

Concept Plan Approval

Section 75O and 75P of the *Environmental Planning & Assessment Act 1979*

Under delegation of the Minister for Planning and Infrastructure executed on 14 September 2011, the Planning Assessment Commission of New South Wales determine:

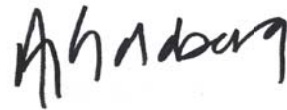
- (a) to approve the concept plan referred to in Schedule 1, subject to the terms of approval and modifications in Schedule 2, and the Statement of Commitments in Schedule 4, pursuant to section 75O of the *Environmental Planning and Assessment Act, 1979*;
- (b) pursuant to section 75P(1)(b) of the *Environmental Planning and Assessment Act, 1979*, stages 1 to 6 of the Concept Plan approval are to be subject to Part 4 or Part 5 or the Act whichever is applicable; and
- (c) under section 75P(2)(c) of the EP&A Act, where development is subject to Part 4 of the Act (other than complying development), that development is subject to the further requirements specified in Schedule 3 of this approval.



Garry West
Member of the Commission



David Furlong
Member of the Commission



Abigail Goldberg
Member of the Commission

Sydney

3 April 2014

SCHEDULE 1

Application No:	09_0192
Proponent:	Parkview Penrith Pty Limited
Approval Authority:	Minister for Planning and Infrastructure
Land:	Lot 12 DP 234581, 164 Station Street, Penrith
Project:	Concept Plan for a staged mixed use development with approximately 570 residential apartments, neighbourhood shops, food and drink premises, and tavern on Stages 1-5 and subdivision and demolition only within Stage 6.

NOTES

Responsibility for other consents / agreements

The proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

Legal Notices

Any advice or notice to the approval authority shall be served on the Director General.

DEFINITIONS

In this approval:

Advisory Notes	Advisory information relating to the approval but do not form a part of this approval
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Penrith City Council
Certifying Authority	a person who is authorised by or under section 109D of the Act to issue a construction certificate under Part 4A of the EPA Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
P&I	NSW Planning and Infrastructure or its successors
Director-General's approval, agreement or satisfaction	A written approval from the Director- General (or nominee/delegate) where the Director-General's approval, agreement or satisfaction is required under a condition of this approval, the Director-General will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Director-General may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the Applicant to respond in writing will be added to the one month period.
Environmental Assessment (EA)	the Environmental Assessment report for MP09_0192 Concept Plan and stage 1 Project Application, 164 Station Street, Penrith prepared by Urbis for Parkview Penrith Pty Limited, Volumes 1 and 2 dated September 2012.
EP&A Act (or the Act)	<i>Environmental Planning and Assessment Act 1979</i> , as amended
EP&A Regulation or Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Minister	Minister for Planning and Infrastructure, or nominee
Project	means the proposal as described in Condition A1 in Schedule 2 to this approval
Preferred Project Report (or PPR)	Preferred Project Report for MP09_0192 Concept Plan and stage 1 works for 164 Station Street, Penrith prepared by Urbis dated June 2013
Proponent	mean Parkview Penrith Pty Limited or any other person or persons who rely on this consent to carry out the development that is the subject of this consent
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Statement of Commitments	means the revised statement of commitments made by the proponent with the Submissions Report dated 8 November 2013
Subject Site	means Lot 12 DP234581 at 164 Station Street, Penrith

Submissions Report

means the Submissions Report prepared by Urbis for 164 Station Street, Penrith dated November 2013 (submitted in response to issues and submissions following exhibition of the PPR and amended proposal)

SCHEDULE 2

TERMS OF APPROVAL

PART A – ADMINISTRATIVE CONDITIONS

A1 Development Description

Concept plan approval is granted for the project generally as described below:

- (a) Use of the site for a mixed use development, in five stages (with staging as set out in A5), with:
 - Stage 1 to 5 residential/ retail development including
 - Indicative building footprint and envelopes for buildings containing approximately 570 residential apartments (approximately 60,000m²), retail floor space (995m²) and tavern (1,800m²),
 - A road layout and pedestrian network to support the development;
 - Basement and ground level parking;
 - Public plaza and communal open space areas; and
 - Landscaping throughout the site
- (b) Stage 6 subdivision and demolition works only with the future development and use of the site to be the subject of a separate application for approval under relevant legislative requirements.
- (c) As modified by the modifications described in Part B of Schedule 2 of this approval.

