

Appendix E

Response to Public and Agency Submissions

Public Submissions

| ISSUE | DESCRIPTION | RESPONSIBILITY |
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| Use of Part 3A | <ul style="list-style-type: none"> The application has been significantly amended for the third time and is beyond the realm of the old Part 3A system. The current proposal for the northern part of the site does not represent a variation to the concept plan as originally envisaged at the time the development was declared a major project or at the time DGRs were issued. | <ul style="list-style-type: none"> This issue has previously been addressed in the response to submissions in the PPR. The proposed development is permitted under the transitional Part 3A provisions. It should be noted that the uses, GFA, apartment number and parking rates did not change as a result of the Preferred Project and remain as proposed in the EA. |
| Traffic and parking | <ul style="list-style-type: none"> The area is already subject to heavy traffic. The proposal would still require further road upgrades. Station Street would require significant upgrade between Ransley Street and High Street to handle the increased traffic flow. The Masters store will introduce high volumes of traffic including large service vehicles, which will result in residential amenity impacts for the existing and proposed residential area. High traffic volumes associated with the proposed Masters Store peaks on weekends and mornings and evenings will result in new vehicular trips travelling greater distances. There will be significant activity in early mornings and later in the evenings from trades' people attending the trade centre. This together with trucks arriving in the morning will result in traffic generation and associated noise. Bulky goods retail establishments draw the majority of trade. The larger trade area of these large bulky goods stores will introduce vehicular trips from beyond the local precinct. The combination of traffic estimates with existing traffic has potential to prevent efficient traffic movement in locality. Having service vehicles directed towards Station Street as proposed will cause addition conflict with existing traffic generation. The traffic analysis needs to review traffic impacts at | <p>With the road and intersection works proposed, the road network will be able to cater for the additional development traffic.</p> <p>The number of Masters service vehicles will be relatively low, and includes a mix of vans, rigid trucks and semi-trailers. Station Street and Ransley Street currently carry heavy vehicles to and from the Penrith CBD, including for the adjacent shopping centre. These streets are appropriate for use by Masters service vehicles.</p> <p>On-site parking for the tavern is considered to be appropriate, as discussed in the traffic report submitted with the Part 3A application, in paragraphs 3.26 to 3.30.</p> <p>On-street parking in Station Street is discussed in paragraphs 3.80 to 3.83 and 3.88. The provision of appropriate road works to cater for development of the site (regardless of the form of that development) will result in changes to parking along frontage roads.</p> <p>The traffic and accessibility impact study submitted with the</p> |

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| | <p>the busiest times for surrounding activities.</p> <ul style="list-style-type: none"> ▪ The proposed parking is not sufficient for the development and will result in additional strain on on-street parking. It is proposed to only provide 70 of the supposed 120 spaces for the tavern. This increases the reliance on remaining on-street parking. ▪ The amended scheme will result in loss of on street parking on Station Street. | <p>amended planning proposal assesses the traffic and parking implications of the proposed development. Assessment of these matters has not been deferred.</p> |
| | <ul style="list-style-type: none"> ▪ Based on the potential traffic impacts it is not appropriate to defer any Traffic Management Plan. | |
| Traffic Report | <p>With regard to the Traffic Report:</p> <ul style="list-style-type: none"> ▪ Traffic generation potential for residential component has remained unchanged without addressing previous concerns. ▪ The report does not address queue lengths at all major intersections particularly on Jamison Road past Station Street. ▪ No operational assessment has been undertaken at the intersection of Great Western Highway/Mulgoa Road. ▪ There are discrepancies between the Traffic Report of May 2013 and August 2012. The 'plus development' traffic flows for key road segments have reduced substantially without justification. These major differences will influence traffic flows on key segments on the higher order road network and the operational performance of key intersections. ▪ No information is provided in the Traffic Report relating to the scope and nature of the road improvements that are required or the staging of these; ▪ No assessment is provided as to the road improvements proposed in the Traffic Report are compatible with the long term strategic road improvements; ▪ It is unclear whether the cumulative assessment satisfactorily deals with the weekend | <p>As the scale of the residential development is similar to the previous proposal, its traffic generation will also be similar.</p> <p>Queue lengths are included in the SIDRA analysis previously provided to the authorities.</p> <p>The report has assessed the operations of the intersections closest to the site, which will be most affected by the additional development traffic. The intersection of Great Western Highway with Mulgoa Road is further from the site and will be less affected than these intersections.</p> <p>The differences in traffic increases on surrounding roads, compared to the previous report, is because the development has changed. Its layout and access arrangements are substantially different to the previous proposal.</p> <p>Road works proposed in association with the development are discussed in paragraphs 3.2, 3.36 – 3.38, 3.40 – 3.41 and 3.58 to 3.60 of the traffic report. The traffic signals at Station Street/Ransley Street would be constructed in the first stage, in association with the Masters store.</p> |

