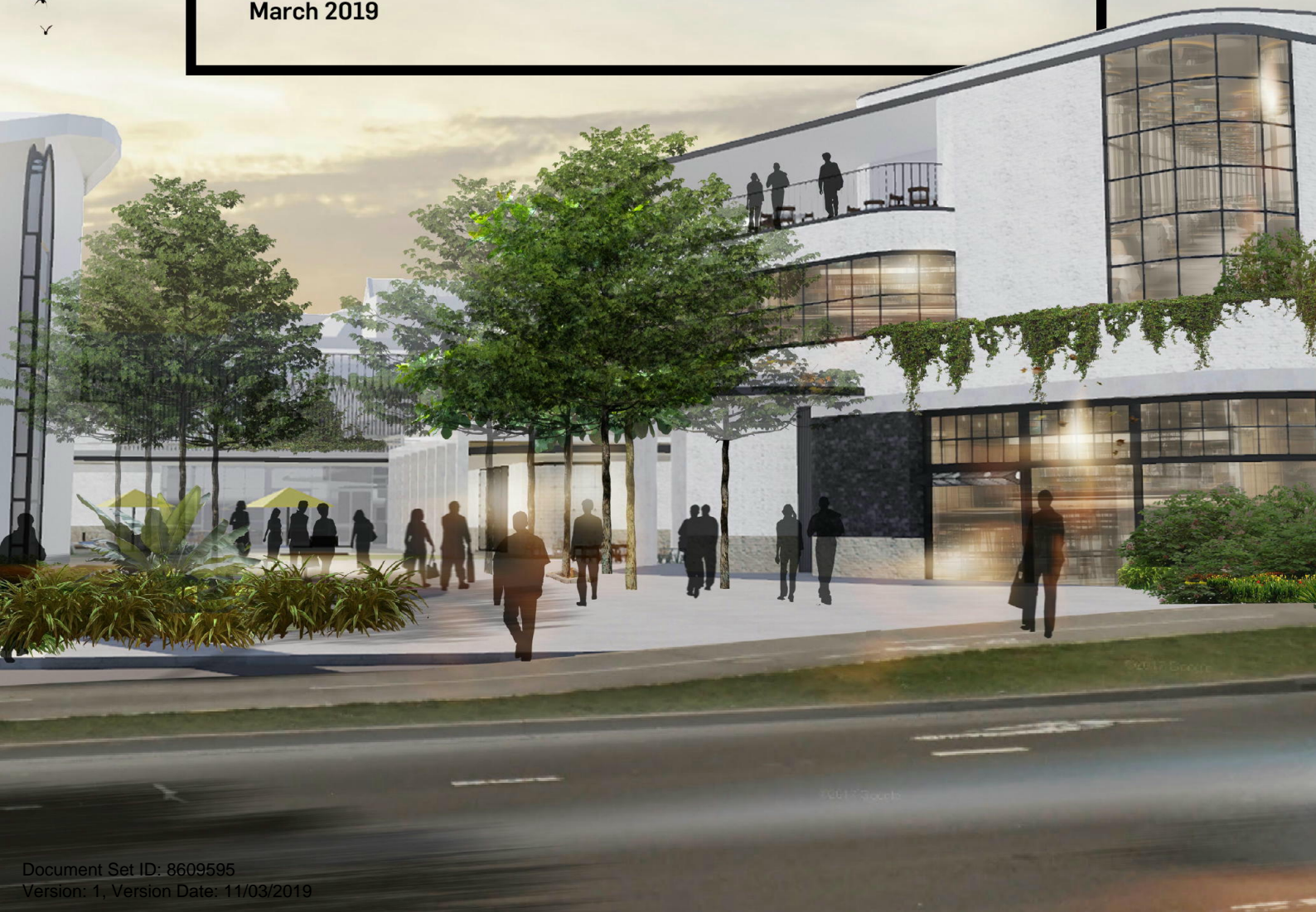


# STATEMENT OF ENVIRONMENTAL EFFECTS

## WESTFIELD PENRITH – MONDO LIFESTYLE PRECINCT

Prepared for  
**SCENTRE GROUP LIMITED**  
March 2019



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# EXECUTIVE SUMMARY

## Overview

This Statement of Environmental Effects (SEE) has been prepared by Urbis on behalf of Scentre Group Limited. It accompanies a development application (DA) seeking approval for alterations and additions to the south-west portion of Westfield Penrith Shopping Centre known as the 'Mondo Precinct.'

