

# Statement of Environmental Effects

Hotel - St Marys Rugby League Club

May 2016

urbis

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# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Urbis on behalf of the St Marys Leagues Club (SMLC) to accompany a development application to Penrith City Council seeking consent for a new hotel building, associated car parking, landscaping and signage locations.

The SMLC is an established major community focal point providing an important source of employment, recreation, leisure, sporting and other activities to the rapidly growing residential population in the St Mary's region. The SMLC has developed a long term vision for the redevelopment of the site including a new high quality hotel which represents a significant investment in the St Mary's region.

The purpose of this report is to

- Describe the site and its surrounds;
- Provides some background to the proposal;
- Describe the components of the proposal;
- Discuss the potential environmental effects of the proposal,
- Draw conclusions as to the significance of any impacts; and
- Make a recommendation to Penrith City Council as to whether the development application should be approved.

The proposed development has been designed with close regard to the natural conditions of the site and surrounding context and with regard to the operational requirements for the Club.

The development proposal has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979; and is based on the characteristics of the site and locality, Penrith Local Environmental Plan 2010 (PLEP 2010), Penrith Development Control Plan 2014 (PDCP 2014) and other relevant state and local planning controls,

This SEE demonstrates:

- The proposed developments consistency with planning policy and controls;
- The proposal will not result in any adverse environmental impacts; and
- That the proposal will provide a public benefit by delivering new tourist and visitor accommodation and employment opportunities to the local and wider community.

This Statement of Environmental Effects is to be read in conjunction with the following supporting documentation:

NAME	AUTHOR	APPENDIX
Survey Plan	ICD Asia Pacific	Appendix A
Architectural Drawings	WMK Architecture	Appendix B
Landscape Plans	Site Image	Appendix C
Traffic and Parking Report	Colston Budd Rodgers & Kafes	Appendix D
Civil Works Report	Taylor Thomson Whitting (TTW)	Appendix E
Waste Management Plan	FDC	Appendix F
Acoustic Report	Acoustic Logic	Appendix G;
DDA Access Report	Design Confidence	Appendix H
BCA Statement	Blackett Maguire and Goldsmith	Appendix I
ESD Initiatives Report	AECOM	Appendix J
Bushfire Statement	Bushfire Planning Services	Appendix K
Penrith Development Control Plan 2014 Compliance Table	Urbis	Appendix L
Fire Engineers Statement	Exova Warringtonfire Aus Pty Ltd	Appendix M
Certificate of Title and Deposited Plan		Appendix N

## 2 Site and Surrounds

### 2.1 THE SUBJECT SITE

The SMLC is located on the eastern side of Forrester Road and the northern side of Boronia Road. The site has a total land area of approximately 23 hectares. The site is described as Lot 11 in DP 1192443.

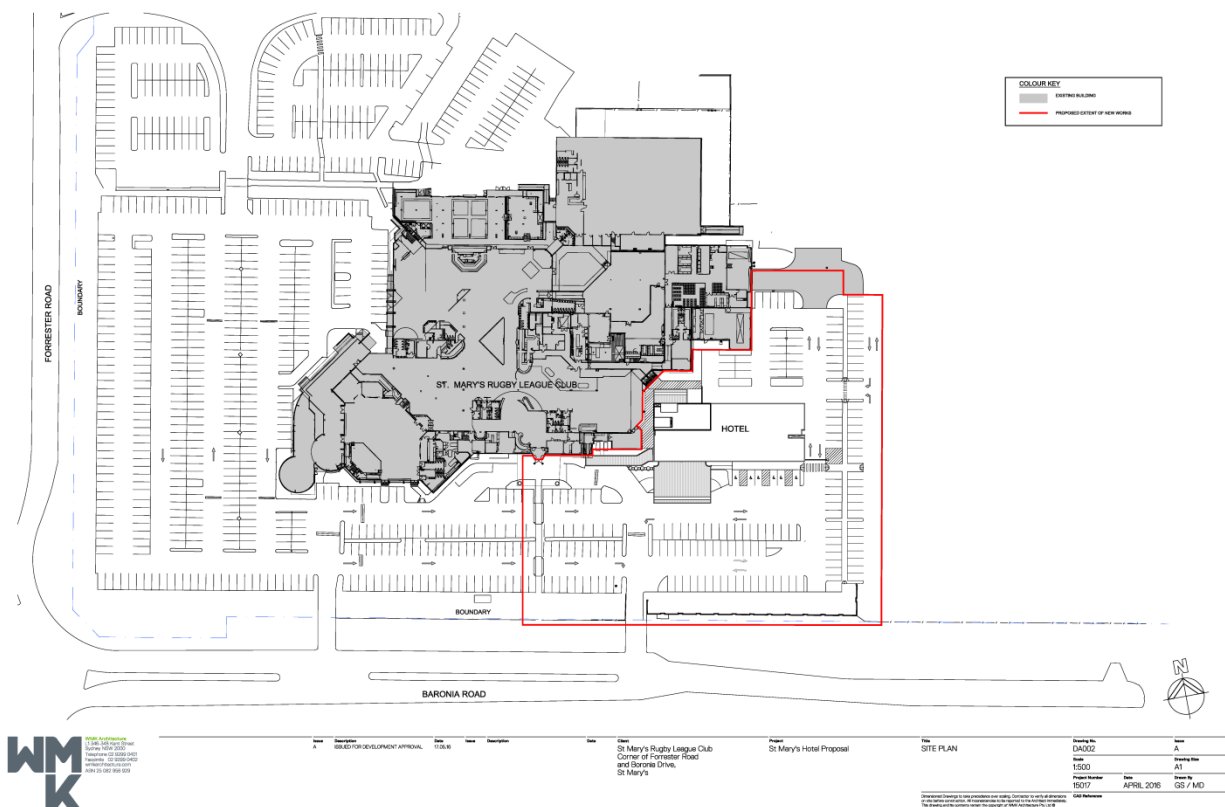
The SMLC is the oldest sports club in the Penrith District, being formed in 1908. With current membership in the order of 36,000 people, the SMLC is a major community entertainment, recreational and sports facility in Western Sydney. The SMLC attracts over 13,000 visitors per month and employs a total of 150 employees.

The existing facilities at the SMLC consist of:

- Club premises with dining, gaming, bottle shop, administration offices and car parking;
- Rugby League Stadium and separate training field;
- Saints Sports Lounge;
- Go Bananas – the largest purpose built family entertainment centre in Australia;

The western portion of the site is largely developed and cleared while the eastern portion of the site beyond the existing car park and subject development site is covered by vegetation and is largely undeveloped. The topography of the site has a very slight slope to the east towards Ropes Creek which runs from south to north-west generally parallel to the site boundary. The area to which this development application relates is located immediately east of the main club building on land which is currently used for car parking associated with the SMLC.

FIGURE 1 – PROPOSED SITE BUILDING PLAN (SOURCE: WMK ARCHITECTURE)



## 2.2 SURROUNDING CONTEXT

The suburb of St Marys is located at the eastern boundary of Penrith LGA and is bisected by Forrester Road. The SMLC is located approximately 1.5 kilometres to the north of the St Marys town centre.

The site is positioned directly east of an existing industrial employment area, abuts an established residential area to the south, and is in close proximity to the new residential suburbs at Ropes Crossing to the north.

Specifically, land uses directly surrounding the site consists of:

- Industrial development to the west across Forrester Road;
- Masters Home Improvement centre to the north;
- Ropes Creek and associated riparian corridor open space to the north and east;
- A McDonald's restaurant to the south west of the site (on the south eastern side of the intersection between Forrester Road and Boronia Road); and
- Low density housing to the south.

The sites direct interface with these surrounding land uses is limited due to the width of Forrester Road to the west and the open space corridor to the east.

FIGURE 2 – LOCATION MAP (SOURCE: MAPS.GOOGLE.COM.AU)

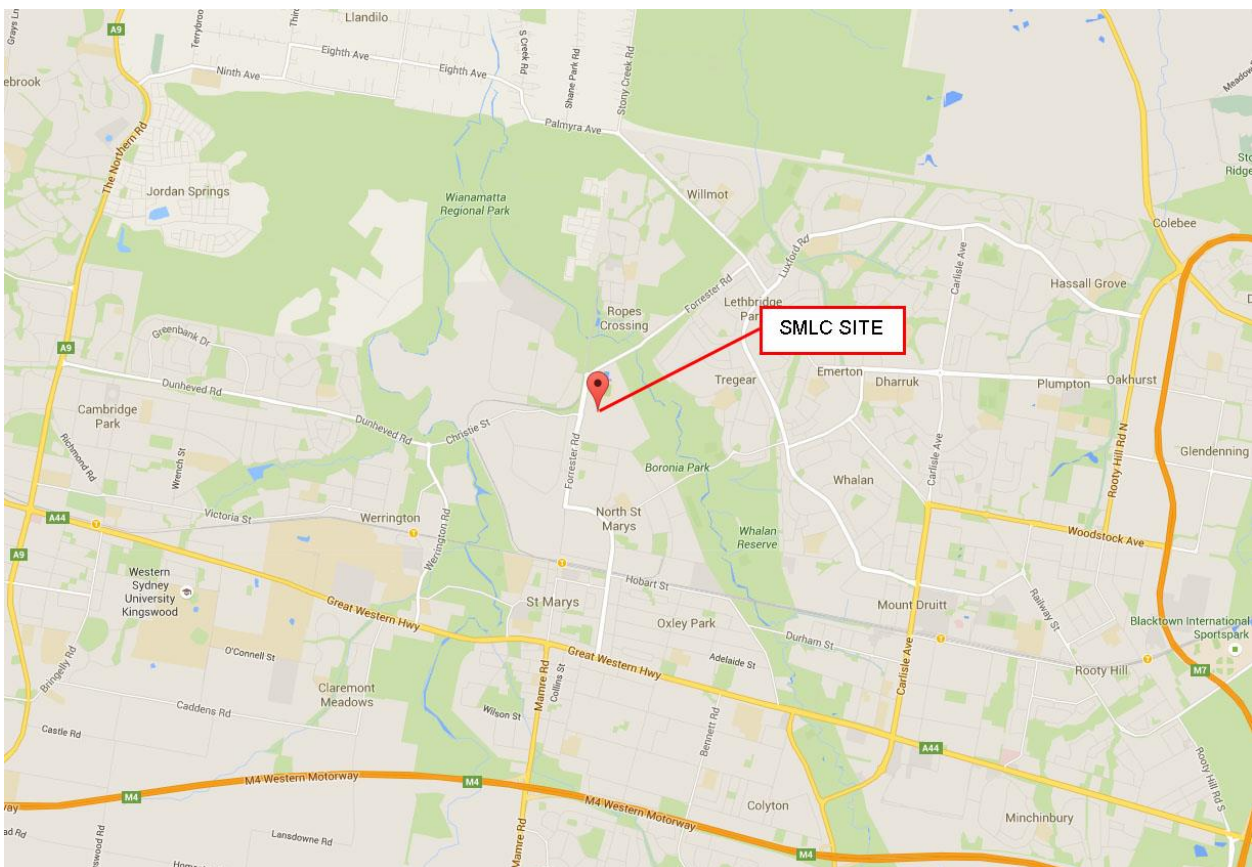




FIGURE 3 – SITE LOCATION PLAN (SOURCE: MAPS.SIX.NSW.GOV.AU)



## 3 Site History

The SMLC and site have been subject to various planning applications and approvals over the years, with the most recent and relevant outlined below.

