONSE
	that is affordable for the local community, as well as the public domain improvements that will benefit both existing and likely future residents within the site and surrounding local area. The residential flat buildings will be subject to future detailed design through the Development Application process for Stages 2 - 6 with Penrith Council.
The proposed development does not meet site specific provisions for location of retail in that development for the purposes of retail premises in excess of 3,000sqm is prohibited and is not located on the northern part of the site.	This is discussed in full in Section 2.4.
<b>Compatibility with surrounding development</b>	
The proposed development locates bulky goods retail uses on the southern part of the site with residential and minor commercial uses on the northern part of the site. This is at odds with the nature of surrounding land uses residential to the east, north and south and community facilities on Woodruff Street including two child care centres and a pre-school.	It is noted that there are a number of childcare facilities in the vicinity of the site located along Woodruff Street. These facilities will provide important services for future residents on the site as part of the Concept Plan. The Traffic Report noted that the traffic generation of the proposed development will be less than the previously approved development for the site.
The southern part of the site is most removed from the railway station and the activity centre of Penrith. The desired land use and urban form for the southern part of the site is residential with densities and height transitioning to the lower density residential areas to the south and east.	This issue has been addressed and the residential uses are now located to the south of the site.
The design of the development is such that access to the loading docks will be from Woodruff Street adjacent to dwelling houses and community facilities and, more importantly, adjacent to future high density residential development to the north of the Masters site on the remainder of the site.	The loading dock is a relatively passive area and deliveries will cease in the evening period. The loading area is to be treated through a landscape mound to Woodruff Street to provide appropriate presentation to the public domain and to reduce any amenity impacts
<b>Impact on amenity</b>	
Objection to the proposed tavern as close to sporting venues so sporting patrons may drink before attending sport events, increasing risk of alcohol related violence.	A Social Impact Assessment will be carried out at Stage 6 of the Concept Plan (containing the proposed Tavern) assessing the impacts of the development in context of the surrounding land uses. This will be submitted with Development Application documentation for assessment by Penrith Council.

COMMENT	RESPONSE
<b>Height</b>	
Objection to the proposed housing part of the proposal, due to excessive height (up to 8 storeys) which is more than double the normal height of flats in Penrith. The number of dwellings (density) is also more than any other development in the Penrith area.	The site is located within Penrith City Centre when increased density housing is appropriate due to its proximity to public transport, facilities and employment opportunities. The LEP provided maximum height limits across the site of 20 metres; with a portion of land in the south west that has a maximum height of 24 metres. The proposed development includes residential flat buildings up to ten storeys in height, which equates a maximum height of approximately 32 metres. This is considered to be appropriate in the sites location in Penrith City Centre and to signify its gateway location. The proposed heights allow for a varied and animated skyline which a building arrangement which prevents overshadowing.
<b>State and Regional Planning Direction</b>	
The proposal compromises Council's ability to deliver Governments housing targets	The proposal is consistent with the provisions of the draft Subregional Strategy as it will provide high density residential development on an infill site located within walking distance of a sub-regional shopping centre, a more traditional shopping strip and high frequency public transport services. Further, the residential buildings will be able to accommodate housing types and sizes that can be made available at an affordable price point which meets the needs of the local market. The proposed ground floor non-residential uses will accommodate retail and commercial activities to service the future local residents, as well as providing for an active streetscape with good natural surveillance.
The site previously underwent an uplift from restrictive 4(b) to R4 high density residential as part of Master planning process. An important element of this process was the involvement of the landowner in the design process to arrive at an acceptable solution for the site. The land use strategy for the site has been incorporated into the LEP and DCP.	The Concept Plan predominantly includes residential development. An assessment of the consistency of the scheme with the LEP and DCP has been provided in the EA and elsewhere within this response.
<b>Part 3A status</b>	
The site has no resemblance to the original proposal with substantial amendments including new land uses and should not be allowed to continue under Part 3A.	Since the original Director-General's Environmental Assessment Requirements were issued, consultation with Department of Planning and Infrastructure (DPI) was undertaken regarding the amendments to the design. As a result, supplementary DGRs were issued on 6 September 2012 which reflect the proposed Concept Plan and Project Application.