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| | <p>impacts;</p> <ul style="list-style-type: none"> ▪ No account has been taken of any growth in background traffic volumes. ▪ The assessment is very sensitive to the adopted trip rate of 0.24 veh/hr/apartment, which is the applicable RMS trip rate for high density residential development in a regional centre. It is considered appropriate to undertake sensitivity testing using the RMS trip rate for a sub-regional centre of 0.29 trips per space. ▪ The previous traffic study for the site adopted a trip rate of 5.65 trips/100m² and if this is applied to the proposed 1,800sqm tavern, the resultant generation will be 102 veh/hr. The 60 veh/hr adopted for the tavern is an underestimate. | <p>Long term strategic improvements and background traffic growth have been addressed in association with the previous broader studies for the wider area, which include allowance for a larger development (in traffic generation terms) on the subject site.</p> <p>Weekend traffic effects are addressed in the traffic report, as noted in paragraphs 2.16 – 2.26 and 3.44 – 3.60. The previously approved development on the site, which would have generated higher traffic flows than the proposed development, included a significant component of retail development which would be busy on weekends. As noted in the traffic report, previous transport studies have taken the development of this site into account.</p> <p>The traffic generation rate of 0.24 vehicles per hour per apartment is the RMS rate for high density apartments in CBD environments, such as the proposed development. It is therefore considered appropriate for the assessment of traffic implications. For the 570 apartments proposed, the difference between a traffic generation rate of 0.24 and 0.29 vehicles per hour per apartment is equal to less than 30 vehicles per hour two-way. The assessment is not sensitive to such a small difference.</p> <p>As noted in the traffic report, the traffic assessment for the previously approved development on the site included allowance for 60 vehicles per hour for a larger tavern than now proposed. The traffic assessment for the current proposal is based on 60 vehicles per hour which is therefore considered to be conservatively high.</p> |

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| Net Community Benefit | <p>The development is not in the public interest or of community benefit as:</p> <ul style="list-style-type: none"> ▪ The concept plan application and Stage 1 project applications are not consistent with the regional strategic direction. The development is contrary to defined strategic planning direction creating a precedent in expectation. ▪ The development will not facilitate permanent employment generating activity. The development would result in a reduction in employment in other centres as a consequence of transferring expenditure. ▪ The application is not consistent with DCP provisions for improved pedestrian access and street activation. ▪ The development is likely to increase vehicle kilometres because of the isolation of the proposed development from other bulky goods precincts increasing distances travelled for comparison shopping. ▪ There is already a Masters store approved in Penrith LGA. | <ul style="list-style-type: none"> ▪ 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. This is documented further in the PPR. ▪ The proposal will facilitate the provision of economic and employment benefits arising from the non-residential components and the increased diversity of housing provided through the residential component. ▪ The proposal provides for pedestrian access and street activation in the following ways: <ul style="list-style-type: none"> – Incorporates a high level of pedestrian connectivity to nearby employment in Penrith City Centre. – Provides for a diversity of housing types within close proximity to Penrith rail transport node. – Improves overall connectivity within and throughout the site particularly between Centro Nepean and Jamison Road, to the benefit of existing and future residents. ▪ The proposal will result in reduced travel times for Penrith residents and trades workers seeking to access a range of home improvement products and services and, accordingly, potential vehicle emission savings (particularly from trades vehicles) by minimising the need for customers to travel greater distances to make purchases. ▪ The approved Masters Store at St Marys has been taken into |

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| | | consideration in the Economic Impact Assessment provided as part of the EA. |
| Stormwater | <ul style="list-style-type: none"> ▪ The Mott McDonald report does not appreciate the stormwater flooding concerns in relation to the impact of 100 year post development flows. Any increase in the peak major post development flows would impact on Panthers land. ▪ The proponent should be required to fully assess the impacts of the increased post development runoff on the downstream Jamison Road and Mulgoa Rd drainage infrastructure for both the minor (5yr) and the major (100 year) storm events and not just assess the capacity of the existing pipe infrastructure and OSD for the minor (5 year event). ▪ It is highly likely that OSD to restrict 100 year post-development flows to pre-development levels will be required for all parts of the development to avoid additional 100 year flooding impacts at Jamison Road and Mulgoa Road arising from the increased runoff. ▪ No information is provided as to how development traffic has been distributed onto the road network. ▪ No intersection concept layouts have been provided for an understanding of the nature of proposed arrangements. ▪ No assessment has been made of the performance of the cross intersection of New Street II and the Masters car park access, with New Street I. These roads are both only 8 metres wide with no opportunity for turning lanes. The 'give way' control requires assessment based on the SIDRA modelling. No information concerning the proposed geometry or performance at the intersection of New Road I with either Station Street or Woodriff Street. ▪ There is no provision for 75% of the retail parking under Council's DCP, only providing parking for tenants at 1/100m2. | See response prepared by Mott MacDonald which advises that stormwater will be managed noting use of OSD. |

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| | <ul style="list-style-type: none"> ▪ Servicing is proposed to occur on-street. With a 2.6m wide parking bay required for servicing under Austroads and with an 8.0m wide carriageway, the balance of 5.4m will be insufficient for safe two-way flow to occur. | |
| Pedestrian Safety | Station Street between Jamison Road and High Street is a high use pedestrian zone which has not been addressed. | <p>The specific requirements and needs of the future residents and employees, including access to the Penrith CBD, and local services and facilities, will be incorporated in the travel access guide to support the objectives of encouraging the use of public transport.</p> <p>The principles of the travel access guide, to be developed in consultation with Council, RMS, Sydney Buses and other stakeholders, will include the following: identify existing bus routes which stop adjacent and close to the site, including the location of bus stops and pedestrian crossings at signalised intersections.</p> <p>Further, new pedestrian links will be provided through the site, along the new streets which are proposed to connect Station Street with Woodriff Street.</p> |
| Water supply | The proposal will put additional strain on water supply. | Initial investigations would indicate that servicing can be managed. |
| View loss | The development restricts views of the mountains. | There are currently no views to the mountains from Woodriff Street and therefore no impact is anticipated. |
| Pollution | The development will result in increased population and pollution which will affect people's health. | Pollution is considered to be mainly associated with construction. These impacts can be adequately dealt with through appropriate conditions of consent. |
| Strategic | <ul style="list-style-type: none"> ▪ The amendment does little to address the strategic context of a bulky goods facility | The site is located within Penrith City Centre (and Regional City) and the future use for residential development is |