### **Training Field Relocation DA10/1141**

Development consent (deferred commencement) was granted by Penrith City Council on the 6 May 2011 for the relocation of the training field to the eastern side of the existing stadium. This application also proposed the removal of an area of Cumberland Plain Woodland (CPW).

### **Redevelopment of Northern Training Field and Car Park - Masters Development DA11/0470**

Development consent was granted by Penrith City Council on the 17 April 2012 for the Torrens Title Subdivision x 2 lots of the St Marys Leagues Club land (lot 23 DP 1142130). This approval separated the north western corner of the site with the intention for redevelopment of this and for a Masters Store.

Development consent was granted by the Sydney West Region Joint Regional Planning Panel (JRPP) on 5 July 2012 for the construction of a Masters Store on the newly created lot. This approval also included the provision of a new entry and access road and roundabout on the north western part of the SMLC land.

### **Car Parking - DA12/1187**

Development consent was granted on 13 May 2013 by Penrith City Council for the reconfiguration and formalisation of the northern car parking area as well as tree removal and associated landscaping. The development is currently under construction in conjunction with the Masters development construction.

### **Outdoor Family and BBQ Court DA13/0362**

Development consent was granted in 2013 for the re-design and expansion of the northern outdoor family area and BBQ court.

### **Remediation DA 13/1018**

Development consent was granted by Penrith City Council for site remediation works on 18 February 2014. This DA related to only a small part of the SMRLC site being an area of stockpile located along the eastern edge of the SMRLC site, on the Boronia Road Frontage. The stockpile is a result of previous site civil works has a volume of approximately 9,300m<sup>3</sup>. The stockpile materials were primarily a combination of surface and fill material previously located across the site. The site remediation consented to under this DA was to facilitate the planned development for Motel and Fitness Centre as detailed below.

### **Motel and Fitness Centre (Withdrawn) DA13/1196**

In October 2013 an application was lodged seeking consent for a two-storey fitness centre including a cafe, pools and play area, as well as two x three-storey motel buildings. The DA also included new internal parking and circulation areas for pedestrians and vehicles, extensive landscaping and signage. The location of the proposed buildings was to the north east and east of the existing SMLC buildings.

On 18 September 2014 the application was withdrawn for commercial reasons by the club..

### **Expansion of the Club with Associated Car Parking and Landscaping – DA14/0932**

On 29 July 2014 a Development Application was lodged for alterations and additions to St Mary's Rugby League Club to expand the club with associated car parking and landscaping works. The proposed changes responded to the recent completion of the new main vehicular entry off Forrester Road, and the Masters Home Improvements Centre to the north of the SMLC which have shifted the focal point of the Club from its current southern entry (facing Boronia Road) to the north west corner (facing Forrester Road). The development was granted consent by the Sydney West Region JRPP on 10 December 2014.

### 3.1 PRELODGMET ADVICE – URBAN DESIGN REVIEW PANEL

The new hotel scheme subject to this development application was presented to Council's Urban Design Review Panel (DRP) on 17 February 2016. Minutes were provided as a summary of the salient points raised during this meeting. A brief response to the matters raised is provided within **Tables 1 and 2** below.

TABLE 1 – DESIGN REVIEW PANEL SUMMARY OF MATTERS RAISED

KEY MATTERS	RESPONSE
<b><i>Built Form and Landscaping</i></b>	
<i>Building should be located closer to the Boronia Road frontage with car parking disguised within a basement parking arrangement or behind the development (potentially within a decked parking arrangement). Further expansion of at grade parking is not considered to be suitable and is discouraged.</i>	<p>As discussed at the DRP meeting. The proposed building location is the most appropriate for the hotel as it complements the existing functionality of the club which need to be co-located. The proposed hotel location reflects SMLC's overall master vision and intention for the site. And has been selected based on in-depth efficiency and profitability analysis and represents the best use of site area.'</p> <p>The location will enable the hotel to easily access existing facilities of the club such as its restaurants and other amenities, adding to the overall guest experience of this high quality venue.</p> <p>While the built form is setback from Boronia Road, the high design quality of the built form and additional landscaping provide a highly resolved and positive response to the design quality of the site.</p>
<i>Presentation and identification of the hotel would be better served by a closer setback to the property boundaries</i>	The proposed location of the building closer to the main club building is appropriate as it allows an all-weather, accessible physical connection to the main club building.
<b><i>In the event that the building location is not amended, the proposal should at the least:-</i></b>	
<i>Delete the proposed parking to Boronia Road which undermines the existing landscape setback zoned. Further parking encroaching beyond the existing alignment is not supported</i>	A row of parking has been deleted from the concept to allow for an increased landscape setback which aligns with the existing landscape setback to Boronia Road which is proposed to be treated as shown on the accompanying landscape plans.
<i>Greater landscaping is required within the existing landscape setback zone for the full Boronia Road frontage (as has been approved by Council for the Forrester Road frontage as party of recent staged works approved for the club).</i>	<b><i>The landscape architect has provided the following design response:</i></b> Existing turf and mature trees to the Boronia Road frontage are proposed to be retained and protected during construction works with the addition of a number of proposed trees. Refer to Landscape Plans at <b>Appendix C</b> for more details.
<i>Greater tree planting provision is to be incorporated into the existing at grade parking area to ameliorate the parking presentation and introduce further</i>	<b><i>The landscape architect has provided the following design response:</i></b> Trees are proposed across the carpark. The design has utilised a similar arrangement and species

KEY MATTERS	RESPONSE
<i>shading elements.</i>	selection to the nearby Masters Hardware store.
<i>A master plan should be prepared for the total redevelopment of the club.</i>	<p>It is acknowledged that a number of DAs have been lodged for the site for various new uses and expansions to the club over time. At this stage the only extension being planned beyond the proposed hotel is a fitness centre, which was included within the previously withdrawn DA and in a location that has previously been investigated by the club, however consent is not being sought for this at this stage.</p> <p>The future development on the site is discussed in greater detail at <b>Section 6.2</b> of this report.</p>
<i>The comments from the access committee are to be incorporated into the design including access arrangements, room size, accessible room locations and room orientations.</i>	Refer to <b>Table 2</b> which provides a response from the Access Consultant to the matters raised by the Access Committee.
<p><i>The proposed concept materials and finishes are considered to be suitable however the following needs to be carefully considered and further developed prior to lodgement of a development application:-</i></p> <ul style="list-style-type: none"> <li>▪ <i>The windows must be suitably sized with respect to the blade walls / slat screening;</i></li> <li>▪ <i>The finish on the precast concrete panels must ensure that a textured finish is provided to break up the expanse of external wall;</i></li> <li>▪ <i>Further design treatment should be pursued at the end of the building (eastern elevation); and</i></li> <li>▪ <i>Consideration of lighting is encouraged and could incorporate lighting effects to the blade walls</i></li> </ul>	<p>The design has taken on board the comments relating to materials and finishes. A materials and finishes schedule has been provided within the accompanying Architectural Documentation within <b>Appendix A</b>.</p> <p>The high quality design of the building including the proposed materials and finishes is considered to be complementary to the main club building.</p>

TABLE 2 – ACCESS COMMITTEE COMMENTS

KEY MATTERS	RESPONSE
<i>Further consideration is to be given to pedestrian access opportunities from Boronia Road to the club / hotel from the road, through the car park to the entry doors</i>	Whilst not part of the subject DA – this footpath is intended as part of the overall development vision for the SMLC. <b>Refer to Section 6.2</b> and will be provided at a later stage.
<i>Sufficient provision of landscaped / grassed area is to be provided for the use of the hotel / motel</i>	Landscaping treatment has been provided to the Boronia Road Frontage. Existing passive and active open space areas

KEY MATTERS	RESPONSE
<i>occupants (in close proximity to the development)</i>	<p>are within reasonable proximity to the hotel and available to be utilised by future guests of the hotel.</p> <p>Given its location it is considered that guests will choose to stay at hotel based on events that are taking place in association with the club and its i.e. sporting teams etc.</p> <p>A family area is also provided to the north of the SMLC and Children staying at the hotel will also have access to the Go Bananas Play Centre.</p> <p>The existing site facilities more than make up for the lack of a landscaped/grass area for the occupants of the hotel.</p>
<i>The plans must confirm that a suitable accessible path of travel is provided from the hotel / motel to the club (which is covered)</i>	<p><b>Access Consultant Response</b></p> <p>A covered 1:20 walkway has been provided from the hotel to the existing club at the request of the access committee. Compliance with AS1428.1-2009 can be achieved subject to confirmation of RL data and detailing (see section 4.2 of the access report)</p>
<i>Concern was raised with the size of the accessible rooms and circulation constraints around the bed which would be further compromised when furniture is included – the accessible rooms should be larger than currently proposed</i>	<p><b>Access Consultant Response</b></p> <p>The accessible rooms currently provide circulation space in accordance with AS1428.1-2009, AS4299-1995 and advisory standard AS1428.2-1992. This includes 1000mm minimum on both sides of the bed clear of any fixed furniture and a circulation space of 1540 x 2070mm for a wheelchair user to make a 180 degree turn at the foot of the bed, clear of wardrobe fixtures</p>
<p><i>The sixth accessible room (first floor – next to egress staircase) is to be relocated closer to the lift</i></p> <p><i>The floors should mix up the location of accessible rooms to enable views to both the northern and southern aspects (noting views to the north are over a loading dock area – it was considered this may be quieter than the car park in the front (south))</i></p>	<p><b>Access Consultant Response</b></p> <p>Accessible rooms with both northern and southern aspects are provided, reflecting the range of rooms available, whilst being in close proximity to the lift, as requested by the access committee.</p>
<i>Changes to the WC's are to be done to mix up their orientation / design</i>	<p><b>Access Consultant Response</b></p> <p>The WCs will be designed in accordance with AS1428.1-2009 to meet the needs of users as specified by the standards. Where appropriate orientation can be potentially altered to provide variety, however the priority should be to meet</p>