This application seeks approval for the following works:

- Extension of the southern and western building footprints adjoining the Mondo Precinct;
- Minor works to the roof level including the addition of a roof plant, licensed balcony and food and beverage tenancy;
- Reconfiguration of landscaping at the southern vehicular entrance from High Street;
- Minor alterations to car parking and servicing arrangements to cater for the new tenancies;
- Installation of new façade elements on the southern elevation at ground and first floor;
- Inclusion of speciality retail and food and beverage tenancies (including licensed external seating areas); and
- Landscaping and public domain works.

The proposal seeks to create a series of interconnected destinations, improve the public domain and deliver a greater food and beverage offering in the Mondo Precinct. The proposal directly aligns with the desired outcome of the endorsed Penrith Night-time Economy Strategy. The Mondo Precinct falls within the Cultural/Civic Precinct as identified in the Strategy and a key action is to support evening outdoor dining and events.

The proposed works will support the activation of this area and significantly improve the relationship between the Council Civic Precinct, the Joan Sutherland Performing Arts Centre and the Westfield Shopping Centre. The proposal will deliver a vibrant, active and integrated precinct that will support the day and night-time economy for people of all ages.

As part of the transformation of this space, an offer of public benefit will be submitted to Council for upgrades to "The Mondo" community space. The aim of these enhancements is to contribute to the existing plaza, with a range of additions that connect the proposed dining precinct with the public domain. This application does not seek development consent for the public benefit offer works.

# 1. INTRODUCTION

## 1.1. OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared by Urbis Pty Ltd on behalf of Scentre Group Limited (the applicant) and accompanies a Development Application (**DA**) submitted to Penrith Council (**Council**) for alterations and additions to the existing Westfield Shopping Centre located at 585 High Street, Penrith. This application relates to the south-west portion of the shopping centre only, known as the Mondo Precinct. It is intended to transform the existing area currently used as a pedestrian thoroughfare/seating area into a dining and lifestyle precinct.

The DA is to be accompanied by an Offer of Public Benefit to undertake enhancement works to the Mondo Civic Plaza. It is intended that any Voluntary Planning Agreement (VPA) (if required) would be executed post-approval however would be tied to the DA through appropriate conditions of consent.

Council recently endorsed the Penrith Night-time Economy Strategy which identifies the creation of an evening economy as an important element in the revitalisation of Penrith City Centre. The Mondo Precinct is located within the proposed Cultural/Civic Precinct whereby a key action is to support outdoor dining and evening events through the re-design and re-construction of the precinct. The proposal directly responds to the Strategy by expanding the current retail and dining offering and undertaking public domain improvement works.

## 1.2. REPORT STRUCTURE

This Statement of Environmental Effect identifies the subject site and surrounding locality, describes the proposed development and provides an assessment it against the relevant matters for consideration, pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This report is structured, as outlined below:

- **Section 1:** Introduction
- **Section 2:** Site and surrounding context
- **Section 3:** Background
- **Section 4:** Proposed Development
- **Section 5:** Strategic Planning Framework
- **Section 6:** Statutory Planning Framework
- **Section 7:** Section 4.15 Assessment
- **Section 8:** Conclusion

## 1.3. PROJECT TEAM

This Statement of Environmental Effects should be read in conjunction with the following architectural plans and specialist reports:

Table 1 – Supporting Documentation

Document title	Consultant	Appendix
Survey Plan	Geosurv	Appendix A
Arboricultural Impact Assessment	Botanics Tree Wise People	Appendix B
Architectural Plans	Scentre Group	Appendix C
Acoustic Report	ARUP	Appendix D

<b>Document title</b>	<b>Consultant</b>	<b>Appendix</b>
Preliminary Site Investigation Report	JBS&G	Appendix E
Stormwater Management Report	Arcadis	Appendix F
Waste Management Report	Scentre Group	Appendix G
Public Domain Design Report	Urbis	Appendix H
Visual Context Analysis	Urbis & Scentre Group	Appendix I
DCP Assessment	Urbis	Appendix J
Traffic and Parking Report	SLR	Appendix K
BCA Report	Steve Watson & Partners	Appendix L
Access Report	Access Australia	Appendix M
Fire Engineering Review Report	Fire Engineering Professionals	Appendix N
CPTED Assessment	Urbis	Appendix O

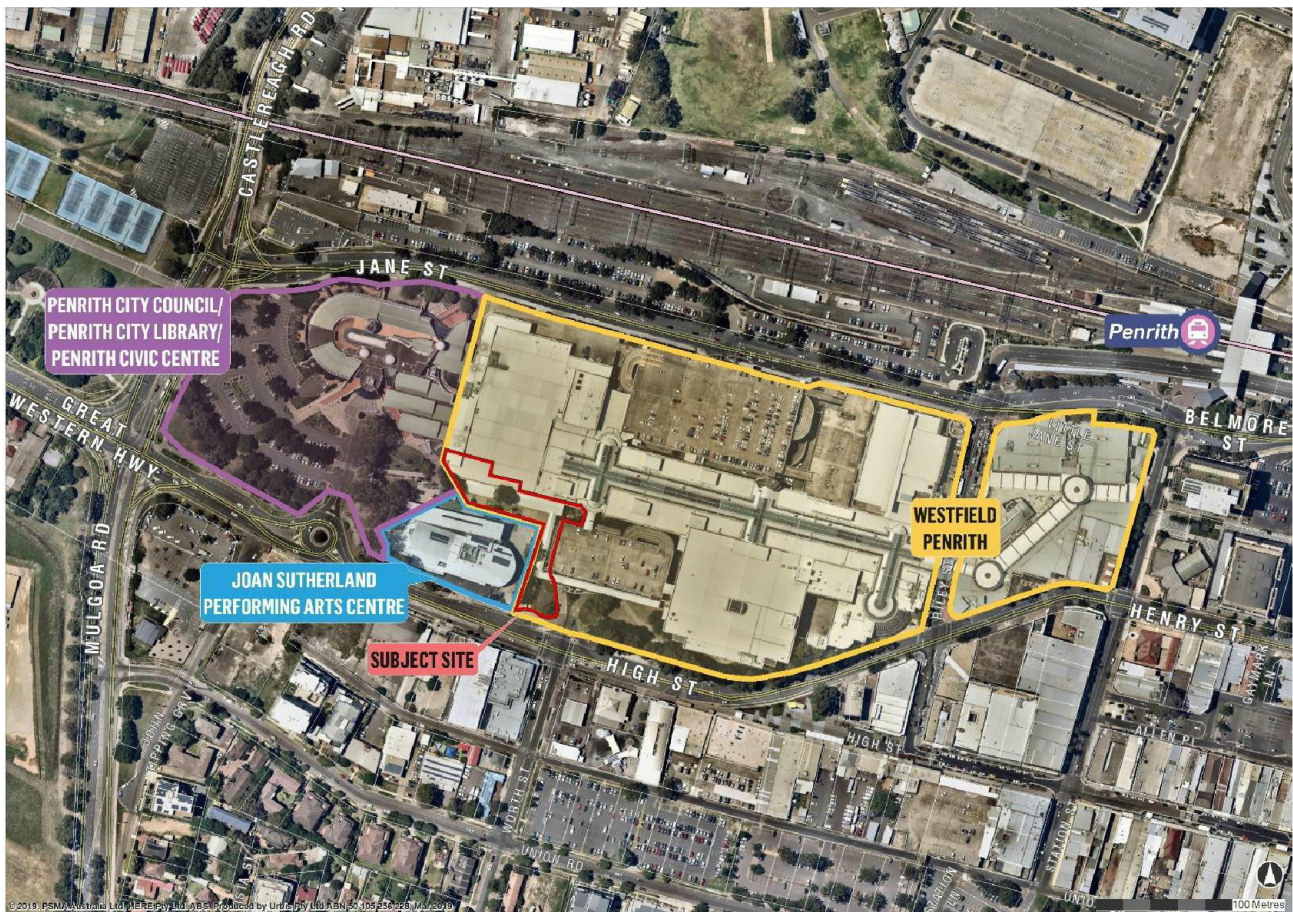
## 2. SITE AND SURROUNDING LOCALITY

### 2.1. LOCALITY

Penrith Westfield is located in Penrith Central Business District (CBD) within the Penrith local government area (LGA). Penrith is approximately 32km west of Parramatta CBD and approximately 54km west of Sydney CBD.

Penrith Westfield is one of the largest regional shopping centres in Western Sydney servicing a large catchment including the Blue Mountains, Hawkesbury and the Western Sydney Airport Growth Area. The centre caters to a trade area population in excess of 477,000 residents. Other significant retail centres are located at Mount Druitt (12km to the east), Blacktown (25km to the east) and Parramatta (approximately 32km to the east). The location of the site within its broader CBD context is shown in Figure 1 below.

Figure 1 – Aerial View



Source: Urbis