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| Alignment | development. It continues to contravene the Draft Centres Policy. | consistent with the preferred approach of the NSW Draft Centres Policy by providing areas for people to live and work and by locating commercial development in activity centres. |
| Permissibility | The proposed development does not meet the provisions of the LEP in that development for the purposes of retail premises in excess of 3,000m ² is prohibited. The proposed development is prohibited. | 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 Stage 1 works) which includes bulky goods, hardware and building supplies and garden centre uses. This is discussed further in the response to submissions provided in the PPR document. |
| Alternative Sites | <ul style="list-style-type: none"> ▪ The site is unsuitable for the proposed Masters development. It is not located on an arterial road and is removed from Jamison Road. It is accessed from local roads. ▪ Insufficient consideration has been given to alternative sites on Mulgoa Road and Castlereagh Road that are more suited for bulky goods/hardware and building supplies developments. | The Economic Impact Assessment (EIA) accompanied the EA provided an assessment of alternative sites in accordance with the DGR 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. Refer to comments in section 4. |
| Urban Design | <ul style="list-style-type: none"> ▪ The typical 'big box' design and extensive external car parking are out of context with the grain and scale of the neighbourhood, particularly the adjacent residential precincts to the east. The inability of the development to address the streets with compatible urban form instead of parking and loading docks results in incompatibility with the emerging form and the desired future character of the area. | The PPR incorporates a change to the original proposal by swapping the residential component and the Masters store. This switch locates the retail uses and associated car park immediately adjacent to the existing Centro Nepean, which is a compatible use and built form. The associated car park has a direct link to a new intersection with Ransley Street, which is a good outcome in terms of traffic management, particularly as it is now located away from the existing and proposed residential areas. The back of house area has been located |

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| | | <p>where it can be appropriately screened due the large reserve and setback to Woodriff Street where no footpath is currently included. The proposed residential component now knits together with the existing residential to the east and south.</p> <p>The disposition of proposed typologies therefore considers the existing uses, which are retail to the north, leisure to the west, and residential to the south and east.</p> |
| | <ul style="list-style-type: none"> The residential area to the east addresses the loading dock and will suffer amenity loss from loading activity including delivery vehicles waiting to unload in the mornings. The proposed high wall and limited landscaping is an inadequate response to this incompatibility of land use. | <p>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 which is considered appropriate to maintain residential amenity.</p> |
| | <p>The Stage 1 project application:</p> <ul style="list-style-type: none"> Does not provide active frontages to any of the streets it fronts (two existing, one proposed); All weather protection is not provided to retail streets with the development turning its back on the new street with loading docks opposite residential development; There is no provision of pedestrian access throughout the site. Such access is intended to run north south from Centro to Jamison Road; Does not provide appropriate interface with the adjoining land including the future residential land to the south and the residential areas to the east. The additional traffic, particularly at nights and weekends is incompatible with the area; The development is inconsistent with the site specific precinct design principles and design outcomes in the DCP. | <ul style="list-style-type: none"> 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. 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. Opportunities for all weather protection will be determined along the neighbourhood retail streets where residents are more likely to access by foot. Pedestrian access is provided through a new access road |

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| | | <p>which goes north west through the site.</p> <ul style="list-style-type: none"> ▪ The project is appropriate in context of its location within the Penrith City Centre. ▪ Compliance with the DCP was discussed in the Revised PPR documents. |
| Amenity | <p>The proposed development will have an adverse impact on the amenity of the local area as a consequence of:</p> <ul style="list-style-type: none"> ▪ Adverse traffic impacts, particularly at weekends, and mornings and nights with the new traffic environment on Jamison Road and Woodriff Street incompatible with the character of the surrounding existing and proposed residential development; ▪ An urban form that is out of character with the surrounding residential environment; ▪ Increased heavy vehicle movements in a residential area; ▪ Incompatible land uses with high traffic generating retailing trading long hours adjacent to residential uses. | <ul style="list-style-type: none"> ▪ The traffic generation of the proposed development will be less than the previously approved development for the site. ▪ The amendment to the concept plan provides a design solution for delivery of high quality design outcome for both the residential component and the Masters Store. 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. ▪ The amendments to the concept plan as part of the PPR avoids the need for service vehicles to be directed towards Station Street and causing potential conflict with existing traffic generation. |
| | <ul style="list-style-type: none"> ▪ The proximity of the proposed tavern to the stadium will result in potential adverse social impacts and will result in potential amenity impacts on surrounding residential development; ▪ The PPR and associated traffic report makes no allowance for the proposed future expansion of the Stadium; ▪ The open at grade car park forming part of the Masters development will be used by | |