COMMENT	RESPONSE
Council should be the consent authority assessing the application rather than the DPI.	As a project to which Part 3A of the EP&A Act applies (and now the transitional provisions of Part 3A), DPI are the appropriate consent authority for the project. Council will assess DAs under Part 4 of the EP&A Act for stages 2 - 6 of the Concept Plan.
<b>Staging</b>	
The Masters development is the only commitment in Stage 1 and this is taking precedence over Council's residential objectives.	The residential components will be provided in accordance with Stages 2-6 of the Concept Plan as detailed in the EA.
The EA claims that the development is justified because there is currently no market for residential development. Yet there is no commitment to the development of the remainder of the site for residential purposes. Commitment to future residential stages is questionable.	As noted in the EA, the proposed staging of residential land in the Concept Plan allows for the release of residential units to the market in a sustainable manner and will assist in creating a competitive market though the provision of appropriate housing choice. Consistent with the approved 2008 Master plan scheme, no residential use is proposed in the first stages of the Concept Plan.
Concern for the potential of the site to transgress into a retail based shopping precinct as opposed to high density residential precinct.	The Concept Plan seeks to provide a Concept Plan for future development on the site. Stage 2-6 contain residential development with only minor retail components to service the local residents. A retail based shopping precinct does not form part of this application.
The tavern could have the potential to be converted into shops under the amendments being considered to the SEPP exempt and complying. It could become a new supermarket based shopping precinct acting as an expansion to the adjoining Nepean Centro complex. This would allow retail within and outside commercial centres avoiding proper planning assessment.	The Concept Plan includes a tavern for the use of local and future residents. There are no plans to convert this into shops and is not a consideration for this application.
The bulk and scale of warehouse are not compatible with the surrounding land uses.	The bulk and scale of the Masters development is consistent with the retail uses immediately to the north and the large scale sporting precinct to the east.
The development compromises Penrith Business Alliance's Penrith Progression project.	Consultation with Penrith Business Alliance was undertaken as part of the pre lodgement consultation process. No details of the Penrith Business Alliance's Penrith Progression project has been provided.



COMMENT	RESPONSE
<b>Location of bulky goods</b>	
Bulky goods location contradicts the surrounding uses - Oval, Paceway, Stadium.	<p>The surrounding uses consist of large floor plate uses including a variety of sporting and recreational activities such as the Penrith Showground, Penrith Stadium, Penrith Park and Howell Oval. Jamison Park is located to the south east on the opposite side of Jamison Road. The proposed Masters use does not contradict these uses but presents a new home improvement offering to the market which will increase economic competition in the specialised home improvement field and consumer choice while attracting trade from surrounding areas.</p> <p>Currently, there are a number of single storey industrial / warehouse style buildings currently on the northern portion of the site which are being used for a variety of light industrial purposes. The Masters use is consistent in presentation and provides a more appropriate and improved use on the site.</p>
The location of bulky goods contradicts DPI's Draft Centres Policy.	<p>The DPI's Draft Centres Policy states that bulky developments would typically be more suitable to major centres or town centres than neighbourhood centres. The Policy states that the B5 (Business Development) zone should be used for clusters of large floor plate bulky goods premises that cannot be accommodated in centres. The Masters development is located within the Penrith City Centre and is considered appropriate in context of the opportunities presented by the site.</p>
Mulgoa Road is a more appropriate location for Masters which hasn't been fully explored.	<p>The EIA identifies two other sites within the Mulgoa Road precinct which could potentially accommodate a Masters store. The EIA concludes that the Nepean Green site offers superior outcomes in terms of visibility and accessibility, as well as being located within the CBD.</p>
The Masters development should be located in an industrial area.	<p>The location of the Masters Store is considered appropriate adjacent to the exiting retail within the Centro site immediately to the north and in close proximity to retail uses associated with Penrith City Centre and the railway station.</p>
<p>There are other alternative sites for the retail component of the proposal that are appropriately zoned and available within Penrith City local government area. These include:</p> <ul style="list-style-type: none"> <li>▪ A site at St Marys for which there is a development consent in place for a Masters store.</li> </ul>	<p>An Economic Impact Assessment (EIA) accompanied the EA which provided an assessment of alternative sites in accordance with the DRR requirements. The EIA identified two potential sites within the Penrith Bulky Goods / Homemaker Precinct around Mulgoa Road and an L-shaped site at the Castlereagh Road / Andrews Road intersection in North Penrith which could accommodate a Masters. These sites have issues relating to accessibility, visibility, potential site works costs, or distance from the CBD.</p>