KEY MATTERS	RESPONSE
	compliance and best practice standards in addition to providing mirrored facilities to provide both left and right hand transfer facilities.
<i>While the Australian Standards outlines some accessibility provisions, Penrith Council strives to exceed minimum standards and the proposal should demonstrate how an improved accessibility outcome can be provided</i>	<p><b>Access Consultant Response</b></p> <p>Advisory recommendations can be pursued to exceed minimum standards; this office can provide guidance on how this might be achieved, if requested by the client.</p>
Directional signage to be further investigated to manage car parking as site wide parking concerns were raised (areas of the existing car park are under-utilised)	<p><b>Access Consultant Response</b></p> <p>AS/NZS 2890.6:2009 (Parking Facilities) provides guidance on signposting within Appendix A of the Access Report (advisory). This includes the provision of directional signage (comprising the international symbol of access and arrow) if the route for parking spaces for those with disabilities is not readily apparent. This office can provide guidance on how this might be achieved, if requested by the client.</p>
The driveway aisle widths, circulation and operation of the boom gate will need to be explained (indicated on the plans) when the DA is progressed.	<p><b>Access Consultant Response</b></p> <p>Driveway, circulation has been provided by the Traffic and Transport Consultant and has been provided at <b>Appendix D</b></p>

## 4 The Proposal

### 4.1 OVERVIEW

The proposal comprises the redevelopment of a portion of the SMLC site for the purpose of a six (6) storey 123 room hotel. The hotel building is to be located just to the east of the main club building as shown in **Figure 1**.

New ancillary parking and circulation areas for both pedestrian and vehicles are to be provided and integrated into the existing parking and circulation paths within the site. Landscaping and site drainage schemes are also proposed.

There will be some minor demolition required to existing car parking areas such as removal of kerbs and lane markings. A small portion of the existing façade of the existing club building is also required to be demolished to facilitate a new access point to existing club facilities. It is also proposed to remove some turfed area along the Boronia Road frontage.

The layout of the hotel is proposed to be undertaken in two phases. Phase one (1) allows for a gymnasium and two (2) meeting rooms at level 1. As such a reduced number of 118 rooms are proposed during this phase. Phase two (2) of the hotel will see the layout change to its 123 room configuration at such time when these facilities can be provided as part of the western foyer extension in 2017 – 2018.

The rationale for the temporary use configuration is that a future hotel operator requires these facilities as standard features in the hotel. Currently the existing club does not have these and as such they will be introduced as part of the western foyer extension. Once these uses are provided the hotel will revert to its Phase two (2) configuration.

All works are shown on the accompanying Architectural Plans provided by WMK Architecture at **Appendix A**.

### 4.2 LAND USE AND FLOOR AREA

The proposed hotel will have 118 rooms in its Phase 1 configuration and 123 rooms in its Phase 2 configuration. The key development statistics are provided within **Table 3** below.

TABLE 3 – KEY DEVELOPMENT STATISTICS

DEVELOPMENT STATISTICS	
Building Height	23.15m
Gross Floor Area	5,334m <sup>2</sup>
Setback to Boronia Road	55m
Setback to Forrester Road	200m

#### Ground Floor

- Foyer, reception; office and back of house areas including luggage room, staff toilets.
- Back of house loading area/storage, waste storage areas,
- Accessible toilets.

- Waste Storage Areas
- Parking for twelve (12) vehicles in the undercroft parking area below the hotel building with direct pedestrian access to the hotel lobby area with an additional four (4) parking areas beneath the building envelope to the east.
- BOH stair to level 1 above.

#### **Level 1**

- One maid's room
- Two meeting rooms (phase 1)
- Gymnasium (phase 1) including an air lock to maintain amenity to proposed hotel rooms.
- Room Service Room.
- 20 Rooms (one accessible)
- Lift lobby area

#### **Levels 2-5**

- Maid's room
- 98 Rooms (4 accessible)
- Lift lobby area

#### **Base Building**

- Lift core with two lift shafts servicing the levels above,
- Two sets of fire stairs located at either end of the central corridor. The western fire stair provides access to the rooftop plant areas.
- Roof top plant and lift overruns.

#### **External**

- Car parking for 102 vehicles including six (6) accessible spaces adjacent to the hotel entry on the southern side of the building,
- A new porte-cochere with DDA drop off and bus drop off,
- New covered accessible walkway linking the hotel with the main club entry to the west,
- New retaining wall separating the walkway and the road areas.
- Landscaping in accordance with the Landscape Plans provided by Site Image at **Appendix C** and described in more detail at **Section 4.5**.
- Clear exit pathway between the hotel and the main club building.
- Pedestrian pathway as marked through the pedestrian and vehicle shared zone within the undercover car park.



### 4.3 BUILT FORM AND MATERIALS

A schedule of the proposed materials and finishes is provided within the accompanying Architectural Plans at **Appendix A**.

A range of materials and screens to the exterior of the buildings have been employed to achieve an appropriate scale and texture in accordance with the comments provided by the Urban Design Review Panel. The building incorporates articulated facades which are separated vertically and horizontally and differentiated in colour and finish. The detailed design of the buildings includes the feature of large vertically aligned windows and decorative façade elements.

The form and materials have been selected to maintain some visual connectivity with the Leagues Club however also create a distinct more consistent with the commercial requirements of a future hotel operator. Some decorative architectural features are also provided to the facades and to the building entry / porte-cochere.

### 4.4 TREES AND VEGETATION

The proposed development will not require the removal of any trees within the area subject to the proposed development. An existing area of turf to the south of the site will be removed to accommodate ancillary car parking.

### 4.5 LANDSCAPING

A landscaping scheme surrounding the proposed development has been prepared by Site Image and is attached in **Appendix C**. This landscaping has been proposed to generally respond to the specific design review panel comments which relate to landscaping including

- Treatment of the landscape setback along the Boronia Road frontage which includes the retention of existing trees, new tree plantings and turf areas. The area to be landscaped includes areas to the western driveway entrance off Boronia Road.
- New Trees are proposed to be planted throughout the carpark
- A turfed drainage swale is provided along the perimeter of the parking area fronting Boronia Road and between the parking provided along the eastern perimeter of the site.

Tree planting will be in accordance with the planting schedule provided within the accompanying Landscape Plans. The Landscape Architect has provided some commentary around the proposed planting and has noted that the arrangement and species selection has been chosen to be similar to what was approved for the nearby Masters Hardware store.

The Landscape Plans also provide details on how existing trees on the site will be retained and protected including temporary protective fencing around the drip line of protected trees and mulch to a depth of 100mm to maintain adequate soil moisture levels.

### 4.6 OPERATIONAL DETAILS

It is intended that the hotel will be run by an external operator. The development will operate 24 hours which is consistent with standard hotel operations. It is considered that a condition can be imposed for the submission of an operational management plan to Council's satisfaction prior to issue of an Occupation Certificate.

### 4.7 ACCESS AND PARKING

Vehicular access to the existing club is provided from Forrester Road and Boronia Road. Access from Forrester Road is provided via a right turn bay in Forrester Road. A left turn slip lane is provided in Forrester Road for entering vehicles. Two driveways are provided from Boronia Road. The western driveway provides for entry and the eastern driveway provides for exit. The vehicular access

arrangements from Forrester Road and Boronia Road would not change in association with the proposed development.

The club has an existing parking provision of 1094 spaces. One hundred and one (101) spaces will be lost due to the location of the proposed hotel building which will be replaced by one hundred and two (102) spaces as detailed in the accompanying architectural plans.

A porte-cochere is proposed at the entrance of the hotel. The porte-cochere will provide for vehicles to circulate past a vehicle setting down or picking up passengers. The porte-cochere will also provide for a DDA and mini-bus drop off area. Pedestrian connections will be provided between the hotel and the various areas of the car park, and between the hotel and existing club.

Within new and modified car parking areas, the spaces will be a minimum of 5.4m long and 2.5m wide, with clearance to adjacent obstructions. Aisles will be a minimum of 5.8m wide. Disabled parking spaces will be 2.4m wide with a 2.4m shared zone adjacent for wheelchairs. The traffic and parking report has assessed these dimensions as being appropriate and in accordance with the Australian Standard for Parking Facilities (Part i: Off-street car parking), AS 2890.1:2004.

A new loading bay will be provided on the northern side of the hotel building. The bay will cater for rigid trucks. Within new and modified parking areas, spaces will be a minimum of 5.4 metres long and 2.5 metres wide, with clearance to adjacent obstructions. Aisles will be a minimum of 5.8 metres wide. Disabled parking spaces will be 2.4 metres wide, with a 2.4 metre wide adjacent area for wheelchairs. These dimensions are considered appropriate, being in accordance with the Australian Standard for Parking Facilities (Part 1: Off-street car parking), AS 2890.1:2004.

Further details are included in the Traffic and Parking Study and swept path analyses at **Appendix D**.

## 4.8 CIVIL, STORMWATER AND DRAINAGE

Stormwater management will be in accordance with the Civil Works Report and Plans at **Appendix E**.

The report identifies that the proposed site levels are influenced by a number of known constraints that impact portions of the subject site, these include;

- Flood plain
- Local overland flow paths
- Existing perimeter site levels
- Vehicular and pedestrian access

The proposed finished floor level (FFL) of the Hotel building is 25.40m AHD. The maximum 100 year ARI flood level adjacent to the proposed work is 24.90m AHD. The proposed FFL's indicated above will provide a minimum of 500mm freeboard above 24.90m as required in DCP 2014.

The site has an existing gravity stormwater drainage network which connects to the dam to the north of the site. The Civil plans show that existing stormwater pipe runs from west to east beneath the existing car park. It is proposed to connect the Hotel site stormwater drainage to this pipe.

In addition to this connection, a new turf swale will feed into a new stormwater drainage pipe which will be located along the perimeter of the site adjacent to Forrester and Boronia Roads frontages and existing and proposed car parking areas.

The pavement design will match the existing asphalt surfacing found elsewhere at the St Mary's Rugby League Club site. The car parking areas will be designed for light vehicles and occasional medium to heavy service vehicles. Any required truck turning areas will be a concrete pavement to cater for the increased axle loads and repetitive turning movements anticipated in these locations.

There will be no change to the existing driveways from Boronia Road.

## 4.9 EROSION AND SEDIMENT CONTROL

Soil and erosion control is to be provided during construction. Controls are to be in line with the Managing Urban Stormwater: Soils and Construction 2004, produced by Landcom. A soil and erosion control plan is included in Appendix B of the Civil Design Report – Soil and Erosion Control Plan.