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| | <p>visitors to the stadium;</p> <ul style="list-style-type: none"> ▪ The capacity of Ransley Street appears limited with event traffic potentially conflicting with traffic flows to Masters. | |
| Commitment to Residential | <p>The application does not address the concern regarding the proponent's commitment to residential development.</p> <p>The site is intended to accommodate about 1,100. The proposed development reduces this to 570 dwellings. There is nothing about the proposed Masters development that is mixed use. It is a development for the purpose of bulky goods, hardware and building supplies.</p> <p>The reduced dwelling capacity undermines the achievement of the Metropolitan Strategy target. Further the Masters development occupies the majority of the site.</p> | <p>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.</p> |
| Tavern Development | <p>There is no social impact statement that deals with the need for a tavern, or how or by whom the proposed tavern will be operated. It needs to be dealt with in detail and should not be part of the concept plan.</p> | <p>A Social Impact Statement will be prepared in association with the Stage 3 works which include the tavern development. No consent is sought to carry out Stage 3 works in this application. This has specifically added as a Statement of Commitment to demonstrate the applicant's commitment to this.</p> |

Agency Submissions

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| Office of Environment and Heritage | The additional information regarding stormwater has adequately addressed overland flows and basement parking. | Noted. |
| | OEH supports the management recommendations regarding the aboriginal archaeology. OEH requests that surface and sub-surface impacts to the Richmond Unit are minimised. | Noted. |
| | OEH has no further interest in the application. | Noted. |
| NSW Office of Water | No approval are required for piling works or excavation works above the groundwater table. If groundwater is likely to be intercepted or extracted a licence may be required from the Office of Water under Part 5 of the Water Act 1912. | Noted. |
| | Generally, a groundwater dewatering licence would be required where the total extraction of groundwater during the dewatering period exceeds 3.0 megalitres per annum. The Office of Water can advise on the need for a water licence. | Noted. |
| | The Office of Water supports the Preliminary Geotechnical Assessment report with regard to boreholes, test pits and groundwater monitoring wells. | Noted. |
| Transport for NSW | TfNSW supports Council's view in regards to inadequate details of SIDRA analysis and outputs. It is recommended that a review be undertaken for the SIDRA models developed for this project by an independent party. | Electronic and hard copies of the SIDRA files have been provided to DPI. |
| | The applicant has not assessed the potential impacts to bus services due to the increase in traffic generation, in particular those operating on Station Street and using the proposed signalised Station Street and Ransley Street intersection. The applicant must demonstrate that the potential impacts do not have detrimental impacts to bus services, including bus | As noted in the traffic report, with the proposed road works, the road network will be able to cater for the traffic, including existing traffic and traffic from the proposed development. It is anticipated that there will be increases |

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| | <p>operation at bus stops. Any identified impacts must be clearly explained and measures to mitigate these must be clearly detailed and committed to being enforced.</p> | <p>in passengers using adjacent bus services due to the increase in population on the site. To the extent that this introduces additional stops or increases dwell times, it is consistent with government objectives to increase use of public transport and support their efficient and viable operation.</p> <p>As noted in the traffic report, there is an existing bus stop on the northern side of Station Street, opposite the site. Pedestrians will be able to cross Station Street using the proposed traffic signals at the intersection of Station Street with Ransley Street.</p> <p>However, it is noted that the majority of pedestrian movements to and from the site will be between the site and the CBD to the north. These will be readily catered for by the existing footpaths along Station Street and Woodriff Street, and by the proposed new road and pedestrian network within the site.</p> <p>New bus stops are normally provided subject to demand as identified by operators. A bus stop could be provided on Station Street, adjacent to the site, if considered appropriate, by condition of consent.</p> |
| | <p>The Concept Plan should include locations of relocated bus stops on both Jamison Road and Station Street within immediate vicinity of the main pedestrian access paths to the residential site and the Masters. TfNSW advises that the relocated corresponding bus stops should be designed with appropriate seating and shelter.</p> | <p>See responses to matters above.</p> |

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| | The Concept Plan should include the provision of pedestrian crossing facilities on Station Street and Jamison Road at bus stop. TfNSW considers the Masters to have suitable pedestrian access to the bus stop on the Station Street. | See responses to matters above. |
| | The Project Application should include a condition requiring the preparation of a Construction Traffic Management Plan to specify any potential impacts to bus services operating on roads within the vicinity of the proposal site from construction vehicles during construction. Any impacts to pedestrian access or public transport infrastructure must be specified. | A construction traffic management plan was submitted in association with the application. It is likely that this plan will be modified once more detailed construction methodology is known. A condition of consent to update the plan and address these matters in more detail would therefore be appropriate. |
| Penrith Local Area Command | The development will further impact on the congestion in the area and impact on residents, visitors to the area and potentially retail trade of existing retail outlets in the Penrith CBD and road users choke the area. | As noted above, with the proposed road and intersection works, the road network will be able to cater for the additional traffic from the proposed development. |
| | <p>The intersection of Ransley Street and Station Penrith needs to be re-designed to cope with congestion and a four way signalised intersection should be considered. A pedestrian and/or refuge needs to be installed mid way down Ransley Street as pedestrian traffic volumes will be high particularly during major events. Taxi bays should be provided on Station Street, Penrith. The foot paths on Station Street need to be upgraded to assist with greater pedestrian volumes.</p> <p>The roundabout at York Road cross of Jamison Road and Station Streets cross of Jamison Road, Penrith should be assessed for consideration of a fourway signalised intersections.</p> <p>Any road engineering proposals must be put before the local traffic committee (LTC) with the RMS providing input.</p> | <p>To the extent that a pedestrian refuge in Ransley Street and a taxi rank and wider footpaths in Station Street are warranted by major events, they should be considered as matters separate to the proposed development. However, the ability for pedestrians to cross Ransley Street will be significantly improved by the proposed traffic signals at Station Street and Ransley Street. The existing footpaths in Station Street will readily cater for pedestrians to and from the proposed development.</p> <p>The matter of the roundabouts at Jamison Road/Station Street and Jamison Road Woodriff Street/York Road is discussed in the traffic report in paragraphs 3.56, 3.74 and 3.75.</p> |