### 2.2. SUBJECT SITE

#### 2.2.1. Site Description

The land subject of this development application is part of Westfield Penrith Shopping Centre (as depicted in Figure 1). The land is legally described as Lot 1 in Deposited Plan (DP) 1137699 (Survey plan submitted at **Appendix A**). The key features of the site include:

- The site has a total area of approximately 90,325m<sup>2</sup> while this DA relates to a smaller area in the south-western corner of the site.
- The site has frontage to High Street/Henry Street (400m), Jane Street (480m), Riley Street (153m) and Station Street (40m);

- The site is predominantly level;
- Vehicle access to the site is available at various locations along High Street and Jane Street;
- Pedestrian access to the Mondo Precinct is available directly from High Street from the centre and also the Civic Precinct to the west; and
- The site contains limited vegetation with street trees planted along the perimeter of the site.

### **2.2.2. Existing Development**

The site currently accommodates Westfield Penrith which is a significant retail centre. Retail facilities are provided over two levels and across two buildings that straddle Riley Street. The centre comprises a total floor area of approximately 90,325m<sup>2</sup> which is made up of the following components:

- One department store;
- Two discount department stores;
- Two supermarkets;
- 270 retail specialty stores;
- A Hoyts cinema complex;
- Two food courts and a dining street precinct; and
- Car parking comprising 3,521 basement, under-cover and open-air spaces.

This application relates to the Mondo Precinct, located within the Civic and Cultural Precinct of Penrith CBD. This area currently comprises the council's offices and chambers, library and Joan Sutherland Performing Arts Centre (see Figure 2).

Figure 2 – Subject Site and Surrounds



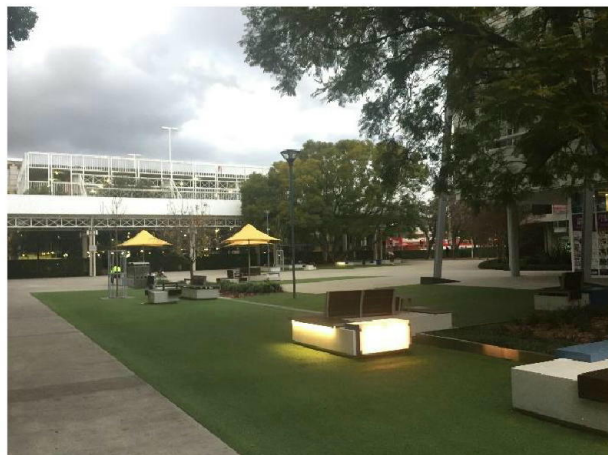
Picture 1 – Mondo Dining Precinct facing north-west.