COMMENT	RESPONSE
<ul style="list-style-type: none"> <li>Sites at North Penrith on Castlereagh Road. This suggests that a failure to approve this application would not deprive the residents of Penrith the benefits from a Masters store as there is one approved already at St Marys</li> </ul>	Due to the emergence of the approved Masters store at St Mary's, the Main Trade Area for Masters at Nepean Green generally extends in a northern and southern direction. The projected impacts on the proposed store at St Mary's will have been factored into Masters own network growth analysis.
Objection to the location of the Masters Store so close to the Penrith CBD	The Masters is appropriately located in the Penrith CBD. It is appropriately located with frontage to an arterial road for high visibility and ease of access.
The Masters development is poorly designed and an over powering building in a highly sensitive position of Penrith.	The design and built form of the Masters Store is discussed in Section 4.1.
<b>Location of licensed premises</b>	
The proposal includes the introduction of a licensed premises in close proximity to others in the area.	<p>A CPTED assessed was prepared as part of the EA submission which states the following:</p> <p><i>The tavern was also identified as an area for careful management. It was suggested that most of the licensed premises in Penrith town centre have closed down, leaving limited licensed premises options for patrons leaving Centre bet Stadium on game nights. As a result, it was identified that hours of operation will be important to consider, as well as spill over from Centre bet Stadium at these times. The thoroughfare from Penrith Panthers should be considered in terms of pedestrian crossings and pathways, and a security management plan will be required to demonstrate that the tavern will not have a detrimental effect on the area.</i></p> <p>...</p> <p><i>It is noted that 24/7 CCTV at the tavern, as well as security guards during operating hours, is proposed. This will be particularly important at night, given the proximity of the tavern to adjoining residential units.</i></p> <p>Accordingly, the recommendations of this report will be incorporated into the detailed design of Stage 6 of the Concept Plan which includes the tavern. These recommendations form a Statement of Commitment for the Concept Plan.</p>

COMMENT	RESPONSE
<b>Traffic and accessibility</b>	
The proposal will require upgrades to the surrounding road network.	<p>The Traffic Report concludes that the following upgrades are required and these works will be carried out at Stage 1:</p> <ul style="list-style-type: none"> <li>▪ The intersection of Station Street with Ransley Street is proposed to be signalised, with a fourth approach providing access to the Masters site;</li> <li>▪ Give way controls at the t-intersections of the new internal road with Station Street and Woodriff Street;</li> </ul>
The Masters Store relies on private vehicle access and not public transport.	An analysis of the traffic generation from Masters has been included in the Traffic Report. This is based on an assessment of similar bulky good generation rates.
The Masters site will put significant strain on the Station Street/Jamison Road roundabout.	<p>The Traffic Report finds the following:</p> <p><i>The roundabout controlled intersections of Jamison Road with Station Street and Woodriff Street, and of Woodriff Street with Derby Street, would operate with average delays for the highest delayed movements of less than 20 seconds per vehicle during peak periods. This represents level of service B, a good level of service.</i></p>
The main customer entry proposed off Jamison Road will force westbound vehicles to drive past the entry in the Station St/Jamison Rd roundabout. This has not been adequately addressed.	The main Masters entrance is via Station Street.
The right turn lane proposed on Station Street for the secondary customer entry raises more concerns about the impact on increased traffic movements on the Station Street and Jamison Road roundabout. If the number of vehicles exceed the capacity of the turning lane this will block vehicle movement in a north bound direction along Station Street which will force a bank up of traffic to the roundabout.	The Traffic Report finds that with the proposed upgrades, the road network will be able to cater for the additional traffic from the proposed development.
A minimum requirement would be the widening of Station St between Jamison Road and Ransley Street to four lanes and corresponding upgrades to the roundabout.	This upgrade is not justified based on the traffic assessment.