A2 Project in Accordance with Plans

The development shall be undertaken generally in accordance with:

- the Environmental Assessment dated September 2012 prepared by Urbis, except as amended by the Preferred Project Report dated June 2013 and as further amended by the Submissions Report dated November 2013, including all associated documents and reports;
- the Revised Statement of Commitments prepared by Urbis, section 6 of the Submissions Report dated November 2013;
- the letter and plans submitted by Urbis dated 17 March 2014; and
- the following drawings:

Concept Plans prepared by Turner & Associates			
Drawing No.	Revision	Name of Plan	Date
DA014	D	Staging Plan	17.03.2014
DA033	K	Illustrative Typical Level Plan	17.03.2014

except for:

- (1) any modifications which may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- (2) otherwise provided by the terms of this approval.

A3 Inconsistencies

- (1) In the event of any inconsistency between:
 - a) The terms of this approval and the Statement of Commitments (at Schedule 4), the terms of this approval prevail;

- b) The terms of this approval and the drawings/documents referred to in A2 and A3, the terms of this approval prevail; and
- c) Any drawing/document listed in A2 and A3 and any other drawing/document listed in A2 and A3, the most recent document shall prevail to the extent of the inconsistency.

A4 Limits of approval

- (1) This concept plan approval shall lapse five (5) years after the date of this concept plan approval, unless works the subject of any related application are physically commenced, on or before that lapse date.
- (2) To avoid any doubt, this approval does not permit the construction of any component of Stages 1 to 6 of the concept plan which will be subject to separate approval(s).
- (3) To avoid any doubt, this approval does not permit the construction of a Masters Improvement Store on Stage 6 and only provides for demolition and subdivision on the land identified as being within Stage 6.
- (4) The proponent may apply to the Director-General for approval to amend the Staging Plan.

A5 Staging

The staging of the project and the components of the staged development shall be generally in accordance with the following:

Stage 1

Approximately 15,950m² of residential development (152 apartments) comprising:

- A four storey building containing 32 apartments;
- A five to ten storey building containing 120 apartments;
- Communal open space for residents of the buildings; and
- 163 car parking spaces (152 residents spaces, eight visitor spaces and three car wash bays).

Stage 2

Approximately 8,550m² of development (90 apartments) comprising:

- A five to six storey building containing 90 apartments, and ground floor retail floor space;
- Communal open space for residents of the building;
- Neighbourhood shops/cafes of approximately 995m²;
- A tavern of approximately 1,800m²;
- Public open space with a plaza of approximately 2,300m²; and
- 166 car parking spaces (90 resident spaces, five visitor spaces, ten retail (staff) spaces, 73 tavern spaces, two car wash bays).

Stage 3

Approximately 17,450m² of residential development (166 apartments) comprising:

- A four storey building containing 48 apartments;
- A seven storey building containing 118 apartments;
- Communal open space for residents of the buildings; and
- 178 car parking spaces (166 resident spaces, nine visitor spaces, three car wash bays).

Stage 4

Approximately 12,600m² of residential development (110 apartments) comprising:

- A six storey building containing 60 apartments;
- A five storey building containing 50 apartments;
- Communal open space for residents of the buildings; and
- 118 carparking spaces (110 resident spaces, six visitor spaces, two car wash bays).

Stage 5

Approximately 5,450m² of residential development (52 apartments) comprising:

- Two x four storey buildings, one with 24 apartments and one with 28 apartments;

- Communal open space for residents of the buildings; and
- 56 car parking spaces (52 resident spaces, three visitor spaces and a car wash bay).

