

- STATEMENT OF ENVIRONMENTAL EFFECTS -
for minor alterations and additions to premises fronting Riley Street
WESTFIELD PENRITH

Prepared for

SCENTRE GROUP

Owner and Operator of  in Australia and New Zealand

By

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Job No. 14140
August 2014

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Appendix A: Reduced plans of proposed development

1. INTRODUCTION

The Statement of Environmental Effects (SEE) has been prepared to accompany a development application for minor alterations and additions to premises fronting Riley Street at Westfield Penrith.

The proposed works relate to the installation of kitchen exhaust riser to the external building façade and roof fan and associated relocation of steel stairs. The works will provide for new tenancies that will create an enhanced active frontage to Riley Street, Penrith. The proposed works do not result in any change to leasable floor area over the Westfield site.

The SEE describes the subject property in terms of the location of the shopping centre site, the area where works are proposed and the layout of the existing area. It outlines the statutory and development controls that apply to the subject site and reviews the proposal in light of the objectives of the zone and relevant planning controls.

An environmental assessment of the proposed development with respect to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act 1979 is provided. Conclusions are drawn and relevant illustrative material is attached.

2. THE SITE AND LOCALITY

As illustrated in **Figure 1 - Location** the subject property is known as the Westfield Shopping Centre, Penrith and occupies a large parcel of land located on the southern side of the railway line and bounded between Jane Street and Henry Street, within the commercial centre of Penrith.

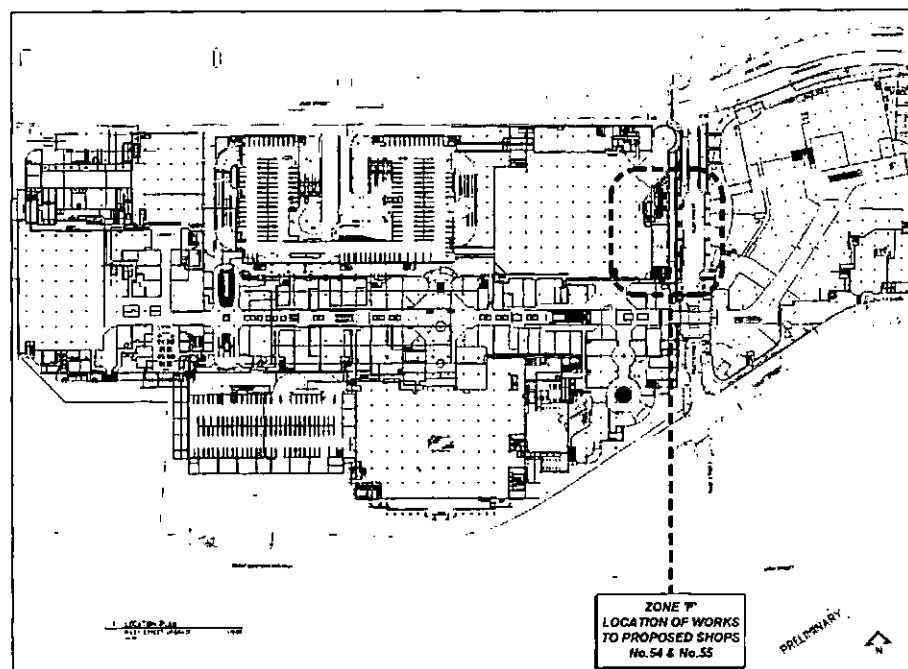


Figure 1 – Location of Proposed Works**Figure 2 – Existing Shopfronts****Figure 3 – Riley Street**

The location of the proposed works are generally within the area known as Zone F adjacent to the Riley Street frontage of the site within the Westfield Shopping Centre site as illustrated in the drawings provided as Appendices to this report.

3. PROPOSED DEVELOPMENT

It is proposed minor alterations and additions relate to shops 54 and 55. The proposed works relate to the installation of kitchen exhaust riser to the external building façade and roof fan and associated relocation of steel stairs. The works will include minor modifications to stairs and ancillary works at Level 1 and removal of exiting shopfronts. The steel stair relocation requires the removal of one car space that will be relocated in another location within the centre carpark as illustrated in the DA drawings.

A reduced plan of the proposed alterations and additions of Westfield Penrith is provided in **Appendix A**. The proposed works will allow for the provision of two new modern tenants fronting Riley Street. The proposed works will complement the ongoing upgrades within the Penrith City Centre.