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| | | Regulatory changes requiring traffic committee approval will be subject to future consideration by traffic committee. |
| | Locating a “bulky goods” in the middle of a CBD presents access problems, carpark area problems from Ransley Street. | While the intent of this comment is unclear, the proposed signalised intersection on Station Street with Ransley Street will provide appropriate access to the Masters store. |
| | <p>Issues in relation to Stage 3 and a two storey tavern:</p> <ul style="list-style-type: none"> Penrith Local Area Command is opposed to the Tavern due to the increased impact on the community. There is already a cluster of Registered Clubs and Hotels within the Central Business District of Penrith. To add another Tavern would have a negative cumulative impact. Public buses within the area do not run late into the night and would further drain the limited amount of taxis. The ‘plaza’ civic space outside the proposed tavern is an area of concern and has the potential for crime, loitering, vandalism and antisocial behaviour, particularly at night. The proposed developed combined with a large residential area in all likely hood will have a high impact on residents through vandalism, trespassing property damaged, noise, anti-social behaviour and further violence. | Stage 3 works will be subject to a separate Development Application and will include assessment of the necessary CPTED requirements. This includes the provision of a Social Impact Assessment relating to the tavern development. A Statement of Commitments is provided to ensure that the conclusions of the CPTED assessment which accompanied the EA are incorporated into later development stages. |
| | <p>Stage 2 needs to consider CPTED principals.</p> <ul style="list-style-type: none"> Clear and distinct signage should be placed on the exterior of the buildings advising that entry into the premises is for residents only. The street number of the complexes should be easily seen from the street to assist in response times for emergency services. The front boundary fences needs to be free from areas of concealment with clear sight lines | Consent is not sought to carry out Stage 2 works. As discussed above, these recommendations will be incorporated into the design for Stage 2 and document as part of the Development Application for these works. |

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| | <p>for pedestrians approaching the property.</p> <ul style="list-style-type: none"> ▪ Security intercom or keyed systems at entry points into the building and car park will increase the security and safety of the residents. ▪ A disabled pathway is extremely valuable, it is recommended that all doorways are wide enough to accommodate a wheelchair into all public areas including the lift together with individual units. Disabled car spaces should be clearly identifiable. <ul style="list-style-type: none"> ▪ The car-park entrances should be well lit at all times and transitional lighting should be installed. ▪ Security entry into the car parks will be necessary to ensure the rest of the building is secure. ▪ Bright clear lighting is essential in underground car parks. Ensure that adequate lights are installed and are maintained. ▪ The carparks should be accessible for residents and their guests only with security access by intercom or swipe card. ▪ Opportunities for concealment located within the car park area in void spaces identified need to be addressed. Clear signage needs to be in place throughout the car park to indicate exit routes, no parking areas, direction to facilities and disabled carspaces. ▪ The egress stairs need to be clearly marked to provide access to the street in the event of an evacuation ▪ It is important that any lift walls or doors have glass panels and/or mirrors to add to the supervision of the car park and extending to other floors through visibility into and out of the lift. ▪ Security keys, Intercom and Video surveillance will increase the safety of the residents at the | |

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| | <p>entrance and exit point of the car park, inside the lift and the lift waiting area.</p> <ul style="list-style-type: none"> ▪ The fire exit or egress doors leading from the car park should be clearly sign posted with illuminated directional signage. ▪ External lighting should be installed to clearly illuminate the building surrounds and incorporate the entrances, mailbox area, and car-park entrance/exit. After an agreed time at night this could change to motion lighting. All lighting should be monitored and regularly maintained to ensure there are no darkened areas in the grounds. ▪ Lighting in stairwells and common areas should allow people to climb the stairs and enter their home units without the lights turning off automatically. ▪ The rear common outdoor area should be secured from street access with fencing that minimises the risk of graffiti and providing access to the property. ▪ Police have been aware that at times criminals will use the top floor of Units to observe the surrounding townhouse/villa complexes to select victims for future offences such as property theft, while the owners are away from home. ▪ Clear signage on the entrance to the recycling area needs to be in place to assist residents finding their way. | |

Council Submission

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| Part 3A | <ul style="list-style-type: none"> ▪ The current proposal is not that which was issued DGRs within the terms of Part 3A and the transitional provisions. It is false to say it is because it generically includes retail and housing. ▪ There is no assurance nor evidence that any of the subsequent stages of the development will ever be brought forward. ▪ The proposal is also inconsistent with the State Government's policy of returning planning powers to local Councils. | <p>The GFA, apartment number and parking rates do not change as a result of the Preferred Project and remain as proposed in the EA. The proposed uses are also consistent with the DRGs and therefore the project is subject to the transitional provisions.</p> <p>The residential components will be provided in accordance with Stages 2-6 of the Concept Plan.</p> <p>The project can be assessed and determined in accordance with the relevant provisions for a Part 3A transitional project for assessment by DPI.</p> |
| Consistency with Metropolitan Strategy | <p>The proposal is totally contrary to the following Metropolitan and Penrith Regional City priorities:</p> <ul style="list-style-type: none"> ▪ The subject land is the only land in Penrith CBD zoned for high density residential housing under the current and draft LEPs ▪ 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. ▪ It is strongly recommended that the Department undertake a detailed technical review and/or seek an independent peer review in relation to the proponent's residential market analysis and net community benefit test, particularly in relation to the loss of potential residential development from the site. ▪ The Stadia Precinct on adjoining lands to the west is an important element of the CBD for a contemporary, regional city. The Stage 1 proposal is at odds with and will compromise the | <p>Consideration to the Metropolitan Plan and Penrith Regional City has been provided in the EA and PPR documents. Further, the White Paper, outlining the principles and content of the Draft Legislation for the new NSW Planning System, was recently placed on public exhibition by the NSW Government. The focus of the new planning system is to facilitate the economic and employment growth of the State in an environmentally and socially sustainable manner.</p> <p>The new system will have a greater focus on evidenced based strategic planning to frame the long term development framework recognising that increased emphasis should be placed on market demand for individual proposals to stimulate development and</p> |