COMMENT	RESPONSE
Panthers traffic assessment was based on the previous Parkview scheme. The introduction of Masters could place additional pressure on the road network.	As noted in the Traffic Report, traffic generation of the proposed development would be less than the generation of the previously approved development. Previous studies, including the transport study for the Panthers planning proposal, have included allowance for development previously envisaged on the subject site.
Traffic generation for the residential component has been underestimated as they are based on high density residential development in major centres near transport nodes which is not reflective of the site and its location.	The Traffic Report bases its assessment of traffic generation on a breakdown of uses. For the residential component, the report uses the RMS's 'Guide to Traffic Generating Developments' which indicates that high density residential developments in CBD locations generate 0.24 vehicles per hour per apartment (two-way) at peak times. On this basis, the 570 residential apartments would generate some 140 vehicles per hour two-way at peak times. Separate rates have been used to assess the Masters, neighbourhood retail and Tavern uses.
Given the traffic generation potential, the study area impacts will need to be extended to consider key feeder intersections on Mulgoa Rd, Great Western Highway / Mulgoa Road as a minimum.	This is clarified in the Traffic Report provided in Appendix O.
The Traffic Report does not show queue lengths currently on Jamison Road past Station Street which will be further exacerbated.	This is clarified in the Traffic Report provided in Appendix O.
It is unclear how background weekend traffic on adjacent surrounding roads was determined as no weekend daily profile was provided.	This is clarified in the Traffic Report provided in Appendix O.
Traffic conflicts of proposed intense use with surrounding uses such as Panthers, Paceway on Saturdays which requires further assessment.	An assessment of the proposed uses in context of the existing traffic generation has been provided in the Traffic Report. This includes assessment of traffic generated on surrounding sites.
The Project Application should be linked to upgrade works on Mulgoa/Jamison Rd intersection.	This is not a requirement resulting from the traffic assessment.
It should be noted that Penrith Stadium and surrounding sporting precinct is currently the subject of a master plan which will increase stadium capacity and alter the character of Ransley Street. This will impact on Station Street.	No information is publically available on the master plan for the changes associated with Ransley Street.