There is no change to the floor space of the existing tenancies being:

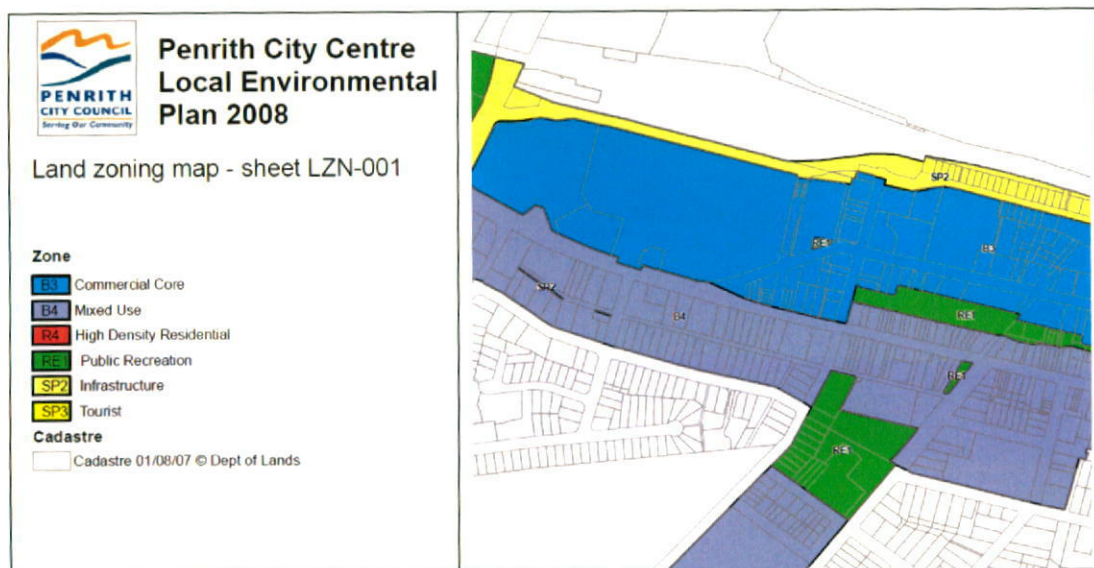
Shop No. 50 190.7 sqm
Shop No.54 219.5 sqm

A separate development application or complying development certificate by the future lessee will be lodged for fit out and new shopfronts. Any proposal to provide seating within the adjoining footpath area associated with the modern restaurant tenancies will require separate approval from Council.

4. ZONING AND DEVELOPMENT CONTROLS

4.1 Penrith Local Environmental Plan 2008

The site is zoned B3 Commercial Core pursuant to the provisions of Penrith Local Environmental Plan 2008.



Source: Extract of Zoning Map (Penrith LEP 2008)

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses which serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Penrith city centre as the business, retail and cultural centre for the region.

2 Permitted without consent

Exempt development; Roads

3 Permitted with consent

Advertising structures; Amusement centres; Backpackers' accommodation; Building identification signs; Business identification signs; Business premises; Car parks (but only as required by this Plan or public car parking provided by or on behalf of the Council); Child care centres; Clearing native vegetation; Community facilities; Demolition; Drainage; Earthworks; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Funeral chapels; Funeral homes; Helipads; Hotel accommodation; Information and education facilities; Markets; Medical centres; Mortuaries; Office premises; Passenger transport facilities; Places of public worship; Pubs; Public administration buildings; Public utility undertakings; Rainwater tanks; Recreation areas; Recreation facilities (indoor); Registered clubs; Restaurants; Restricted premises; Retail premises; Serviced apartments; Sex services premises; Take away food or drink premises; Telecommunications facilities; Temporary structures; Tourist and visitor accommodation; Utility installations

4 Prohibited

Any other development not otherwise specified in item 2 or 3

The proposed development is defined as a restaurant which is a type of food and drink premise or retail premise under the definition of the LEP. The proposed development is permissible on the site subject to development consent.

4.2 Penrith City Centre Development Control Plan 2007

Penrith City Centre Development Control Plan was adopted by Council and came into force on 1st February 2008 (amended December 2008). The aims of the plan include the following:

This DCP provides more detailed provisions expanding on the Penrith City Centre Local Environmental Plan 2008 (LEP) for development in the city centre that will:

- contribute to the growth and character of Penrith; and
- deliver a balanced social, economic and environmental outcome; and
- protect and enhance the public domain.

5. MATTERS FOR CONSIDERATION UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

5.1 The provisions of any environmental planning instrument

The proposed development is permissible in the zone and consistent with the objectives of the B3 Commercial Core zone. The proposed development will make a positive contribution to the range of uses within the commercial core providing for the needs of the local and regional community.