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| | strategy. | <p>economic growth.</p> <p>The Draft Metropolitan Strategy for Sydney to 2031 (the Draft Strategy) was exhibited in June 2013 and builds on the Metropolitan Plan for Sydney 2036. The Draft Strategy reflects the change in approach to strategic planning and development assessment as framed in the White Paper and places greater emphasis on market demand as a driver for development proposals.</p> |
| Draft LEP and DCP | <ul style="list-style-type: none"> The proposed home improvement store significantly exceeds the 3,000m2 retail floor space maximum permitted on the site. The current proposal effectively makes the site a retail site. | Refer response to public submissions above. |
| Incompatible Design | <ul style="list-style-type: none"> 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. As a southern gateway to the Penrith City Centre, the proposed development of this uniquely shaped piece of land in the City Centre is a missed opportunity. The void in potential urban form arising from the proposed external car parking area cannot be adequately compensated for through tree planting or other forms of landscaping amidst the extensive hardstand areas. | <p>The residential component to the south offers a good opportunity for marking the southern gateway to the Penrith City Centre with a landmark building at the junction of Station Street and Jamison Road.</p> <p>The location of the Masters store is a precursor to existing, similar, compatible uses at Centro Nepean to the immediate north.</p> <p>The car park is located well in respect to providing a new controlled intersection with Ransley Street. The western side of Station Street is typified by open space, or void, and therefore there is no existing built form or grain with which to be compatible.</p> |
| Design Excellence | <ul style="list-style-type: none"> The interface between proposed residential and commercial development on the site is poor in terms of overlooking from dwellings onto the roof and into the back-of-house areas of the | The residential buildings to the northern edge are orientated such that apartments do not have a direct outlook onto the Masters store. There is also a wide |

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| | <p>home improvement store.</p> <ul style="list-style-type: none"> The proposed residential development will be "pressed" between the primary access points of Jamison Road, Woodriff and Station Streets and the proposed home improvement store. This would not offer a high quality living environment and would lower the residential amenity. | <p>landscape buffer included to this edge. Were the site fully residential, this same condition and outlook would be present against the Centro Nepean development and would need to be dealt with in a similar manner.</p> <p>The residential component sits on a parcel of land that is approximately 200m by 280m. This is a size and scale that means most of the residents will be unaware of the Masters store, or the surrounding streets. Refer to the site sections and elevations for a sense of the distances between the various elements both within and outside the proposed residential area. It is inappropriate to use words such as 'pressed' in relation to a site of this scale.</p> |
| Other Available Sites | <ul style="list-style-type: none"> 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>Consideration to alternative sites has been provided in the EA and PPR document. Refer also to section 4.</p> |
| Traffic Impacts | <ul style="list-style-type: none"> 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. Significant concern is raised regarding the proponent's lack of concurrent infrastructure delivery via intersection upgrades and footpath and cycleway provision | <p>As noted above, the road, intersection, footpath and cycle paths proposed in association with the development will accommodate the transport requirements of the development.</p> |
| Site Design | <ul style="list-style-type: none"> The Woodriff Street facade of the Masters building is all 'back of house' and poorly addressed in terms of activation to contribute to an appropriate streetscape amenity. Residential blocks should address Woodriff Street, not face internally. Station Street has poor amenity with a sea of car parking and no pedestrian activation. Built form to the Jamison Road edge lacks integrity and purpose to this main road leading to | <p>The back of house area of the Masters store has been located where it can be appropriately screened due the large reserve and setback to Woodriff Street where no footpath is currently included. This is a more considered transition than is currently the case for the Centro Nepean.</p> <p>The plans for the residential are illustrative only at this stage. This does not preclude the residential buildings</p> |

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| | <p>the river and escarpment beyond.</p> <ul style="list-style-type: none"> ▪ A cycle-strategy is required within the site and along Station Street and Wooddff Street. ▪ Linkages between open spaces are poor and do not link in some cases eroding permeability. ▪ A predominant pedestrian route through the Masters car park is not supported. ▪ The extent of underground parking reduces the capacity for meaningful and quality landscaping. ▪ There is insufficient compensatory landscaping in Stage 1 for the many mature trees to be removed. A number of these trees are iconic and of high value. ▪ The tree planting method in the car park for Stage 1 is not best practice. ▪ Perimeter landscaping for Stage 1 is scant and inadequate relative to the bulk and scale of the building and surrounding activities. | <p>facing Woodriff Street during a detailed DA submission, should this be considered a better urban design outcome.</p> <p>The car park to Station Street is located well in respect to providing a new controlled intersection with Ransley Street. The western side of Station Street is typified by open space, or void, and therefore there is no existing built form or grain with which to be compatible.</p> <p>Jamison Road is provided with a taller marker building to the western end at the junction with Station Street. The remaining length of the street frontage is well defined with building faces that are both short and long. The precise geometry of these built forms will be the subject of detailed DA submissions.</p> <p>All of the streets both within the site and external to it offer the ability for cycle usage.</p> <p>The pedestrian route through the Masters store car park would be for those wishing to visit Masters on foot. It is not a short cut, so will be unlikely to be used in preference to the street footpaths. The route is also not on a pedestrian desire line as the bus stops are located further to the south.</p> <p>The basement car parks reflect the Council car parking rates. There are large areas of deep soil zones throughout the development, constituting 21% of the overall residential site or 38% of open space. This is far in excess of the RFDC minimums. The Concept Plan does not seek</p> |