COMMENT	RESPONSE
High traffic volumes associated with a larger catchment area for the proposed Masters store peaks on weekends and mornings and evenings and will result in new vehicular trips travelling greater distances.	The Traffic Report includes an assessment of traffic generated on weekends and weekday evenings.
There will be significant activity in early mornings and later in the evenings from trades' people attending the trade centre to purchase supplies on their way to a job or on the way home ready for next day. This together with trucks arriving in the morning (sometimes before opening and waiting with engines running in the surrounding streets) will result in traffic generation and associated noise incompatible with the residential character of the area and inappropriate in this location.	The Noise Assessment states that 6 masters service vehicles which will be accessing the site from Woodriff Street into New Street 1 to enter the North Side of masters for deliveries and disposal to exit the premises from the north western corner onto Station Street on any given day. Management of the loading dock forms a Statement of Commitment. These additional movements have also been included in this assessment. The investigation into noise associated with additional traffic movements revealed that any increased traffic flows will cause either no noise increase to existing roadways or compliance with INP criteria for increased traffic volumes on surrounding roadways and would not adversely impact on the acoustic amenity of surrounding residential receivers.
The introduction of the new and large bulky goods retail store within the fringe location (Jamison Road) previously planned as a gateway residential estate will introduce high volumes of traffic including large service vehicles (semi-trailers and potentially BDoubles if that application is made), which will result in residential amenity impacts for the existing and proposed residential area surrounding the Masters store (to the east and south as well as to the north where new dwellings are proposed).	The traffic impacts have been assessed in the Traffic Report which finds that with the new roads and intersections proposed, the road network will be able to cater for the additional traffic from the proposed development. Additionally, an acoustic report has provided an assessment of traffic impacts on amenity of the residential development. The proposed hours of deliveries and 'back of house activities' associated with the Masters Store align with the retail opening hours. Accordingly, this will cease at 10pm during week days and 8pm on the weekends. This reduces potential acoustic impacts and avoids sleep arousal which would occur between 10pm and 7am.
High traffic volumes associated with a larger catchment area for the proposed Masters store peaks on weekends and mornings and evenings and will result in new vehicular trips travelling greater distances.	The Traffic Report includes an assessment of traffic generated on weekends and weekday evenings.
There will be significant activity in early mornings and later in the evenings from trades' people attending the trade centre to purchase supplies on their way to a job or on the way home ready for next day. This together with trucks arriving in the morning will result in traffic generation and associated noise incompatible with the residential character of the area and inappropriate in this location.	Servicing of the Masters development would be carried out during operating hours which would not exceed 10pm. The Noise Assessment states that 6 Masters service vehicles which will be accessing the site from Woodriff Street into New Street 1 to enter the North Side of masters for deliveries and disposal to exit the premises from the north western corner onto Station Street on any given day. These additional movements have also been included and concludes that increased traffic flows will cause either no noise increase to existing roadways or compliance with INP criteria for increased traffic volumes on

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	surrounding roadways and would not adversely impact on the acoustic amenity of surrounding residential receivers.
Bulky goods retail establishments draw the majority of trade from private car travel. The larger trade area will introduce vehicular trips from beyond the localise precinct.	The traffic generation from the proposed Masters development has been assessed in the Traffic Report submitted with this PPR. The Traffic Report concludes that with the new roads and intersections proposed, the road network will be able to cater for the additional traffic from the proposed development.
<b>Net Community Benefit</b>	
The proposal does not present a net community benefit is inconsistent with the strategic direction for Penrith city as determined by the Department of Planning and Council. The proposal will create a precedent or create or change the expectations of the landowner or other landholders because the Stage 1 project application is inconsistent with the Penrith City Centre Plan, the City Centre LEP and the City Centre DCP, and consequently with the State metropolitan strategy and the draft subregional strategy.	<p>The proposal is consistent with the State metropolitan strategy by providing appropriate residential and retail development which encourages the efficient and economic use of existing urban land in the city centre. This will contribute to meeting local and subregional housing targets, while complementing Penrith's status as a Regional City. The proposal is consistent with key elements of the Metropolitan Strategy for Sydney 2036 and the Draft North West Subregional Strategy as it will provide high density residential development which will be achieved on an infill site located within walking distance of a sub-regional shopping centre, a more traditional shopping strip and high frequency public transport services. Further, the residential buildings will be able to accommodate housing types and sizes that can be made available at an affordable price point which meets the needs of the local market.</p> <p>The proposed ground floor non-residential uses will accommodate retail and commercial activities to service the future local residents, as well as providing for an active streetscape with good natural surveillance.</p>
The LEP will not facilitate permanent employment generating activity. This is because any expenditure on this site would simply be transferred from other sites suitable for the proposed development and capable of accommodating such development on land zoned for the purpose. The development would result in a reduction in employment in other centres as a consequence of transferring expenditure. The Stage 1 project application is a development of a kind presently already available in the area at St Marys (approval) and in other areas such as Mulgoa Road and Castlereagh Road precincts.	<p>As noted in the EA:</p> <ul style="list-style-type: none"> <li>▪ The proposed development will not result in the loss of any employment lands.</li> <li>▪ The site is zoned R4 High Density Residential and will accommodate predominantly residential and retail uses.</li> <li>▪ The proposed Stage 1 works for the Masters Store is anticipated to have a positive impact on the ability of the site to generate employment. It will generate employment for approximately 130-150 employees full time, part time and casual).</li> </ul>