The proposal will strengthen the role of the Penrith City Centre as a business, retail and cultural centre. It will maintain and enhance ongoing employment opportunities in the centre and encourage the use of public transport and liveability of the CBD.

Overall, the proposal is consistent with the aims and objectives of this plan and the specific objectives for the B3 Commercial Core zone.

5.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

There are no draft environmental planning instruments of relevance to the proposal.

5.3 Any development control plan

5.3.1 Penrith City Centre Development Control Plan 2007

Clause 3.2 of Penrith City Centre DCP 2007 relates to the promotion of interesting and safe pedestrian environments within the Penrith City Centre. The DCP seeks to encourage active street frontages and enhance the interactivity of buildings with the street network. The DCP has the following objectives and controls:

Objectives

- To promote pedestrian activity and safety in the public domain.
- To maximise active street fronts in Penrith city centre.
- To define areas where active streets are required or are desirable.
- To encourage an address to the street outside of areas where active street frontages are required.

Controls

Active Street Frontages

- a) Active frontage uses are defined as one or a combination of the following at street level:
- entrance to retail;
 - shop front;
 - glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12 metres frontage;
 - café or restaurant if accompanied by an entry from the street;
 - active office uses, such as reception, if visible from the street;
 - public building if accompanied by an entry.

In regard to the current application, Fig 3.2 of the City Centre DCP 2007 specifically identifies Riley Street as a location where active street frontages are required and outdoor dining is encouraged. The proposal is consistent with the provisions of the Penrith City Centre DCP.

5.4 Any matter prescribed by the regulations that apply to the land to which the development relates

No matters of relevance are raised in regard to the proposed development.

5.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality

The likely impacts of the proposed development are summarised as follows:

Context and Setting

As discussed previously, the proposal opens up tenancies to the street by utilising the existing frontages facing the colonnade space for future tenancies providing improved activation of the Riley Street frontage.

There is no significant impact on the natural or built environment of the surrounding locality. The site is well located to public transport and is a suitable location for such a use. In terms of the built environment, the minor works do not result in any significant change to the overall built form of the centre.

Social and Economic Impacts

The proposal effectively improves the existing retail space along Riley Street by providing an enhanced restaurant dining precinct within the shopping centre. It is considered that, as there is no increase in floor space and the proposal maintains a similar use to that already approved that there will be no significant economic impact as a result of the proposed internal works.

The proposal will provide benefits to shoppers by providing an enhanced dining experience and providing greater choice and increased competition between tenancies. It will maintain and improve additional employment opportunities within the area.

Traffic and Parking

It is considered that as there is no additional floor space proposed the works will not cause any substantial increase in traffic, as the site is close to the Penrith Interchange and most visitors to the site will be regular Penrith shoppers. The peak dining period will also be outside the primary trading hours of the centre and therefore existing parking will cater for the needs of those patrons not utilising public transport.

The proposal replaces a single car space required to be removed for the proposed works with a new car space on site as indicated in the development application drawings.

BCA Compliance and Fire Safety

It is proposed that the works are not considered to result in any non-compliances with the BCA with respect to travel distance to and between exits. Therefore, the proposal is not expected to adversely effect the existing level of fire safety in the building. This matter can be addressed by an appropriate condition of consent requiring appropriate BCA compliance.

Access and Mobility

The proposal will comply with the current Australian Standard 1428 Part 2 – Design for Access and Mobility, in accordance with the DCP requirements. As with the existing tenancies the proposed shops are accessible directly from the Riley Street frontage with easy level access to internal lifts and parking areas within the shopping centre.

5.6 The suitability of the site for the development

The site is highly suited to the proposed use as it is within a major shopping centre and has all the appropriate facilities for such premises. The proposal predominantly relates to an internal reorganisation and change of floor space usage that would normally be permitted by way of complying development provisions.

The proposal is consistent with the planning objectives for the land and will not unreasonably impact on adjoining properties or the surrounding locality.

Appropriate conditions of consent can ensure that the proposal will have minimal effects on the surrounding environment during the construction stage.

5.7 Submissions made in accordance with this Act or the regulations

Submissions received following public notification (if necessary) are a matter for Council to consider.

5.8 The public interest

The proposal is considered to be in the public interest. It is consistent with the objectives and planning controls for the site as set out in Penrith City Centre LEP 2008 and DCP 2007.

6. CONCLUSION

The proposal is for minor alterations and additions to provide for future tenants within Zone F at Westfield Penrith. It has minimal potential for environmental impact and will provide improvement in retail and shopper experience and additional employment.

We support the proposal and seek Council's favourable consideration.

APPENDIX A

Reduced Set of DA Drawings