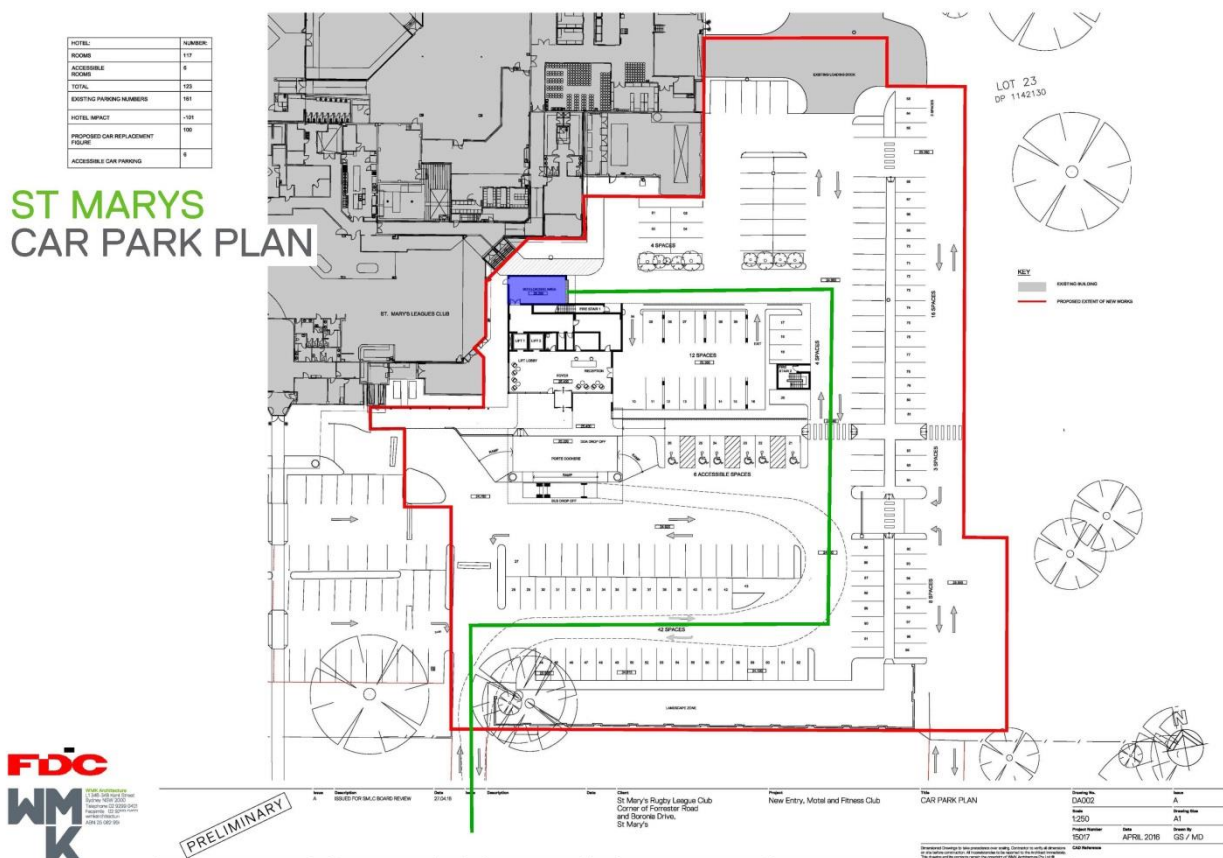
## 4.10 WASTE MANAGEMENT PLAN

A waste management plan (WMP) has been prepared according to Council's pro forma and is included at **Appendix F**. The WMP details the waste management during construction and during operation. All construction waste will be removed from site by the contractor to their nominated recycling or other disposal facility as appropriate.

The WMP notes that ongoing waste will be managed by a private contractor directly by the future Hotel operator prior to commencement of operations. This will most likely be an extension of the existing SMLC Club's waste contractor's works and incorporated. The contractor will provide the recycling facilities as per the expected needs of the Hotel.

Waste storage location is to be back of house (as per included architectural plan highlighted blue in **Figure 4**). Waste contractors will gain access to this location as per the path indicated by the green line. The hotel operator will formalize a collection schedule that will ensure the least impact on occupants of the hotel and other patrons utilising the SMLC site.

FIGURE 4 – WASTE STORAGE AREAS AND ACCESS PATH (SOURCE: WMK ARCHITECTURE EDITED BY FDC)



## 4.11 SIGNAGE

The proposed development seeks consent for two (2) signage zones approximately 27m<sup>2</sup> on the southern and northern elevations of the hotel for business identification signage to identify the major tenant. The proposed signage zones are indicated on the accompanying plans. The specific signage details will be subject to a separate application.

## 5 Statutory Planning Assessment

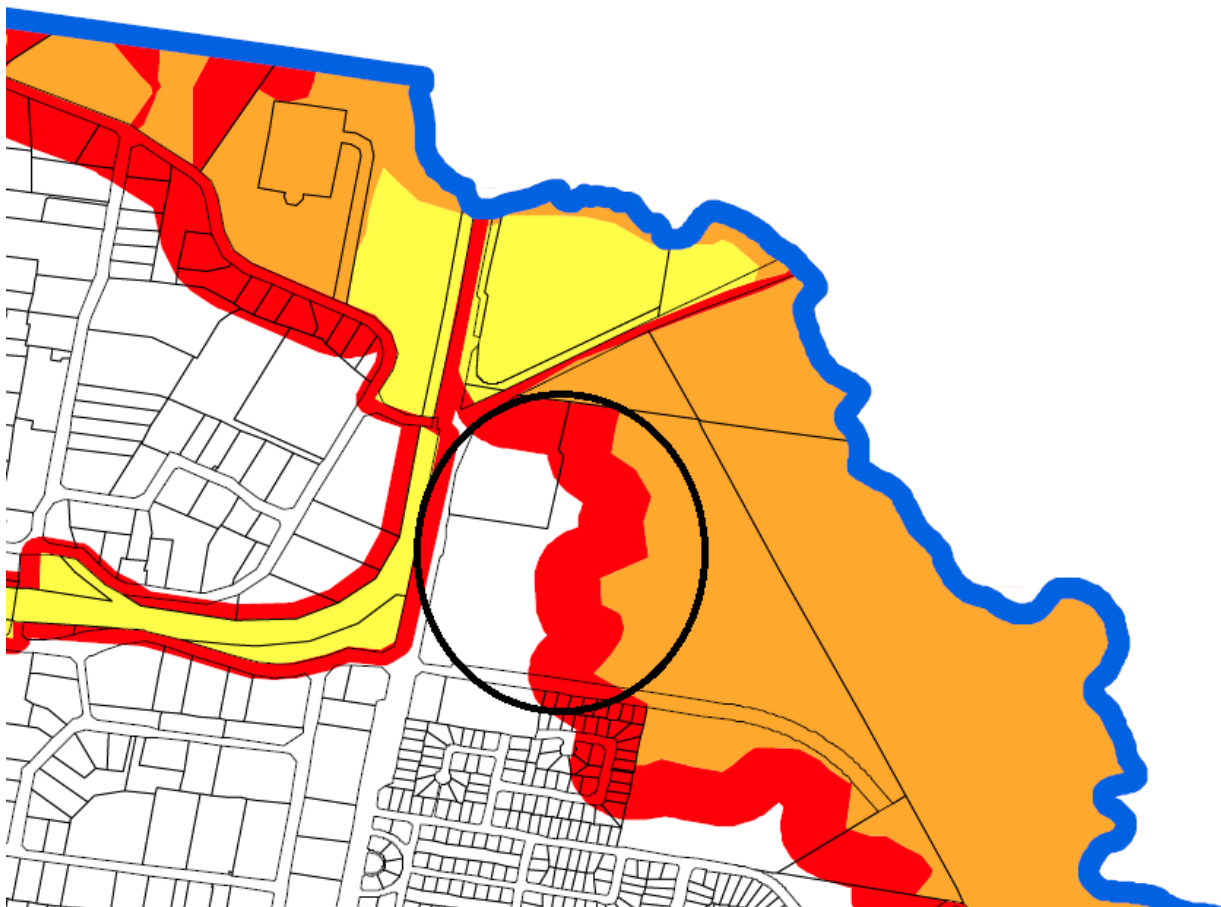
This section provides a detailed assessment of the proposed development pursuant to the heads of consideration contained in Section 79C (1) (a) of the *Environmental Planning and Assessment Act 1979*. The proposed development has been assessed against the planning controls and principles within the following applicable planning polices:

- Integrated Development – Section 100B *Rural Fires Act 1997*
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No.64 Advertising and Signage
- Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean;
- Penrith Local Environmental Plan 2010; and
- Penrith Development Control Plan 2014.

### 5.1 RURAL FIRES ACT 1997

The proposed development site is located on land identified as bushfire prone land as shown in **Figure 5**.

FIGURE 5 – PENRITH COUNCIL BUSHFIRE PRONE LAND MAP (SOURCE: PENRITH CITY COUNCIL)



A bushfire safety authority is required under to section 100B of the *Rural Fires Act 1997* for the following development listed as a special fire protection purpose.

**special fire protection purpose means the purpose of the following:**

- (a) a school,
- (b) a child care centre,
- (c) a hospital (including a hospital for the mentally ill or mentally disordered),
- (d) a hotel, motel or other tourist accommodation,**
- (e) a building wholly or principally used as a home or other establishment for mentally incapacitated persons,
- (f) seniors housing within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*,
- (g) a group home within the meaning of *State Environmental Planning Policy No 9—Group Homes*,
- (h) a retirement village,
- (i) any other purpose prescribed by the regulations.

Accordingly the development is integrated development under Section 91A of the *Environmental Planning and Assessment Act 1979* and as such required to be referred to the NSW Rural Fire Service for approval. In this regard a Bushfire Statement has been provided and is included at **Appendix K**. Reference should be made to this statement for details of compliance. The bushfire report concludes that the proposal has all the necessary requirements to meet the conditions of clause 44 of the Rural Fires Regulations and that it is reasonable to expect that the Rural Fire Service will issue a section 100B Bushfire Safety Authority for this development.

## 5.2 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDICATION OF LAND (SEPP 55).

SEPP 55 aims to provide a framework for the assessment, management and remediation of contaminated land throughout the State. SEPP 55 prevents consent authorities from consenting to a development unless it has considered whether the land is contaminated and is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

Various stage 1 contamination investigations and reports have been undertaken at different locations to support previous development applications on the subject site as detailed within **Table 4** below.