Picture 2 – Mondo Dining Precinct facing south.



Picture 3 – Joan Sutherland Performing Arts Centre.



Picture 4 – Existing seating and lighting in the precinct.



Picture 5 – Existing pedestrian pathway south of carpark.



Picture 6 – Penrith Council building and lawn.

## 2.3. SURROUNDING CONTEXT

The city centre, where Westfield Penrith is located, has a retail shopping strip located along High Street and is anchored by a number of key retailers that extend towards Henry Street. The surrounding area is characterised by smaller specialty stores interspersed with commercial offices. Buildings are predominantly low to medium rise and there are a large number of Council and government owned sites close to the railway station. Several community facilities are also located within the vicinity including Penrith RSL Club, Panthers Stadium and various local parks for community groups to meet and gather.

### North

The site is bound to the north by the great Western Highway. Beyond this is the T1 Western Railway line, and commuter car parking associated with Penrith Railway Station. The T1 Line connects Penrith with the Blue Mountains and Sydney CBD. Further to the north is the Thornton residential area which includes a mix of low to high density dwellings.

### East

The site is bound by Station Street to the east. Further to the east are buildings occupied by a range of government services including Penrith Legal Aid Office, NSW Civil and Administrative Tribunal and Australia Tax Office (ATO) Penrith.

### South

The site is bound by High Street to the south which acts as the central east-west pedestrian and vehicular spine through the Penrith CBD. High Street connected to Henry Street and is the main retail shopping strip characterised by a mix of retail and commercial land uses. Immediately adjacent to the subject site is the Joan Sutherland Performing Arts Centre, which is bounded further to the south by High Street, existing commercial development and future residential/mixed use developments.

### West

To the west is the Penrith City Council complex which comprises the Penrith City Library, Penrith City Council building, Penrith Civic Centre and Penrith Tourism Centre.

## 2.4. TRANSPORT NETWORK

The existing centre is well connected to public transport with the following bus and rail services providing access to the site:

- Depending where measured from on the large site, the centre is located approximately 100-600m walking distance from Penrith Rail Station and Penrith Bus Terminal which provide frequent services to the Blue Mountains, Hawkesbury, Inner-Sydney and surrounds.
- In addition to the transport interchange, the centre adjoins two major arterial roads being High Street and the Great Western Highway which connects Sydney to Bathurst, via Penrith.

## 3. BACKGROUND

### 3.1. PRE-LODGEMENT DISCUSSIONS

In preparing this development application, significant consultation has occurred with various Council officers and Councillors over the past 12 months.

This engagement has been utilised to assist in the design development phase of the project. The intent of the engagement has been to inform Council of the development proposal and, where feasible, to address concerns by way of design amendments. Scentre Group have actively consulted with Council and several meetings have been held with key figures in Council Planning, Public Domain and Placemaking teams as summarised below.

Table 2 – Consultation and Workshop Summary

Date	Meeting topic	Attendees
12 April 2018	Co-Design Workshop	Place Manager Design and Projects Manager Landscape Architect
20 April 2018	Follow up Co-Design Workshop	Place Manager Design and Projects Manager Landscape Architect
19 June 2018	Pre-DA Meeting Detailed below	Full spectrum of Council officers.
10 September 2018	Councillor Briefing	Penrith City Councillors
12 September 2018	Workshop	Executive Manager – Environment and City Development Development Services Manager Development Assessment Co-ordinator Principal Planner Place Manager Design and Projects Manager
26 November 2018	Workshop	Assistant General Manager Executive Manager – Environment and City Development Development Services Manager Development Assessment Co-ordinator Executive Manager – City Economy & Planning Place Manager

A pre-lodgement meeting was held on 19 June 2018 with representatives from Council and the Project Team. A concept plan for the proposed dining and lifestyle precinct at Westfield Penrith was presented to Council.