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As there is no point of difference to other retail facilities, it can be expected that employment generation overall will not change but merely transfer from elsewhere.	<ul style="list-style-type: none"> <li>▪ In addition, the project will generate approximately 180 jobs during construction. Importantly many of the ongoing and construction jobs will be filled by people in Penrith and the north west subregion which will be beneficial to the local economy.</li> <li>▪ It is anticipated that the Masters Store will attract further investment and assist in contributing to the profile of the city centre area.</li> </ul>
The concept plan reduces the dwelling potential of the site by approximately half thus reducing the ability of the site to meet the metropolitan dwelling targets for the subregion. This would have an adverse impact on affordability by removing land suitable for housing.	The proposed residential development will assist in meeting the housing targets in the North West Subregion. The Concept Plan provides mixed use development on underutilised land in the Penrith City Centre area. The proposal would include diverse housing within the precinct to promote housing affordability and diverse communities near public transport. As previously discussed, it is anticipated that there will not be any substantial loss on the supply of residential land as housing is anticipated to be provided on additional sites nearby (e.g. Penrith Panthers site) that were not previously forecast to accommodate residential development.
The Stage 1 project application is not consistent with DCP provisions for improved pedestrian access and street activation. The development will bring additional car and truck based trips into the surrounding residential area and will represent an “island” hardware store in a “sea” of residential development.	This has been addressed in the design amendments as document in Section 2.3 and 2.4.
The development is likely to increase vehicle kilometres travelled because of the isolation of the proposed development from other bulky goods precincts increasing distances travelled for comparison shopping.	The site is located in close proximity to public transport. Bicycle parking and pedestrian connections are included in the proposed development. The Economic Impact Assessment concludes that the proposed Masters Store will reduce travel times for Penrith residents and trades workers seeking to access a range of home improvement products and services. Additionally, a Travel Access Guide will also be prepared to encourage transport modes other than private vehicles. The scale of the development is unlikely to generate any perceived Greenhouse Gas impacts.
There will be no significant improvement to the public domain with the proposed new public subdivision road not completed and with an unattractive address to the rear of the development opposite future high density residential.	It is considered that the Preferred Project is responsive to the site context and surrounding land uses and has considerable merit as discussed in Section 2.4.

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There are alternative sites for the retail component of the proposal that are appropriately zoned and available within Penrith City local government area. This suggests that a failure to approve this application would not deprive the residents of Penrith the benefits from a Masters store as there is already a Masters store approved in Penrith and the ability for other stores to establish elsewhere on land zoned for this purpose.	The Economic Impact Assessment concludes that the Home Improvement Store will result in increased competition within the home improvement sector with greater choice and price savings for consumers.
The Stage 1 project application can be considered to be a standalone proposal as it is isolated from all other retail functions and is not intended to serve the immediate needs of surrounding residents. There is no potential for the surrounding area to develop into a centre in this context.	The Masters Store is now located to the north of the site allowing co-location of retail uses. It is also adjacent to the entertainment precinct including Penrith Panthers and Leagues Club to the west. Accordingly, the site is located within an existing centre and surrounded by established existing uses.
It is considered that there is no public interest in proceeding with this development. This public interest can be realised by progressing the planning of this site, and the other land within the area, in a manner that reflects the key intentions of the State and local government planning strategies. The implications of not proceeding with the development at this time is that a significant site in close proximity to the city centre would remain as a land bank or could be developed for residential purposes in accordance with the current zoning of the site which reflects the strategic planning intentions of the Council and the State government.	The Concept Plan for residential development and neighbourhood shops will enable people to living in Penrith City Centre and access existing and proposed retail services and transport which is in close proximity to the site. The Masters Store will improve competition and diversity of home improvement products which will lead to better prices and services to customers. Additionally, it will generate approximately 130 to 150 staff (full time, part time and casual). Each store will generate approximately 377 employment multipliers (including 186 direct jobs per store during construction). If the proposal was not progressed, the site which is in a prime location in an identified city centre and Regional City, would remain vacant and underutilised. It is unlikely that this opportunity would be available from a national tenant to allow the site to be developed providing the community benefits stated above. The Masters Store will allow development to commence in the immediate future.
<b>Poor Urban Design Outcome for Town Centre Gateway Location</b>	
<p>It is noted that the EA dismisses many of these because they are “No longer relevant to this application”. This is not an adequate response to the DG’s EARS. It is apparent that the Stage 1 project application:</p> <ul style="list-style-type: none"> <li>does not provide active frontages to any of the four streets it fronts (three existing, one proposed).</li> </ul>	<p>A number of the DGRs remained in place from the original proposal. However a response is provided below:</p> <ul style="list-style-type: none"> <li>The Preferred Project locates active uses along the border of the sports precinct encouraging the flow of people into the site, aligning the plaza with Ransley Street and integrating the non-residential uses.</li> <li>Opportunities for all weather protection will be determined</li> </ul>