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| | | approval for the specific layouts of the car parks; this will be the subject of later detailed DA submissions. |
| Access, Traffic and Transport | <ul style="list-style-type: none"> ▪ The proposal has omitted the two intersections requiring traffic and Transport signals (Jamison Road and Station Street and Jamison Road and Woodriff Street). It is anticipated that these two intersections would warrant signals based on safety and amenity grounds once the site develops. The proposal must cater for future traffic growth demand (year 2036). ▪ Signals at the intersection of Ransley Street, Station Street and the new access into the site are required but the concept configuration is not supported as it relies on a right filter turn being available into the site without a dedicated turning lane. ▪ This contradicts planning for the city centre which identifies Station Street as an important corridor for access into the CBD. ▪ The proposed road fronting Station Street and connecting to Woodriff Street has amenable access into the parking area of the site and into the future residential area. The current layout permits all movements on Station Street which provides beneficial access into the Master's site. The access should, however, be restricted by a central median in Station Street to create a left-in/left-out arrangement. ▪ The plaza and tavern creates an attractive pedestrian desire line to the Centre bet stadium and cricket fields and is displaced too far from the proposed signals. Provision for pedestrian safety must be reviewed with amenity and safety of vital importance. ▪ The original proposal included the plaza and tavern area adjacent to Ransley Street and this is still the preferred location when having regard to pedestrian signals being provided on all legs. An agreeable solution should be sought. ▪ A heavy vehicle management plan, including turn paths of the large vehicle servicing the site and its interaction with the local road environment, is required to ensure no BB lines are crossed or pedestrian paths and movements compromised. All ingress and egress service | <p>See previous comment above. The matter of the roundabouts at Jamison Road/Station Street and Jamison Road Woodriff Street/York Road is discussed in the traffic report and section 3 of this report.</p> <p>The analysis of the operation of the Station Street/Ransley Street intersection is based on shared lanes, as currently exists at the intersection. The analysis indicates that the intersection will operate appropriately under this arrangement.</p> <p>There does not appear to be any reason to restrict turning movements at the intersection of Station Street with the new road into the site. There are good sight lines along Station Street and other locations where turns are provided into private sites and public roads. Restricting these turns would result in a greater proportion of traffic from the development using Woodriff Street.</p> <p>Turning paths for new roads within the development have been prepared by Mott McDonald.</p> <p>An appropriate condition of consent could be included requiring speed humps within the Masters car park, where locations meet the criteria in AS 2890.1:2004 for their introduction.</p> |

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| | <p>truck movements must be made in a forward direction with ample internal storage provided for any queuing and loading activities. Furthermore, all car parking areas must be designed to comply with AS 2890.1 (2004). Importantly, the new loading dock egress to Woodriff Street must be designed to ensure residential impact is mitigated with regards to headlight glare and hours of operation.</p> <ul style="list-style-type: none"> ▪ Speed humps and multiple zebra crossings are to be provided within the Masters car park, particularly on any long aisles and parallel to the shopfront. | |
| Engineering General | <ul style="list-style-type: none"> ▪ Insufficient information and technical analysis has been provided to allow for a proper assessment of engineering issues associated with the proposal, particularly in regards to local flooding and stormwater. It is recognised that the civil works report advises that more detailed analysis will be undertaken and reported in association with individual Development Applications. However, issues associated with local flooding and stormwater should be addressed with the concept plan to identify shortcomings. ▪ Any project approval granted should only allow Penrith City Council to be nominated as the PCA for subdivision works ▪ A staging plan for the delivery of all civil infrastructure should be provided. ▪ The civil infrastructure staging plan, including any intersection upgrades and upgrades to existing roads, is to align with the staging plan for the development. ▪ All future public roads and drainage works are required to be in accordance with Penrith City Council's Guidelines for Engineering Works for Subdivisions and Developments to ensure that Council will accept their dedication in the future. | <p>This has been addressed in the response prepared by Mott MacDonald in Appendix D.</p> |
| Engineering External Roads | <ul style="list-style-type: none"> ▪ It is considered that 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. | <p>The requirement for RMS agreement for the signalised intersection at Station Street/Ransley Street is noted and addressed in section 3 of this report.</p> |

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| | <ul style="list-style-type: none"> ▪ 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 as is standard for a regional road. ▪ The development should promote connectivity to existing cycleway infrastructure along Jamison Road, including the provision of appropriate road crossing treatments where applicable. ▪ As detailed in the civil report, 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 occur to ensure the development provides for adequate on-street parking and pedestrian accessibility. ▪ Signalised intersections shall be subject to the approval of the RMS. | |
| Engineering Local Roads | <ul style="list-style-type: none"> ▪ There remain some concerns regarding the intersection of the proposed local road network with Station Street and Woodriff Street. Queuing of vehicles entering and leaving the site and pedestrian desire lines from the tavern to the sporting fields are of concern. Consideration should be given to intersection treatments/upgrades at these locations. ▪ Heavy vehicle access and turning paths for the Masters development are not satisfactory. Heavy vehicles turning from Woodriff Street will cross the centreline of the road which will result in vehicular conflicts and safety issues for queuing vehicles. ▪ Industrial roads generally provide a carriageway of 13m for the safe manoeuvring of heavy vehicles. ▪ A Stage 2 Road Safety Audit addressing the proposed local road network and intersection treatments should be undertaken as part of the proposal. | This has been addressed in the traffic assessment |