Stage 6

- demolition of the existing buildings on the northern portion of the site; and
- subdivision of the site to create 3 separate lots:
 - Proposed lot 11 - (4.058ha) for stages 1 to 5 of the concept plan;
 - Proposed lot 12 - (0.46ha) for the proposed new road through the centre of the site; and
 - Proposed lot 13 - (3.325ha) for the stage 6 of the concept plan.

Note: No future development or use is approved as part of this stage.

Stages 1 to 5

- Construction of the internal road network, civil and stormwater infrastructure works relevant to each stage.

This staging may be varied with future development applications, according to future market forces and requirements.

End of Part A

PART B – MODIFICATIONS OF THE CONCEPT PLAN

B1 Amended Plans

Prior to the submission of any future development application in accordance with this Concept Plan approval, amended plans in accordance with plans DA033 and DA014 dated, and submitted to the Planning Assessment Commission on, 17 March 2014, shall be approved by the Director General.

B2 Public Plaza

All public domain areas, and in particular the public plaza within stage 2, are to be provided with 24 hour, 7 day a week access. Details on any required rights of way and easements to provide for public access over privately owned publicly accessible land shall be submitted with future development applications.

B3 Traffic Median – Station Street

A traffic median shall be constructed in Station Street, to council's satisfaction, adjacent to the intersection with the proposed road (New Street 1) linking Station Street and Woodriff Street, to restrict traffic movement at this location to left in and left out only.

B4 Car Parking for the Tavern

At least 120 car parking spaces shall be provided exclusively for the use of patrons and staff of the proposed Tavern (stage 2), at a rate of approximately one space per 15m², with the concept plan and basement parking area/s being amended to increase the number of car spaces, at the same time retaining deep soil planting zones within the adjacent public plaza area.

B5 Aboriginal Cultural Heritage

In accordance with advice from the NSW Office of Environment & Heritage and consistent with the findings of the excavations, surface and sub-surface impacts to the northern section of the site are to be minimised as much as possible in order to reduce the risk of causing harm to any Aboriginal cultural heritage objects that may be located in that area.

B6 Earthworks

Any bulk earthworks are to be generally undertaken only in stages in conjunction with the development applications for each stage of the proposed development, however any earthworks required for site infrastructure, road works, drainage of the like, may be carried out (with consent) in advance of a particular stage, if the relevant areas are subsequently stabilised and grassed or landscaped so that no major areas of earth and soil are left exposed.

End of Part B

SCHEDULE 3

REQUIREMENTS FOR FUTURE APPLICATIONS

Pursuant to section 75P(2)(c) of the Act the following requirements apply, as relevant, with respect to future stages of the project to be assessed under Part 4 or 5, as relevant, of the Act:

1. DESIGN REVIEW PANEL AND DESIGN COMPETITION

The design outcomes for the final built form and landscaping for each stage of development shall exhibit design excellence.

- a) Prior to the submission of the first development application, the proponent shall establish a design review panel including at least three registered architects or architectural firms with a reputation for delivering buildings and/or the public domain of design excellence, to provide urban design and architectural review for each of stages 1 to 5.
- b) The members of the panel shall be to the satisfaction of the Director-General.
- c) A report on the findings and recommendations of the panel shall be provided with each of the future relevant applications for each of the substantive stages (stages 1 to 5) of the development, which demonstrates the proposed design having regard to the advice of the panel.
- d) For the future application which includes the 10 storey building at the key corner of Jamison Road and Station Street the proponent is to conduct a design competition for the building/s, prior to preparation and submission of the application. Such a design competition shall be conducted generally in accordance with the design competition requirements and procedures as set out in Penrith City Centre LEP 2008 and Penrith City Centre DCP.