TABLE 4 – PREVIOUS CONTAMINATION REPORT

DEVELOPMENT APPLICATION	REPORT
DA12/1187 for Tree Removal, Carpark, Associated Landscaping and Signage	Phase 1 Environmental Assessment Report prepared by Geo Logix – October 2012,
DA13/1196 for a Motel and Fitness Centre.	Soil Sampling Stage 1 Preliminary Site Investigation was undertaken by David Lane Associate Environmental (DLA Environmental).

DA 13/1018 –Remediation	<ul style="list-style-type: none"> <li>▪ Stockpile and In-Situ Materials Asbestos Contamination Investigation (DLA Environmental)</li> <li>▪ Stockpile Handling and Management Strategy February 2014,</li> <li>▪ Material Landuse Suitability Assessment.</li> </ul>
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All reports listed above were based on a review of historical site data, site inspection and soil sampling.

Based on these previous site assessments, there is no evidence to suggest that the subject land has previously supported any activities which may have resulted in land contamination. Council has also stated within previous assessment reports that is not aware of any contaminating activities currently being undertaken on the site and that the information presented within the previous development applications is sufficient to conclude that the provisions of SEPP55 have been satisfied.

Nevertheless, the proposed development is to take place over an existing hardstand car park with no significant excavation proposed as such it is considered that the requirements of SEPP 55 have been satisfied.

### 5.3 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The aim of the SEPP is to facilitate the effective delivery of infrastructure across NSW by identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure such a classified roads and prescribing consultation requirements for certain development.

The Hotel has its principle access from Boronia Road, which is an unclassified regional road. The proposal will require approximately 125 parking spaces in accordance with the PDCP2014. It is proposed to provide 102 spaces this development alone would not trigger a referral to the RMS under Clause 104, as a 'traffic generating development'.

### 5.4 STATE ENVIRONMENTAL PLANNING POLICY 64 ADVERTISING AND SIGNAGE (SEPP 64).

The aims and objectives of this Policy are to ensure that signage (including advertising) is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of high quality design and finish.

Clause 3 of SEPP 64 states outlines the aims of the policy which must be met by all signage.

- (1) *This Policy aims:*
  - (a) *to ensure that signage (including advertising):*
    - (i) *is compatible with the desired amenity and visual character of an area, and*
    - (ii) *provides effective communication in suitable locations, and*
    - (iii) *is of high quality design and finish, and*
  - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
  - (c) *to provide time-limited consents for the display of certain advertisements.*

(2) *This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

Under the provisions of Clause 4 of SEPP 64 the proposed signage areas on the upper northern and southern elevations are defined as a “business identification signs”.

Consent is sought for the location and area of signage only, and not for content or details regarding colours or illumination. It is considered that the location and area of the proposed signage is consistent with the signage assessment criteria identified within Schedule 1 of the SEPP, the amenity of this area and the predominant signage character of the SMLC site.

The location is considered to be suitable and appropriate. The sign provides building identification signage from a distance. The design and finish of the signage will be the subject of a subsequent application to council. Such details will be addressed in that application. It is therefore considered that the location and area of the future business identification signage is appropriate for the building and the vibrant locality in which it will be situated.

## 5.5 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 20 – HAWKESBURY NEPEAN

The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Clause 11(14) states that consent is required for recreational facilities on land:

- (a) *that adjoins the river or a tributary of the river, or*
- (b) *that is flood prone land.*

The site and proposed works are located approximately 600m west of Ropes Creek, a portion of the site to the north is shown as flood prone land on Council’s Flood Planning Maps. Whilst the proposed development footprint is outside this flood planning area, The Civil Works Report at **Appendix E** confirms that the proposed development will have a negligible impact on the 100 year ARI flood plain.

Water quality treatment will be provided for runoff from parking areas by a swale located along the perimeter of the parking area. Given the proposal distance for Ropes Creek there will be no impact on the wider Hawkesbury-Nepean River system.

## 5.6 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The principle local planning instrument is the Penrith Local Environmental Plan 2010 (PLEP). The PLEP provides the primary controls for development within the LGA.

The subject site is zoned RE2 Private Recreation.

The objectives of the RE2 Private recreation Zone are to:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

The development is consistent with the zone objectives by:

- Enabling the lands continued use as for private recreational purposes by significantly expanding the offerings of the Club with a Hotel development which will support the overall recreational uses on the site;

- Providing landscaping that will enhance the Club's appearance and setting in terms of both the interface with Boronia Road and for visitors to the Club;
- Ensuring there is no adverse impact on surrounding land uses; and
- Ensuring the development makes efficient use of the land.

Part 5 of Schedule 1 'Additional permitted uses' of the PLEP 2010 sets out additional uses that are permitted on the site, including Hotel or Motel accommodation and associated car parking as highlighted below:

5 Use of certain land at corner of Forrester Road and Boronia Road, St Marys

(1) This clause applies to land at the corner of Forrester Road and Boronia Road, St Marys, being Lot 23, DP 1142130.

(2) Development for the purposes of bulky goods premises is permitted with consent on the part of the land in Zone IN2 Light Industrial.

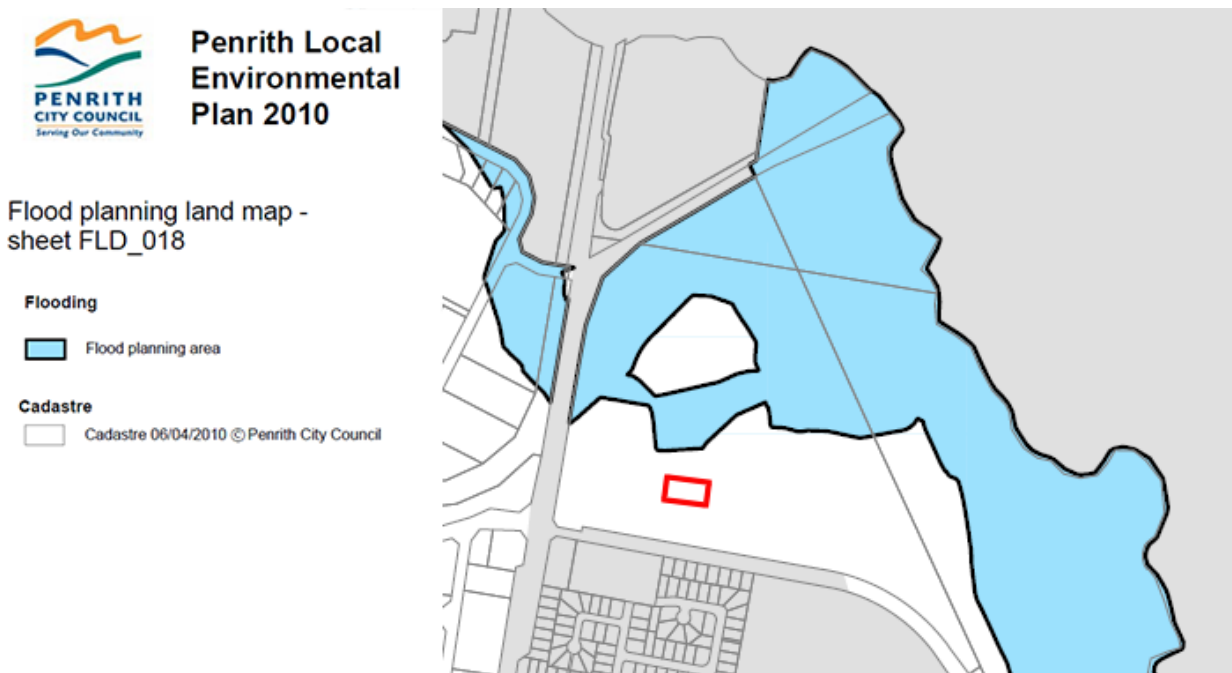
(3) Development for the purposes of amusement centres, child care centres, food and drink premises, **hotel or Motel accommodation** and a registered Club and associated car parking is permitted with consent on the part of the land in Zone RE2 Private Recreation (our emphasis)

Clause 6.3 Flood planning

This clause requires that any development is compatible with the flood hazard of the land and does not adversely impact on flood behaviour.

The proposed development site is not shown within a flood planning area (refer **Figure 6**). The northern portion of the SMLC site is influenced by the Ropes Creek flood plain and within the 100 year ARI flood level. The Civil Works Report at **Appendix E** confirms that the proposed development will have a negligible impact on the 100 year ARI flood plain. All proposed habitable finished floor levels will be located a minimum of 500mm above the 100 year ARI flood level. Overland flows have also been identified on the site by Council and the design of the site has taken these into account through the provision of a 500mm freeboard.

FIGURE 6 – FLOOD PLANNING MAP (SOURCE: LEGISLATION.NSW.GOV.AU)





#### Clause 7.4 Sustainable development

In deciding whether to grant development consent for development, the consent authority must have regard to the principles of sustainable development as they relate to the development based on a “whole of building” approach by considering each of the following:

- (a) conserving energy and reducing carbon dioxide emissions,
- (b) embodied energy in materials and building processes,
- (c) building design and orientation,
- (d) passive solar design and day lighting,
- (e) natural ventilation,
- (f) energy efficiency and conservation,
- (g) water conservation and water reuse,
- (h) waste minimisation and recycling,
- (i) reduction of vehicle dependence,
- (j) potential for adaptive reuse.

An ESD report has been prepared by AECOM and is included at **Appendix J**. This report has outlined various initiatives and targets for ESD within the proposed development based on a whole of building approach and as such consistent with the requirements of this clause.

#### Clause 7.5 Protection of Scenic Character and Landscape Values

Clause 7.5 (3) states that development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.

The objectives of this clause are as follows:

- to identify areas that have particular scenic value either from major roads, identified heritage items or other public places; and
- to ensure development in these areas is located and designed to minimise its visual impact.