COMMENT	RESPONSE
<ul style="list-style-type: none"> <li>▪ All weather protection is not provided to retail streets with the development turning its back on the new street with loading docks opposite future residential development.</li> <li>▪ There is no provision of pedestrian access throughout the site. Such access is supposed to run north south from Centro to Jamison Road.</li> <li>▪ Does not provide an appropriate interface with the adjoining land including the future residential land to the north and the residential areas to the south and east. The significant additional traffic, particularly at nights and weekends is incompatible with the character of the surrounding area.</li> <li>▪ The development is completely inconsistent with the site specific precinct design principles and design outcomes provided in the PCC DCP 2007.</li> <li>▪ This site represents a gateway location to the city centre from the south. The development does not respond to this in any manner. It is an opportunistic development of a standard large box format inconsistent with the planning controls and the surrounding land uses.</li> </ul>	<p>along the neighbourhood retail streets where residents are more likely to access by foot.</p> <ul style="list-style-type: none"> <li>▪ Pedestrian access is provided through a new access road which goes north west through the site.</li> <li>▪ The project is appropriate in context of its location within the Penrith City Centre.</li> <li>▪ Compliance with the DCP is discussed below.</li> </ul>
<b>Inconsistent with DCP Provisions on Urban Design</b>	
<p>Substantial non-compliance with the provisions of the DCP:</p> <p>New street is incomplete and facilitates only access to loading docks</p> <p>No open space provided</p> <p>Public domain interface is blank walls, service areas and car parking with limited landscaping. No landscaping to new public street.</p> <p>No new pedestrian connection through southern part of the site</p> <p>new public street not provided; no landscaping to new public street. No connection between Station Street and Woodruff Street provided</p> <p>The development is not permissible under the</p>	<p>The following points are made with regard to consistency with the DCP:</p> <ul style="list-style-type: none"> <li>▪ The new street is intended to connect Station Street to Woodruff Street. This will be constructed as part of the Stage 1 works.</li> <li>▪ The land to the west and north west of the site comprises a variety of sporting and recreational activities including Penrith Showground, Penrith Stadium, Penrith Park and Howell Oval which will be utilised by future residents. Jamison Park is also located to the south east on the opposite side of Jamison Road and Judges Park is located to the north of the site. Given the abundance of open space for passive and active recreation in the vicinity of the site,</li> </ul>