2. DEVELOPMENT DESIGN GUIDELINES

Future applications for the site shall address the following:

- a) the built form will comply with the provisions of the State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) and the accompanying Residential Flat Design Code 2002 (or as may be subsequently revised), except where modified by this Concept Plan approval.
- b) sufficient building modulation/articulation is provided to achieve an acceptable built form.
- c) solar access to future apartments shall be consistent with the approved Concept Plan and as modified to achieve compliance with the requirements of the Residential Flat Design Code.
- d) future applications shall ensure that the internal residential amenity of the proposed apartments are not unduly affected by the noise and vibration impacts, in particular from external noise sources;
- e) ground level public frontages to buildings are to be activated and provide a transition between public and private domain.

3. ECOLOGICAL SUSTAINABLE DEVELOPMENT (ESD)

- (a) Future applications shall demonstrate that any future development will incorporate ESD principles in the design, construction and ongoing operation phases of the development, including water sensitive urban design measures, energy efficiency, recycling and water disposal.
- (b) Future applications shall include ESD strategies generally in accordance with the recommendations of the Nepean Green Project – ESD Environmental Application report prepared by Cundall consultants dated July 2012, Appendix K of the EA. They shall also have regard to relevant provisions of Penrith City Council's Sustainability Blueprint for Urban Release Areas.

4. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- (a) Future applications shall ensure all design and treatment recommendations as identified in the report Nepean Green Crime Prevention through Environmental Design (CPTED) Assessment,

Appendix O, Environmental Assessment (as revised by the addendum Appendix I PPR) are incorporated within the development.

- (b) Future applications shall include consideration of measures identified in the Crime Risk Evaluation prepared by Crime Management Unit, Penrith police, dated July 2013.

5. TAVERN (STAGE 2)

A Social Impact Statement and a Security Management Plan must be submitted with the future development application that includes the proposed tavern, which is to include information to address how crime prevention and anti-social behaviour are to be addressed.

6. PRIVACY

Future applications shall demonstrate that adequate privacy screening / treatment has been provided to minimise privacy impacts between buildings located on the site and also address privacy concerns of adjoining developments.

7. LANDSCAPING

Future applications shall include detailed landscape plans that address the following:

- (a) demonstrate that sufficient soil depth can be provided for landscaping, particularly along street frontages and over podium/basement levels (refer to Note below).
- (b) the recommendations of the Pedestrian Wind Environment Statement prepared by Windtech, Appendix N, Preferred Project Report and provide for:
 - (i) densely foliating evergreen trees capable of growing to a height of at least 5m and with a 4m wide canopy along site frontages to Station Street, Jamison Road, Woodriff Street, and along the proposed roads within the development, and
 - (ii) densely foliating trees and vegetation within the outdoor public plaza, landscape communal areas.
- (a) the Nepean Green Crime Prevention Through Environmental Design (CPTED) Assessment, Appendix O, Environmental Assessment as revised by the addendum Appendix I PPR, and in particular shall generally ensure that landscaping does not interrupt sightlines or provide opportunities for concealment.

Note: Planting on top of basement podiums or structures should be generally consistent with the recommended minimum standards, in relation to soil volumes, depths, and areas, as set out on the Residential Flat Design Code 2002, 'Rules of Thumb', Site Configuration, Planting on Structures:

8. NOISE IMPACTS

Future applications must address the findings and recommended noise mitigation measures as set out in the Revised Concept Plan Noise Impact Assessment, prepared by Acoustic Logic, revision 1, dated 3 June 2013.

9. CONTRIBUTIONS

Development contributions are required to be paid to Council towards the provision or improvement of public amenities and services at each stage of the development. The amount of the contribution will be determined in accordance with the requirements of a Planning Agreement between the Proponent and Council or, if no Planning Agreement is entered into, in accordance with the development contributions plans current at the time of approval for each stage.

10. HOUSING AFFORDABILITY

- (a) Future development applications shall identify possible locations for the provision of affordable housing within the development, with at least 3% of dwellings as affordable housing, for very low to low income households.
- (b) Future applications shall provide details of how a range of mechanisms will be employed to ensure the provision and management of such affordable housing, including any role for community housing providers or the potential use of Planning Agreements.