The key matters raised at the pre-lodgement meeting and applicant response are summarised below in Table 2. It is noted that the scheme presented at the pre-lodgement meeting has been meaningfully refined in response to the feedback received from Council.

Table 3 – Pre-lodgement meeting summary

Matter	Response
<p><b>Landscaping</b></p> <p>Play is not supported in the space as designated active play equipment but may be considered if quietly and seamlessly integrated into the open space design, as informal landscape elements.</p> <p>By proximity, it is currently directly associated with the private domain and considered an inappropriate encroachment of private into public space. Quantum of play is excessive and an intrusion to existing passive recreation and socialisation qualities of the space (noise, spatial encroachment, visual quietness).</p>	<p>Landscaping works the subject of this development application are located wholly within the site boundary. This land is publicly accessible, privately owned space within the Westfield site. These works include increasing planting, modifying the soft landscaping edge along High Street, enhancing under storey planting and removing several trees which have been recommended for removal in the Arborist Report submitted at <b>Appendix B</b>.</p> <p>Landscape works associate with the Offer of Public Benefit are matters that will be discussed with Council.</p>
<p><b>Pedestrian Movement</b></p> <p>The proposed building additions and 'spill' areas are encroaching into the existing covered pedestrian travel paths. This will result in pedestrians being forced into a narrowed and/or uncovered travel path with inadequate capacity for the pedestrian volumes and accessibility required.</p>	<p>The reconfigured building alignment and awning will provide sufficient walkways for pedestrians. The outdoor dining areas have been designed to comply with Section 8.4 of PDCP 2014.</p>
<p><b>Overshadowing</b></p> <p>The building additions pose significant overshadowing of the public domain.</p>	<p>Following on from consultation with Council, the design has been amended to remove the second level of retail space and as such the previously identified overshadowing impacts have been significantly reduced. These impacts are now limited when compared to the existing scenario. Refer to shadow diagrams provided within <b>Appendix C</b>.</p>
<p><b>Screening</b></p> <p>Screening of feature wall (eastern façade) on the Joan not supported.</p>	<p>Section 6.4.3 and the Visual Context Analysis provided at <b>Appendix I</b> provides analysis to demonstrate that the feature wall associated with the Joan is not screened by the proposal.</p>
<p><b>The Tavern</b></p> <p>The 'tavern' is not supported in the proposed location due to:</p> <ul style="list-style-type: none"> <li>the loss of street amenity to High Street;</li> </ul>	<p>The tavern has been removed from the proposal.</p> <p>The proposed food and beverage tenancy (R9) that fronts High Street seeks to provide increased activation and a clear street address that does not currently exist. This part of the proposal is intended</p>