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| Engineering Car Parking, Access and Manoeuvrability | <ul style="list-style-type: none"> • There is a reliance on on-street parking for visitor access to the retail/commercial areas. It is proposed that on street parking only be provided on one side of the local road network. It is considered, it would be more appropriate to provide parking on both sides of the road. In this regard, a minimum carriageway width of a minimum of 11m should be applied. ▪ All car parking and manoeuvring associated with the development (including driveways, access ramp grades, turn paths, sight distance requirements, aisle widths and parking bay dimensions allowing for full door opening) shall be in accordance with AS 2890.1, A~ 2890.2, AS 2890.6 and Council's requirements. | |
| Engineering Local Flooding | <ul style="list-style-type: none"> ▪ The provided overland flow information is not consistent with Council's current draft overland flow study. Further information should be provided that allows Council to make a full assessment of the impact of overland flows, including the submission of model input/output parameters and assumptions, demonstrating compliance with Council's policy. ▪ 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. | |
| Engineering Stormwater Drainage | <ul style="list-style-type: none"> ▪ The proponent must be required to demonstrate that post-development flows will not exceed pre-development flows at all discharge locations, including the submission of model input/output information for review. It is considered that tail water assumptions of downstream pipelines are not consistent with Council's overland flow study. Council's current overland flow study has reviewed a number of systems in the vicinity of the site and further information can be provided to the proponent by Council. ▪ It is noted that a detailed storm water concept plan, including any water quality devices, for Stages 2 to 6 has not been provided at this stage for assessment. ▪ The use of enviropods is generally not supported by Council due to the likely maintenance burden. | |

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| Engineering Stormwater Quality | <ul style="list-style-type: none"> ▪ The stormwater management report includes an overview of the Quality MUSIC model used to assess the water quality treatment train for Treatment the proposed Stage 1 Masters Home Improvement centre. ▪ Modelling parameters for the determination of the size and configuration of WSUD elements must be in accordance with MUSIC Modelling Guidelines for New South Wales. ▪ Electronic copies of the modelling are to be submitted to the Department for review to ensure appropriateness. ▪ The stormwater management report indicates that 2 x SO kL rainwater tanks will be installed for toilet flushing and irrigation of the nursery. There are no details in the report regarding water balances and the proposed water requirements for Stage 1. The rainwater tanks are to meet 80% of non-potable demand for the development. ▪ The Statement of Commitments in the Concept Plan Preferred Project Report states that appropriate stormwater quality treatment measures are to be finalised and incorporated in the detailed development. This must be undertaken for all stages of the development as part of Development Applications. ▪ The Stormwater Treatment Measure Maintenance Plan should include a requirement that maintenance and monitoring of all stormwater treatment devices be in line with the manufacturer's recommendations and all maintenance/cleaning responsibilities for the Stormwater Treatment Measures installed on the site shall be vested with the site owner. ▪ The requirement for run-off from any car wash bay being directed to the sewer or appropriate treatment devices has been included as a Statement of Commitment . However, this commitment should also include a requirement for details of any such treatment devices to be provided in the detailed design of the waste storage area or car wash area. | |
| Safety, Security and Crime | <ul style="list-style-type: none"> ▪ The close proximity of the tavern to the Centrebet stadium and Security and plaza area presents a risk of alcohol related assault and antisocial Crime behaviour, particularly after | A Social Impact Statement will be prepared in association with the Stage 3 works which include the tavern |

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| Prevention | football games. | development. No consent is sought to carry out Stage 2 works in this application. This has specifically added as a Statement of Commitment to demonstrate the applicant's commitment to this. |
| Environmental | <p><u>Noise</u></p> <ul style="list-style-type: none"> Page 30 of the Response to Issues states that internal noise for future residential units will be assessed under separate Development Applications for Stages 2 to 6. This has not been included in the Statement of Commitments. The 2.4m high masonry wall proposed along the eastern side of the Masters Home Improvement centre, adjacent Woodriff Street, is not supported due to adverse visual impacts. It is noted that this wall is not required for noise attenuation purposes. <p><u>Land contamination</u></p> <ul style="list-style-type: none"> The Statement of Commitments (page 42) indicates that sampling will be undertaken once demolition has been undertaken on the site. This commitment should reflect the recommendations contained in the statement prepared by Geo-Logix dated 8/6/2012 as part of the original documentation. <p><u>Waste Management</u></p> <ul style="list-style-type: none"> The Statement of Commitments should be amended to include requirements that waste management be addressed for the Masters Home Improvement centre and that the design of the waste storage rooms and car wash area include details of any treatment devices to avoid contamination of stormwater. | <p><u>Noise</u></p> <ul style="list-style-type: none"> This has now been included as a Statement of Commitment. 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. <p><u>Land contamination</u></p> <ul style="list-style-type: none"> This has now been included as a Statement of Commitment. <p><u>Waste Management</u></p> <ul style="list-style-type: none"> This has now been included as a Statement of Commitment. |