Note: This requirement has regard to the objectives of the R4 High Density Residential zone applying to the land, under clause 13 of Penrith City Centre LEP 2008, and in particular the objective to encourage the provision of affordable housing.

11. ACCESS

Future applications shall address the following with regard to public and private access arrangements:

- (a) A positive covenant in favour of Penrith City Council shall be created providing for full free public access to the public plaza (Stage 2)
- (b) A Management Plan shall be prepared for any future Community Title or co-operative owned land over the site to provide for the following responsibilities:
 - (i) maintenance of all the internal road network infrastructure in perpetuity;
 - (ii) cleaning of all internal roads and footpaths in perpetuity;
 - (iii) cleaning of all drainage pipelines, gully pits and gross pollutant traps in perpetuity; and
 - (iv) an adequate standard of maintenance of open space spaces and plaza/s.
- (c) An access application shall be made to Council to obtain footpath crossing and boundary alignment levels before commencing the detailed design of internal roads, driveways, paths and car park areas.

12. PUBLIC DOMAIN

Future applications shall address the following matters:

- a) The cost of all street works, including the provision of roads, footpaths, services, traffic management, traffic and parking signage, landscaping, lighting and street furniture within the development and where it connects to adjacent roads shall be provided by the developer at no cost to Penrith City Council or the Roads and Maritime Services.
- b) The provision of pedestrian and cycle linkages through the development in accordance with the approved Concept Plan, suitable for use by persons with disabilities, and in accordance with relevant Australian Standards.

13. ROADS

- (a) All future public roads and associated drainage works are required to be in accordance with Council's Guidelines for Engineering Works for Subdivisions and Developments, where Council is to accept their dedication. A one year maintenance period will follow any such dedication. Future applications shall provide for:
 - (i) Splay corners at the intersection of Jamison Road and Station Street and at the intersection of Jamison Road and Woodriff Street, to provide for any future upgrade works at these intersections, pedestrian access, appropriate provision of services and removal of any current encroachments;
 - (ii) The dedication of land 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;
 - (iii) Appropriate road crossing treatments where applicable, to promote connectivity for existing cycleway infrastructure along Jamison Road, subject to Roads Act approval;
 - (iv) Upgrade of existing road assets in the surrounding/adjacent streets, including verge regarding/filling of low level verges, reinstatement of redundant laybacks and crossings and provision of minimum 1.5m wide footpaths, along with consideration of shared cycleway facilities; and
 - (v) All proposed public footpaths being contained within the public road reserve.
- (b) Roads Act approval/s from Council will be required for any works within the road reserve areas and approval of the Local Traffic Committee will be required for the provision of any signage and line marking on public roads.
- (c) Future applications are to be accompanied by a Road Safety Audit addressing the proposed local road network and any intersection treatment/s that will need to be undertaken.

14. CAR PARKING,

Future applications shall address the following:

- a) The total amount of car parking to be provided as part of the development.

- b) An updated schedule of parking allocations shall be prepared and submitted with each subsequent application.
- c) Parking facilities (public, commercial and bicycle).
- d) The design of the parking and commercial vehicle facilities shall ensure all vehicles, including commercial vehicles, enter and exit the development in a forward direction.
- e) All loading and unloading associated with the use of the development, including servicing and deliveries for the residential apartments shall take place wholly within the site from designated service and loading bays.
- f) The proponent shall enter into an agreement with Council that will delegate powers to Council, if agreed with Council, to enforce regulatory parking signs within the internal road network.

15. PEDESTRIAN AND BICYCLE FACILITIES

Prior to the submission of the development application for each stage, the proponent is to review pedestrian and bicycle access, safety, and facilities (for each of the substantive stages 1 to 5) in consultation with Council and Transport for NSW.

This review shall consider the following:

- (a) any measures, such as pedestrian crossings, refuges and bus stops, required to be provided for pedestrian movements to and from the development.
- (b) the inclusion in each stage of the development of bicycle parking facilities and bicycle path connections.