Matter	Response
<ul style="list-style-type: none"> <li>the loss of landscaping to the 'arrival' point for the Westfield development;</li> <li>noise impacts on the Joan and residential development in the proximity;</li> <li>socio-economic impacts</li> <li>isolated from other food and drink offerings including other licensed premises; and</li> <li>no provisions for loading, drop off and pick up areas.</li> </ul>	<p>to provide a mixed offering to cater to a broad range of users at different times of the day.</p> <p>The proposed landscaping improvements to this area, within the subject site will assist in integrating the public domain.</p> <p>The loading and servicing provisions have been resolved within the existing car park as detailed later in this report. As the proposed additions remain within the site boundary the existing car parking arrangements have been determined as sufficient for the proposal.</p>
<p><b>Floorspace</b></p> <p>A comprehensive assessment of total existing and proposed floorspace and on-site carparking requirements and provisions in accordance with relevant rates under Penrith DCP 2014.</p>	<p>A comprehensive breakdown of the total existing and proposed floor space is provided in the GFA schedule submitted at <b>Appendix C</b>.</p>
<p><b>Noise Impacts</b></p> <p>An acoustic assessment is required to be submitted as a part of the development application to demonstrate that the proposed uses will not have any impact on nearby sensitive receivers (being any future residential development zoned across the road as well as the adjoining Joan Sutherland Performing Arts Centre).</p>	<p>An Acoustic Assessment is provided by ARUP at <b>Appendix D</b>, which considers the potential impacts on nearby receptors. Compliance with intrusiveness criteria is anticipated at all locations, with the exception of the Joan Sutherland Performing Arts Centre (JSPAC) learning spaces whilst windows are open. As the predicted noise levels are comparable to that existing (with a small increase of no more than 3 dB(A), and the noise is the result of plaza activation which is desirable, the non-compliance is considered acceptable. The report also suggests an additional acoustic assessment is completed once specific uses are determined. This is discussed further in Section 6.4.6.</p>
<p><b>Contamination</b></p> <p>The application is to address all relevant requirements under State Environmental Planning Policy 55 Remediation of Land (SEPP 55). Council cannot consent to any development unless these requirements have been satisfied.</p>	<p>The relevant requirements of SEPP 55 have been addressed. A Preliminary Site Investigation report has been prepared and is submitted at <b>Appendix E</b>.</p> <p>The report concludes that given previous assessment and remediation activities, there is little opportunity for exposure to potential contamination during controlled development.</p>
<p><b>Engineering</b></p> <p>Proposed additions associated with Food Area R4 is located over an existing stormwater pit access, which would not be supported.</p>	<p>The R4 shopfront has been shifted to allow the existing stormwater pit access to sit within the outdoor LSA with a 200mm clearance from the building line. In consultation with the civil engineers,</p>

Matter	Response
<p>The site has been identified as high hazard category in accordance with the State Government Floodplain Development Manual.</p> <p>The site has been identified as being located within an overland flow path based on Council's Penrith CBD Detailed Overland Flow Flood Study – 7 July 2015.</p>	<p>the stormwater pit access no longer needs to be relocated.</p>
<p><b>Stormwater</b></p> <p>Stormwater drainage for the site must be in accordance with the following: Council's Development Control Plan, Stormwater Drainage Specification for Building Developments policy, and Water Sensitive Urban Design Policy and Technical Guidelines.</p> <p>A stormwater concept plan (SCP), accompanied by a supporting report, Council's SCP Checklist (see Appendix A of Council's Stormwater Drainage Specification), and calculations, shall be submitted with the application.</p>	<p>A Stormwater Management Report and concept plan is submitted at <b>Appendix F</b>.</p>
<p><b>Waste Management</b></p> <p>Waste Management Plan is to be provided addressing waste produced during the demolition, construction and operational phases of the development. It should address waste quantities, storage locations and removal. Vehicular access for collection also needs to be addressed.</p>	<p>A Waste Management Report is submitted at <b>Appendix G</b>.</p>

## 4. PROPOSED DEVELOPMENT

### 4.1. PROJECT VISION

Scentre Group proposes to respond to the endorsed Penrith Night-time economy strategy by improving its interface with and activation of the public domain of the Mondo Precinct. This area of the shopping centre has typically operated as a high foot traffic area, situated at the intersection between Westfield Penrith, the Joan Sutherland Performing Arts Centre and the Penrith Civic Centre. Recent demolition, civil and landscaping works have transformed the space into a space for people to stop and linger however the area still lacks a sense of vibrancy and has little integration with the broader City Centre.

The proposed works seek to improve the vibrancy, livelihood and integration with Penrith City Centre by encouraging greater use of this outdoor space. The proposed works align with the Night-time economy strategy and will establish a clear link between the Council Chambers, Westfield Shopping Centre, the John Sutherland Performing Arts Centre and Penrith Library. The proposal will provide a destination for people to visit and utilise before shows and functions as well as creating a new city precinct for visitors and locals.