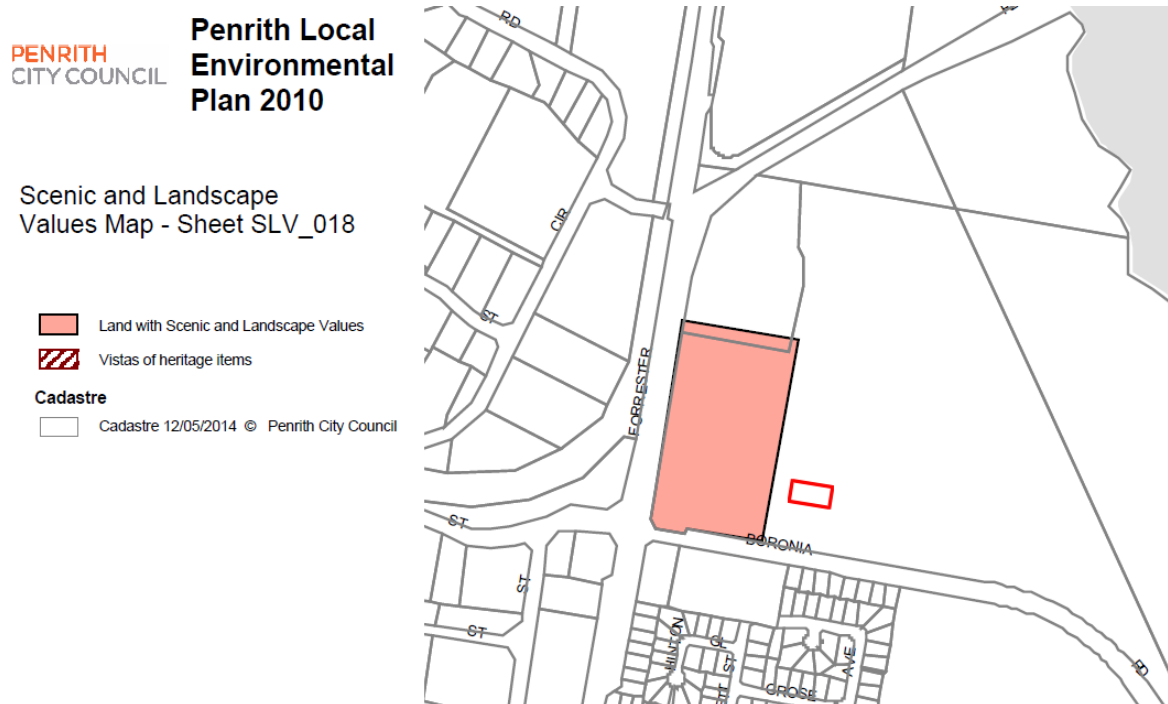
A portion of the site is identified as ‘Land with scenic and landscape values’ by Council. Whilst it is noted that the site would fall outside the area as shown in **Figure 7**, the visual impact of the proposed hotel building has been considered according to the main principles identified within PDCP 2014.

Photomontages and a response to the key principles to minimise visual impact have been prepared by WMK Architects to demonstrate the proposed development will have minimal visual impact from major roads and other public spaces.

The proposed building when finished will be setback approximately 55m from the Boronia Road frontage and 200m from the Forrester Road Frontage, and has a maximum height of 23.15m. The hotel will introduce a positive, visually appealing building design with high quality finish to complement the main club building. The building will draw visual focus away from the at grade car parking areas. The existing verge and car park landscaping, combined with the proposed building periphery landscaping, will assist in creating a suitable visual buffer from the public domain.

The proposed hotel the objectives of this clause, it has been sited and located away from the main intersection of Forrester and Boronia Roads to minimise its visual impact and as such consistent with the requirements of this clause.

FIGURE 7 – SCENIC CHARACTER AND LANDSCAPE VALUES MAP (SOURCE: LEGISLATION.NSW.GOV.AU)



### Clause 7.7 Servicing

Clause 7.7 states that before granting development consent for development on any land to which this Plan applies, the consent authority must be satisfied that:

- (a) *the development will be connected to a reticulated water supply, if required by the consent authority, and*
- (b) *the development will have adequate facilities for the removal and disposal of sewage, and*
- (c) *if the development is for seniors housing, the development can be connected to a reticulated sewerage system, and*
- (d) *the need for public amenities or public services has been or will be met.*

The SMLC will connect to existing water and sewer and it is expected that there is sufficient capacity to service the new hotel development.

## 5.7 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

None applicable.

## 5.8 DEVELOPMENT CONTROL PLANS

The Penrith Development Control Plan 2014 provides a comprehensive set of development standards for the City's rural lands, industrial lands and the St Marys Town Centre.

The key principles relating to the subject site are contained within Part C – Controls Applying to All Land Uses. These controls include site planning, vegetation management, landscape design, transport, access and parking and advertising and signage.

The proposed development is generally compliant with the PDCP 2014 controls and is outlined in the PDCP 2014 Compliance Table at **Appendix L**. Non compliances and matters which require further discussion have been addressed in **Section 6** of this SEE.

## 5.9 ANY PLANNING AGREEMENT

No planning agreements have been entered into in respect of the subject site.

## 5.10 THE REGULATIONS

None applicable for this proposal.

# 6 Key Considerations

This section provides a detailed assessment of the proposed DA pursuant to the heads of consideration contained in Section S79C (1) - (b), (c), (d) and (e) of the *Environmental Planning and Assessment Act 1979*.

## 6.1 FUTURE DEVELOPMENT

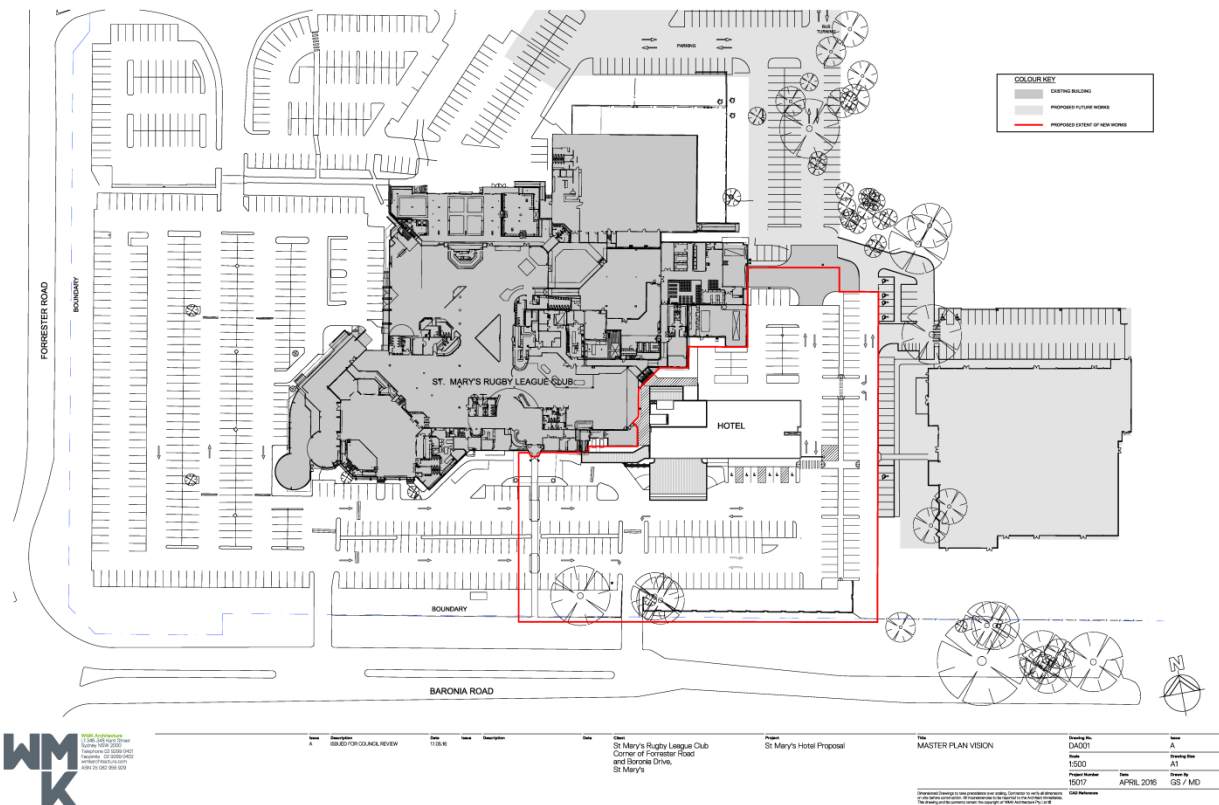
The Design Review Panel requested that a master plan be prepared to guide the future redevelopment of the club. More specifically that the DRP stated,

*A master plan should be prepared for the total redevelopment of the club. The plans tabled indicate future fitness centre and additional parking. Built form design and location is being driven by future development intentions and future parking demand. Council is not in a position to consider the cumulative implications of these planned initiatives without further detail on the vision for the site. Protection retention of land for future parking at the expense of streetscape and suitable design outcomes for a current proposal are unlikely to be supported if a master plan is not prepared and submitted to Council for consideration and approval.*

It is acknowledged that multiple development applications have been lodged on the site which has resulted in incremental expansion of the SMLC. The applicant does acknowledge its intent to explore future development options however at this stage the only option being considered is a fitness centre/gym. However at this stage there is no certainty that this development will proceed. Nevertheless a diagram illustrating a potential location for this use has been prepared and is included at **Figure 8**. This location was investigated as part of the previous DA for a Motel and Fitness Centre.

The SMLC is prepared to work collaboratively with Council to achieve a desirable development outcome for the site and to resolve matters relating to overall design context and car parking, as they arise.

FIGURE 8 –FUTURE DEVELOPMENT PLAN (SOURCE: WMK ARCHITECTURE)



## 6.2 HEIGHT BULK AND SCALE

The proposed hotel has an overall height of 23.15m, GFA of 5334m<sup>2</sup>. Whilst the building is higher than the adjacent buildings on the site it will be considerably smaller in overall footprint and is relatively narrow in depth. It is also noted that there are no applicable built form controls within the Penrith LEP 2010.

Given that a proposed hotel is an additional permitted use on the site, the proposed height and GFA of the building is considered to be acceptable in order to facilitate the proposed development. The proposed hotel building has been setback 55m from Boronia Road and 200m from Forrester Road. As such the proposed height and bulk will not impact on surrounding residential amenity including solar access and privacy.

The visual impact of the proposal is discussed further at Section 6.3 and has determined that the visual impact is acceptable when having regard to the principles contained within Section C1 1.1.2 of the Penrith PDCP 2014.

Design techniques have been utilised to reduce the visual building bulk and scale including splitting the façade into distinct horizontal and vertical sections, providing glazed ground floor areas and allowing some slot views through the building between the top of car park screen and the floor level above. A parapet is provided to the roof hotel building to give a uniform finish at the roof line. This provides a consistent height of the structure and also serves to screen the roof top plant area and lift overruns.

Accordingly the proposed building height, bulk and scale is therefore considered to be acceptable in the context of the site and surrounding development.

## 6.3 VISUAL IMPACT

Whilst it is noted that the site would fall outside the area identified on the Scenic Character and Landscape Values Map, the visual impact of the proposed hotel building has been considered according to the main principles identified within the PDCP 2014 in the response by WMK Architects below.

The response demonstrates that the proposed development will have minimal visual impact from major roads and other public spaces.