Details of measures to be implemented are to be provided with each future development application.

16. TRAFFIC ASSESSMENT – NEW STREETS

Prior to submission of a development application for stage 1, the proponent shall undertake an assessment of the performance of the cross intersection of new street I with new street II (including SIDRA modelling, where relevant), to establish that a satisfactory level of performance and traffic movements can be provided. Findings of the assessment and any measures required to ensure a satisfactory level of service shall be detailed with the development application

17. TRAFFIC ASSESSMENT – BACKGROUND TRAFFIC GROWTH

Prior to submission of any development application for the stages of the development after stage 2, further traffic assessments are to be undertaken of the traffic impacts of the staged development in relation to any additional and cumulative impacts, including the growth in background traffic volumes, and in particular impacts on the performance of various access points into the site and adjacent intersections. Findings of the further traffic assessments and details of any measures that may be required to be implemented shall be detailed with any future development application (after stage 2).

18. NSW TRANSPORT – ROADS & MARITIME SERVICES

Future development applications shall demonstrate that any RMS requirements have been met in relation to the provision of traffic signal/s and associated road upgrades, and any other works associated with classified roads or roads controlled by the RMS.

19. SYDNEY WATER

Future development applications shall demonstrate that the Sydney Water requirements have been met in relation to water servicing, waste water servicing; and trade waste. *[Note: Documentation relating to the above, can be submitted to Sydney Water via the following email address: urbangrowth@sydneywater.com.au].*

20. STORMWATER AND DRAINAGE

Future development applications shall address the following:

- (a) a stormwater drainage system through the site comprising pipe or culvert underground conduits and overland flow paths. Any overland flow paths must convey the design flows while maintaining design freeboard at all times;

- (b) issues related to localised flooding, particularly in regard to the safe passage of overland flows (including flows through the site) and the capacity of existing stormwater infrastructure;
- (c) general consistency with Council's technical specifications for the design of stormwater management facilities, and the principles of Water Sensitive Urban Design (WSUD) having regard to the existing stormwater infrastructure servicing the site. Water recycling facilities may be considered in lieu of any Council rainwater tank requirements;
- (d) model input/output information to demonstrate that post development flows will not exceed pre-development flows at all discharge locations;
- (e) details of maintenance and monitoring of all stormwater treatment devices; and
- (f) details of treatment devices for runoff from any car wash bay.

21. CONTAMINATION AND REMEDIATION

Future development applications shall address any potential contamination on the site and implement the recommendations of the Contamination Assessment prepared by Geotechnique Pty Ltd report No. 11761/1-AA dated 2 June 2008) and as revised by recommendation in the independent review undertaken by Geo_Logix dated 8 June 2012, Appendix H of the EA.

22. GROUNDWATER AND GEOTECHNICAL ASSESSMENT

- (a) Future applications are to demonstrate that the development does not adversely impact upon groundwater. Where basements intercept groundwater, the basements are to be tanked.
- (b) Monitoring of ground water levels is to commence prior to basement design and continued throughout the construction.
- (c) Future development application shall provide for site-specific geotechnical investigation/s in accordance with the recommendations of the Preliminary Geotechnical Assessment prepared by Douglas Partners dated 25 July 2012, Appendix AA of the EA.

Note: If groundwater is likely to be intercepted or extracted a licence may be required from the NSW Office of Water under Part 5 of the Water Act 1912 in relation to construction excavation/dewatering activities depending on the volumes encountered and the duration of pumping.

23. ABORIGINAL CULTURAL HERITAGE

All future applications for each stage of development are to demonstrate the implementation of the general recommendations of the Aboriginal Cultural Heritage Assessment (ACHA) prepared by AHMS dated August 2012, Appendix T of the EA.

24. CONSTRUCTION ENVIRONMENTAL AND TRAFFIC MANAGEMENT PLANS

All future development applications are to include a stage/application specific Construction Environmental Management Plan (CEMP) that details measures to address the environmental and amenity impacts of construction.