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<p>LEP as it provides too much retail space in the wrong location.</p> <p>Residential setbacks ignored</p> <p>No distinctive corner treatment provided</p>	<p>the DCP control for 2.53h is not considered to be justified in the circumstances.</p> <ul style="list-style-type: none"> <li>▪ The proposed communal and public open space for future residents exceeds the Residential Flat Design Code requirements at approximately 58% of the site. This will be developed further as part of the detailed design as part of the individual stages of the Concept Plan. However, the provision of open space will be addressed as future stages of the Concept Plan and detailed designs progressed.</li> <li>▪ Public domain interface is treated with the creation of a setback and visual vegetative buffer including an avenue of buffer trees along the proposed new road to the south of the Masters Store and the north of the future residential development.</li> <li>▪ The Concept Plan provides for a new pedestrian circulation network which will enhance the existing public pedestrian walkways along Station Street and Woodriff Street. Cross site footpaths are provided along the new access roads and link with the existing main roads and provide north to south through site links. Internal access paths also provide links between individual residential buildings and the new access roads and the future plaza area will also provide access into the site.</li> <li>▪ An assessment of the proposal against the key LEP controls has being provided in the EA and in Section 2.4.</li> <li>▪ Appropriate building separations and setbacks have been applied throughout the master plan and all building envelopes are aligned and scaled to reinforce streetscapes and the public domain.</li> </ul>
<b>Visual Impacts</b>	
<p>Tall buildings obscuring views to the mountains.</p>	<p>There are currently no views to the mountains from Woodriff Street and therefore no impact is anticipated.</p>
<b>Stormwater</b>	
<p>The proponent should be asked to fully assess the impacts of runoff on the Mulgoa Road / Jamison Road drainage infrastructure for major and minor storm events. It is highly likely that OSD will be required to avoid creation of additional flooding impacts from increased runoff.</p>	<p>Informal discussions with Penrith City Council have indicated that onsite detention is not required for the subject area; however, post development flows are not to adversely impact on existing drainage systems.</p>

## **Stadia Strategy 2010**

In email correspondence from DPI dated 23 January 2013, it was requested that the Stadia Strategy 2010 be considered in the assessment of the Preferred Project in context of:

- Identifying the need to consider options for tier 2 stadia in western Sydney
- The importance of master plans for future stadium developments.

The Stadia Strategy aims to provide a vision for the future of stadia in NSW. Under the strategy, Penrith Stadium is classed as a Tier 2 stadium with '*a total capacity of between 20,000 and 40,000; some corporate facilities; home grounds for sporting teams playing in national competitions*'.

The strategy also states:

*The strategy includes another Tier 2 stadium in Western Sydney. Further consideration of the options for this stadium is required and could include redeveloping an existing stadium or developing a new stadium in a strategic location.*

However, it is also noted that concerns were raised about current stadia provision and use including having a large number of stadia means costs are spreading across a large number of venues and it is difficult to find the funding to maintain contemporary standards. The following is noted in the Strategy:

- Stakeholders have suggested that there are too many Tier 2 stadia in Greater Sydney, and the present decentralised approach leads to underutilisation of venues.
- There has been significant investment across a range of Tier 2 stadia in recent years; however this has not been linked to a term plan.
- Owners and users have indicated that some Stadia need major upgrades before they can meet the expectations of spectators and sports organisations in terms of facilities and access.
- Given the large number of Tier 2 stadia, it is challenging to maintain current stadia at the level required to host elite competition.

The strategy acknowledges that the model generally regarded as leading practice for stadia provision comprises a small number of high quality, centrally located and adequately sized stadia with good transport access and a surrounding entertainment precinct. With consideration to these, it would be more appropriate to focus funding on redevelop the existing Tier 2 stadium in close proximity to transport and existing sporting precinct than to develop a new Tier 2 stadium.

While the site is located adjacent to the Penrith Stadium and entertainment precinct, the site lends itself to residential development and appropriate retail development in a city centre location. The proposal offers the opportunity to expand the active areas by having the future plaza and tavern in close proximity to Ransley Street.

It is considered that developing master plans for Tier 2 stadia should focus on redevelopment of the existing stadium in Western Sydney particularly given its strategic location in relation to transport, spectator experience and facilities.



## Appendix Y

## Architectural Statement

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