The proposed building will introduce a positive and visually appealing building with high quality finish to complement the main club building. The building will draw visual focus away from the at grade car parking areas. The existing verge and car park landscaping, combined with the proposed building periphery landscaping, will assist in creating a visual buffer from the public domain.

The proposed hotel has been sited and located away from the main intersection of Forrester and Boronia Roads to minimise its visual impact and as such consistent with the objectives and requirements to minimise the visual impacts of the proposal.

## 6.4 BUILT FORM AND EXTERNAL FINISHES

A range of materials and screens to the exterior of the buildings have been employed to achieve an appropriate scale and texture and are detailed in the Architectural Plans at **Appendix A**.

The hotel buildings sit to the east of the main club building. The proposed hotel building is 6 storeys and separated visually into two distinct horizontal sections being the ground floor entry, lobby and undercroft car parking and the main hotel building above. These sections of the building are differentiated in colour, materials and finish.

The main entry point to the building is characterised by a feature porte-cochere structure and full height glazing providing a strong visual presence and identity. The visual permeability of the glazed entry will provide a strong focal point to the activity associated with the Hotel use. Fencing will screen the ground level undercroft car park and screen planting along this fence will further soften the built form when viewed from the south and north. The proposed building will have a high quality finish commensurate with what is required by a reputable operator

## 6.5 ACCESS, PARKING AND TRAFFIC

### ACCESS INTERNAL CIRCULATION AND VEHICULAR ACCESS

A Traffic and Parking report has been prepared by Colston Budd Rodgers and Kafes and is provided at **Appendix D** reference should be made to this report for a more detailed assessment of the traffic and parking impacts associated with the proposed development.

The Transport Report has provided the following summary to explain the overall rationale for the proposed car parking provision.

- With 123 rooms proposed, the development would require some 128 parking spaces, including allowance for employee parking in accordance with the Penrith DCP 2014.
- The club has an existing parking provision of 1094 spaces. Based on the demand counts, the existing median peak demand is 765 spaces, giving an existing surplus of 329 spaces.
- The proposed hotel is providing an additional 102 spaces, with a loss of 101 spaces due to construction. This is a net gain of 1 space. The hotel requires 128 spaces. Therefore, on completion of the hotel there will be a surplus of 202 spaces (329+1-128).

The Transport Report concludes that the access, internal circulation and layout will be provided in accordance with AS2890.1:2004 and that The road network will be able to accommodate the additional traffic from the proposed hotel.

Accordingly the proposed hotel development is considered to be acceptable from Traffic and Parking perspective.

## 6.6 LANDSCAPING

The landscape design has been prepared to enhance the development and respond to the characteristics of its semi-rural location, including the surrounding properties and nearby CPW bushland, with predominantly native plant species being used throughout.

Overall the landscape strategy prepared by Site Image provides a cohesive landscaping approach for the proposed development and has been designed to address the specific comments of the Urban Design Review Panel as detailed within **Table 1**.

Accordingly the proposed landscaping is considered appropriate for the site and proposed development.

## 6.7 ABORIGINAL HERITAGE

An Aboriginal heritage assessment was previously undertaken by Artefact Archaeologists. This assessment included background historical research of the site as well as a site visit. The study area included a portion of the proposed Hotel location, the assessment concluded that:

- It is unlikely that there are any Aboriginal objects within the study area;
- It is unlikely that Aboriginal objects are buried or obscured within the study area; and
- The study area is unlikely to retain intact or extensive evidence of past Aboriginal use.

Given that this assessment recommended that there are no Aboriginal archaeological constraints on the proposed development as no Aboriginal sites, or areas of high archaeological potential, were identified within the study area. If unforeseen Aboriginal objects are uncovered during development, work must cease and an archaeologist, the OEH, and the Local Aboriginal Land Council should be informed, in accordance with unexpected finds protocols.

## 6.8 SECURITY

A range of measures have been taken within the design to ensure compliance with Council's CPTED requirements within the PDCP 2014. Key CPTED features included:

- Parking areas will be identified in line with space management and access control principles of CPTED;
- The proposed design of the reception and lobby areas the hotel will provide staff with a clear view of visitors as they arrive;
- There are no external entrapment areas associated with the proposed hotel;
- Pedestrian pathways maximise opportunities for casual surveillance; and
- Landscaping within the vicinity of the hotel is generally limited to shrubs species of 1m in height or less accompanied by trees with canopies above 2 meters to ensure good sight lines are maintained within these areas. Landscaping surrounding car parking areas maximise sight and physical access. The landscaped area directly in front of the Motel reception will be designed to ensure that sight lines from reception into this area are not obstructed.

It is considered that the proposed design incorporates characteristics that aim to maximise safety in line with accepted CPTED principles as required by Council and recommends the development of various additional protocols which aim to maximise the overall safety of visitors to the site.

In addition it is considered that the SMLC overall Security Plan of Management, which details the day to day operations of the Club in terms of maintaining safety and security and details issues such as reception and after-hours access, CCTV, security patrols, staff inductions, complaints management etc. will ensure that a high level of safety and security will be maintained, across the site through its day to day operations management.

## 6.9 ECOLOGICAL SUSTAINABLE DESIGN (ESD)

An ESD Initiatives Report has been provided by AECOM and is attached at **Appendix J**.

The ESD Initiatives Report list the range of ESD initiatives within the proposal, these include:

- Management measures to encourage the implementation of environmental principles including commissioning, tuning and operation of the building and its systems. Design and construction management initiatives will ensure systems within the hotel development operate to their intended design potential during its life cycle.
- Indoor environment quality initiatives (IEQ) promote enhanced building occupant internal comfort and well-being. The IEQ initiatives address how the HVAC system, indoor lighting, acoustics and use of daylight can contribute to a more comfortable environment. Initiatives related to health such as minimisation of finishes containing formaldehyde and volatile organic compounds are also considered.
- Energy efficiency initiatives aim to reduce the overall greenhouse gas (GHG) emissions associated with building energy consumption. Energy efficient building and services design will help reduce energy use within the building.
- Sustainable transport initiatives which encourage building users to utilise more environmentally friendly modes of transportation.
- Water efficiency initiatives which aim to reduce overall water consumption of building development. The implementation of water efficient features such as the installation of efficient hydraulic fixtures and fittings and drip irrigation systems will help reduce water consumption.

- Sustainable materials initiatives which aim to reduce overall consumption of resources and the environmental impact of obtaining and working materials for building development. Material related initiatives include utilising manufactured sands with recycled water for concrete mixes, steel manufactured using energy reducing technologies, sustainably sourced timber products and using certified recycled products within the building.
- Land Use & Ecology initiatives which aim to reduce potential negative impacts on ecological systems and biodiversity from building development
- Emissions initiatives which aim to address the environmental impacts of the physical emissions from building development.
- Innovation challenge initiatives focused on contractor education and training will be provided to project contractors/sub-contractors on the benefits of sustainable building practices.

This report concludes that the Environmentally Sustainable Design (ESD) initiatives that will be considered for the design & construction of the proposed Hotel. ESD initiatives to be explored for the proposed Hotel design and construction have been selected to ensure that the development is undertaken in a sustainable manner in accordance with the general objectives of the Penrith DCP. The ESD initiatives to be considered for the new development are consistent with an aspirational 4 star Green Star Design and As Built equivalent level.

## 6.10 FLOOD MANAGEMENT, OVERLAND FLOWS, STORMWATER AND SEDIMENT CONTROL

A Civil Design report and accompanying plans are included at **Appendix E**. The report details the flooding, overland flow paths and stormwater design in relation to the proposed hotel development. Reference should be made to this report for more details in relation to flooding, overland flows, stormwater design and sediment flows.

Notwithstanding that the hotel site is not shown to be within a flood planning area on the maps accompanying the PLEP 2010m, the Civil Design report confirmed that the proposed development will have a negligible impact on the 100 year ARI flood plain. All proposed habitable finished floor levels (FFL's) will be located a minimum of 500mm above the 100 year ARI flood level which more conservative than the 150mm freeboard required for overland flow paths.

The local overland flow scenario has been modelled,(refer **Figure 9**). This figure indicates that that the existing flood extent (in blue) does not encroach into the proposed hotel location.

The stormwater drainage will be designed to maintain the existing level of protection for the site. It will consist of a minor and major system, providing the following minimum levels of protection as required by PDCP 2014. Based on the previous developments within the club, it is understood that Penrith City Council does not require on-site detention (OSD) for catchments draining to the dam which is considered to be sized to allow for future development on the site.



FIGURE 9 – LOCAL OVERLAND FLOW PATH (SOURCE: TAYLOR THOMSON WHITTING (TTW))