Should any impacts be identified, the duration of the impacts and the measures proposed to mitigate these must be clearly explained and committed to being enforced.

25. STAGING OF DEVELOPMENT

- (a) Staging of the development shall be generally consistent staging set out in A5. Future applications shall provide details of the final form of staging of the development, to be submitted with the first application to ensure the orderly and coordinated development of the site.
- (b) A staging plan for the delivery of all civil infrastructure should be provided with the initial development application, including intersection upgrades and upgrades to existing roads, to align with the staging of the development and ensure key infrastructure connections are delivered appropriately.

Note: Subject to any requirements and conditions of approval, staging may be varied in sequence and timing. Essential infrastructure associated with and including, but not limited to, roads, roundabouts, bus routes, footpaths, parks, services, landscaping and environmental management, shall be constructed as specified in the staging plans listed above or as otherwise provided in these conditions and the proponent's Statement of Commitments.

End of Schedule 3

SCHEDULE 4
STATEMENT OF COMMITMENTS
(As Revised)

Dated November 2013

6 Revised Statement of Commitments

6.1 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 was prepared as part of the PPR.

The draft Statement of Commitments has now been amended to incorporate issues raised as part of the submissions from the public exhibition of the PPR document.

6.2 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.
- Internal noise for future residential units will be assessed under separate Development Applications for Stages 2 to 6.

Ecologically Sustainable Development (ESD)

- ESD principles and measures will be implemented for the project in accordance with the ESD Strategy prepared by Cundall.

- 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.
- A Social Impact Assessment will be provided as part of a Development Application for the Tavern as part of Stage 3 works.

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.

6.3 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 and October 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 in accordance with the Geo-Logix report dated 8/6/2012.

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.

Waste

- Waste management storage rooms for the Masters Home Improvement centre and car wash area are to include treatment devices to avoid contamination of stormwater.