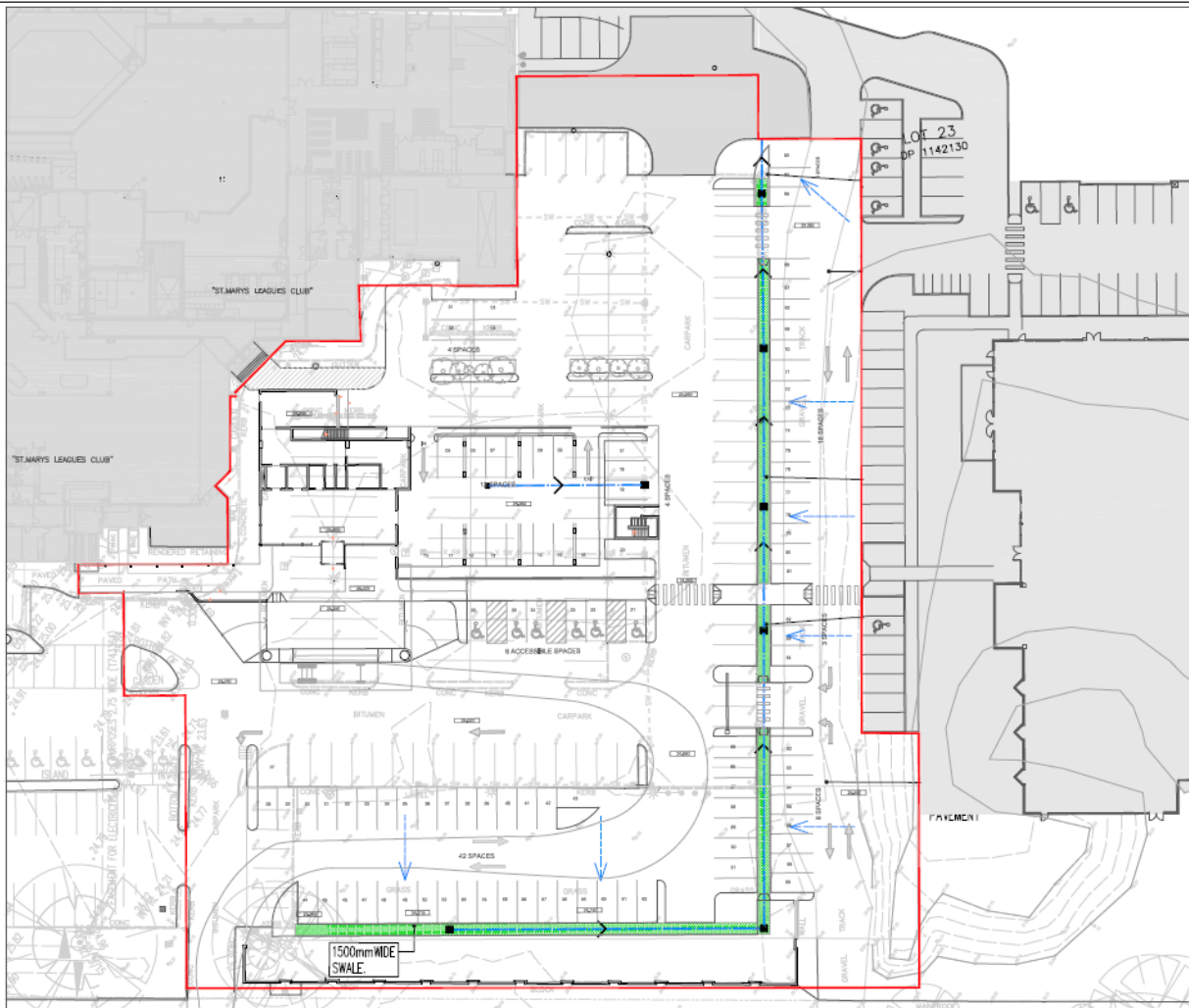


Additional water quality treatment will be provided from swales located around the perimeter of the new parking areas as shown **Figure 10**.

Erosion and sediment control measures have been designed to be installed prior to commencement of site works and will be maintained for the duration of the development in accordance with the erosion and sediment control plans within the Civil Design Report.

The Civil Design report concludes that the proposed works included in this DA submission are consistent with Penrith City Councils DCP and current industry best practice and recommends that the civil design and stormwater system as documented on the DA drawings be adopted for the development.

FIGURE 10 – STORMWATER LAYOUT PLAN SHOWING PROPOSED SWALE (SOURCE: TAYLOR THOMSON WHITTING)



## 6.11 NOISE

Acoustic Logic has prepared an Acoustic Report (**Appendix G**) which assesses potential noise intrusion impacts on the proposed hotel as well as its operational impact on nearby sensitive uses, which are the residential properties located on the south of Boronia Road.

The Acoustic Report has noted that should the acoustic treatments nominated within the report be adopted, noise intrusion will comply with the relevant Council and EPA noise impact requirements these measures include.

- 6mm glass to all hotel sleeping areas and ancillary spaces,
- The roof is to be constructed from concrete. This roof will not require upgrading to achieve AS2107:2000 acoustic requirements.
- External walls are to be comprised of concrete or masonry elements and will not require acoustic upgrading.

The Acoustic Assessment concludes that provided that the acoustic treatments, mitigation and management controls are adopted noise impact on future occupants of the Hotel will comply with relevant criteria and that noise generation by the site will comply with relevant EPA and Council noise emission controls.

## 6.12 CONTAMINATION

In terms of contamination various stage 1 contamination investigations and reports have been undertaken at different locations to support previous development applications on the subject site. These include

- DA12/1187 for Tree Removal, Carpark, Associated Landscaping and Signage Phase 1 Environmental Assessment Report prepared by Geo Logix – October 2012,
- DA13/1196 for a Motel and Fitness Centre. Soil Sampling Stage 1 Preliminary Site Investigation was undertaken by David Lane Associate Environmental (DLA Environmental).
- DA 13/1018 Stockpile and In-Situ Materials Asbestos Contamination Investigation (DLA Environmental)
- DA13/1018 Stockpile Handling and Management Strategy February 2014,
- DA 13/1018 Material Landuse Suitability Assessment.

All reports listed above were based on a review of historical site data, site inspection and soil sampling.

In regards to the above it is noted there has been no Phase 1 investigation on this part of the site. The previous Phase 1 Environmental report (test area snapshot below) prepared by DLA (referred to above) focuses on the Fitness centre zone and areas beyond the proposed hotel zone. There are no major excavation works to be undertaken for the Hotel. Excavation is generally limited to the building footprint (footings/piers & lift pit) with very minor cut/fill in the new car-park zone. As such for this DA the same approach as the Western Foyer DA has been taken to which a report was not submitted

Based on the these previous site assessments, there is no evidence to suggest that the subject land has previously supported any activities which may have resulted in land contamination it is also noted that Council has also previously stated within its assessment reports that is not aware of any contaminating activities currently being undertaken on the site and that the information presented within the previous development applications is sufficient.

## 6.13 ACCESSIBILITY

An Access Report has been prepared for the proposed hotel development by Design Confidence and is included at **Appendix H**. The report identifies the extent to which the architectural design documentation complies with the accessibility provisions of the Building Code of Australia 2015, as are principally contained within Parts D3, E3.6 & F2.4. As detailed within **Table 2** the specific matters raised by the Access Committee have also been addressed by the Access Consultant.

The access report states that although, it should be recognised that instances exist where 'Does not Comply' occurs, or 'Design Detail' is required. Such instances should not necessarily be considered BCA deficiencies; but matters which need to be considered by the design team and any assessment authority at relevant stages of design and/or assessment.

## 6.14 BUILDING CODE OF AUSTRALIA

A BCA Assessment has been prepared by Blackett McGuire Goldsmith for the proposed hotel development and is included at **Appendix I**. The report provides an assessment of the proposed development against the deemed to satisfy provisions of the BCA 2016 and identify any BCA compliance issues that require resolution/attention for the proposed development as part of the Construction Certificate Application. The report concludes that the proposed development can readily achieve compliance with the relevant provisions of the BCA.

In terms of the proposed phasing of the hotel configuration it is requested that Council specifically recognise the temporary use and the subsequent conversion to standard hotel rooms within the specified timeframe specified within any draft condition of consent. Suggested wording of such a condition is provided as follows:

*“The gymnasium and meeting rooms on Level 1 of the proposed hotel may be converted to the additional 4 hotels rooms as detailed in the approved Level 1 Plan – Phase 2 DA102, Issue A, April 2016. The conversions of these rooms are to take within a XX month period from the issue of an Occupation Certificate, or such time when facilities become available to the occupants of the hotel in another part of the St Marys Leagues Club site.*

*A Construction Certificate will be required to be issued prior to these conversion works being carried out.”*

A fire safety engineering assessment of the development application plans has been undertaken by Exova Warringtonfire Aus Pty Ltd. This assessment concludes that the matters identified within its report that are that are likely to form fire safety fire engineering performance solutions can be readily addressed thus enabling the proposed development to an be readily to achieve compliance with the relevant fire safe relevant fire safe provisions of the BCA 2016.

## 6.15 SOCIAL AND ECONOMIC IMPACT

St Marys Rugby League Club supports and nurtures the development of 45 rugby league sides from the Under 6's through to Sydney Shield and Ron Massey Cup, with in excess of 700 players representing the Club.

It is critical to the continued success of the Club that its facilities meet the needs of its members both now and in the future to ensure the Club will continue to prosper and experience the kind of business success that makes these contributions possible.

The proposed Hotel will enhance the experience of patrons visiting the Club and will provided convenient accommodation to visitors within the area, particularly in relation to events held at the Club and as such will have a positive social impact and benefit.

The proposal will positively contribute to the local economy by ensuring a quality experience and ongoing membership and employment at the Club and by providing job opportunities for the design and construction phases of the project as well as the operation of the facilities.

## 6.16 SUITABILITY OF THE SITE

The site is suitable for the proposed development based on the following:

- The proposal is for extension of offerings of an existing sports complex;
- The proposed uses are permissible with development consent as an additional permitted use within the zone;
- The proposed development does not adversely impact on nearby uses; and
- Environmental constraints on the site can be appropriately mitigated.

## 6.17 ANY SUBMISSIONS

Any submissions on the proposal will be considered following notification of the proposal prior to determination of the application.

## 6.18 THE PUBLIC INTEREST

The Club has been a feature of the community for over many years. During this time it has evolved in response to the needs of its members and to remain relevant in its marketplace. This proposal represents the latest step in this evolution. The proposed hotel is consistent with planning controls and has various broader public benefits as detailed above, accordingly it is considered to be in the public interest.

## 7 Conclusion

The proposed hotel is considered to represent a significant investment in the St Mary's region and will secure the viability of the Club into the future by expanding the facility to respond to the needs of its members and the community generally.

The assessment provided in this report has indicated that the application for the new hotel development on the subject site is in accordance with key State and Local Planning Policy Framework and will provide a significant community benefit for the local and wider community.

This SEE has assessed potential impacts of the development, and has shown that the works will be undertaken to ensure minimal impact on the environmental, economic, and social function of the site and surrounding area.

The built form and landscaping has specific regard to the sporting complex nature of the site and will represent an attractive addition to the area.

An acceptable setback, landscaping and acoustic mitigation measures will ensure that impacts to the residential properties to the south on Boronia Road have been appropriately mitigated.

The St Mary's Rugby League Club is an established major community focal point providing an important source of employment, recreation, leisure, sporting and other activities to the rapidly growing residential population in the St Mary's region. The Clubs long term vision for the redevelopment of the site includes the expansion of services to include the hotel as proposed as a part of this development application.

As such, for the reasons contained within this report and the accompanying documentation we consider the proposal is suitable on the site and within the locality and as such should be supported on its merits and granted development consent by Council.

## Disclaimer

This report is dated May 2016 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (Urbis) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of FDC (Instructing Party) for the purpose of preparation of a DA for a Hotel (Purpose) and not for any other purpose or use. Urbis expressly disclaims any liability to the Instructing Party who relies or purports to rely on this report for any purpose other than the Purpose and to any party other than the Instructing Party who relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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## Appendix A

## Survey Plan

Appendix B

Architectural Drawings

## Appendix C

## Landscape Plans

Appendix D

Traffic / Parking Study

## Appendix E

## Civil Works Report

Appendix F

Waste Management Plan

## Appendix G

## Acoustic Report

# Appendix H

# DDA Access Report



## Appendix I

## BCA Report

Appendix J

ESD Report

## Appendix K

## Bushfire Statement

Appendix L

Penrith Development Control Plan  
2014 Compliance Table

## Appendix M

## Fire Safety Assessment

Appendix N

Deposited Plan and Certificate of Title



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