Car Parking

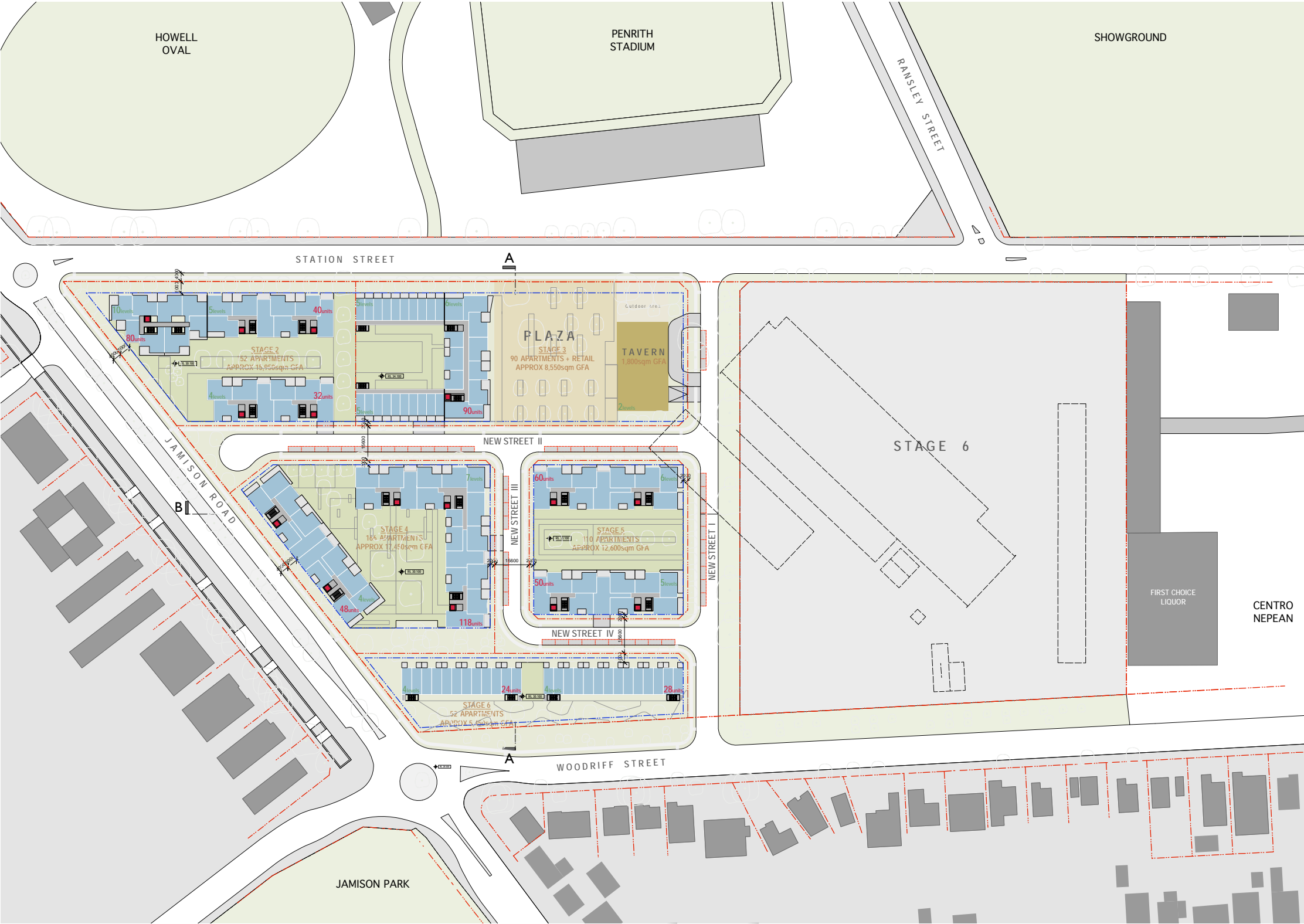
- 375 car parking spaces will be provided with appropriate disabled facilities in accordance with the Traffic Report.
- Speed humps and multiple zebra crossings are to be provided within the Masters car park where required.
- All car parking will be in accordance with relevant Australian Standards.

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

SCHEDULE 5

Plan Numbers DA014 and DA033



NOTES

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PARKVIEW PENRITH PTY LTD

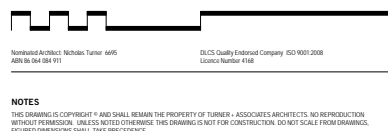
PARKVIEW
CONSTRUCTIONS • DEVELOPMENTS • PROJECTS • INTERIORS

PROJECT TITLE
**NEPEAN GREEN
164 STATION STREET
PENRITH NSW 2750**


DRAWING TITLE
Illustrative Typical Level Plan

Rev.	Date	Approved by	Revision Notes
K	17-03-14	kjd	Northern site updated
J	03-06-13	kjd	Issued for information
H	25-05-13	kjd	Plans amended
G	21-05-13	kjd	Stage 2 & 4 changes
F	16-05-13	kjd	Update to new location

SCALE 1000	@A1, 50% @A3	JOB No. 12014	DRAWN ---	DATE ---
STATUS FOR INFORMATION	DWG No. DA033	REV K	DATE ---	BY ---
TURNER + ASSOCIATES L3 410 Crown Street Surry Hills NSW 2010 Australia t +61 2 8668 0000 f +61 2 8668 0088				



PARKVIEW
CONSTRUCTIONS • DEVELOPMENTS • PROJECTS • INTERIORS

Rev	Date	Approved by	Revision Notes
SCALE 1:1000	@A1, 50% @A3	JOB No. 12014	DRAWN ...
STATUS FOR INFORMATION	DWG No. DA014	REV D	NORTH 
TURNER + ASSOCIATES			
L1 430 Crown Street Surry Hills NSW 2010 Australia t+61 2 8568 0000 f+61 2 8568 0088			