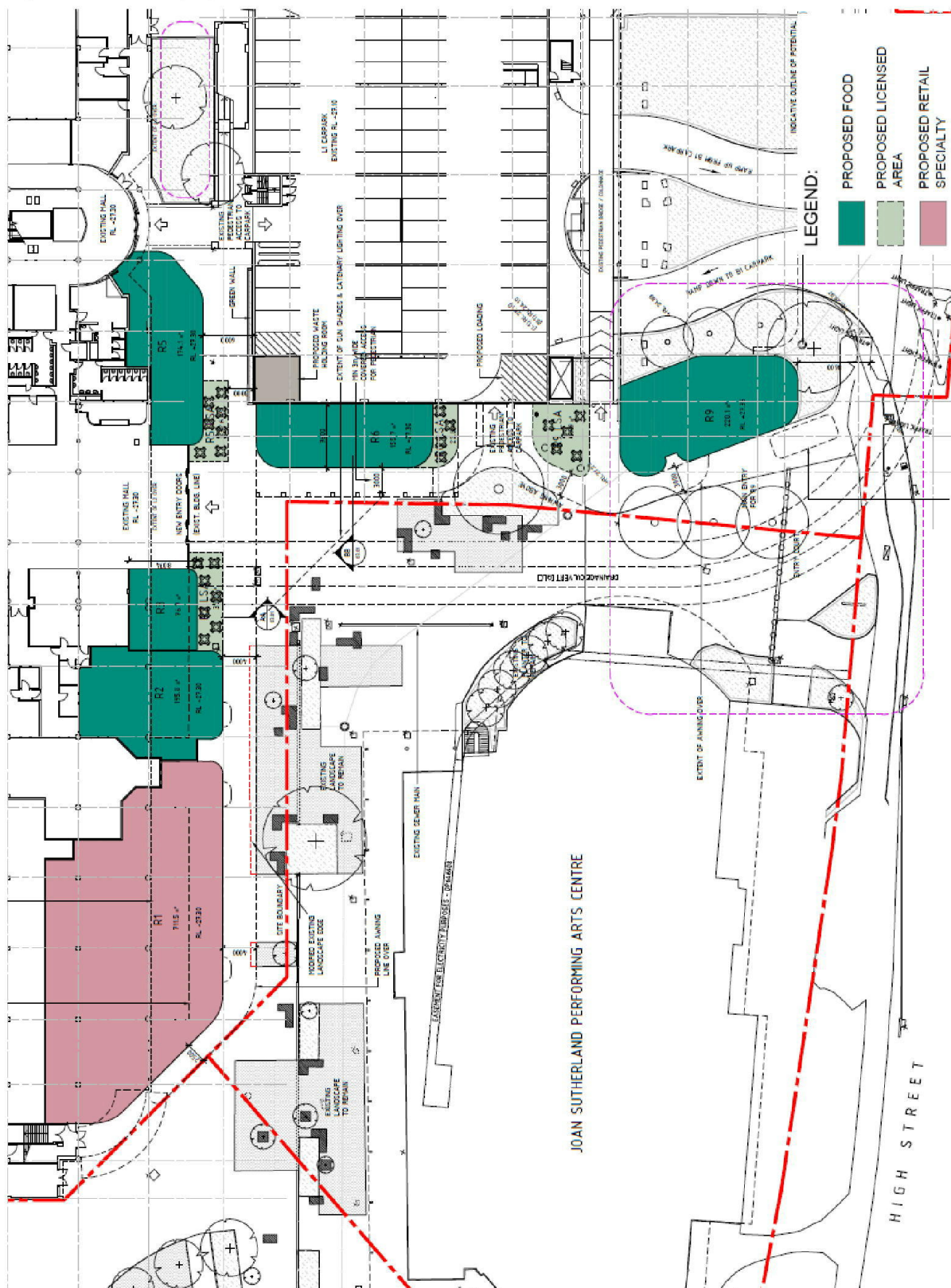
### 4.2. DEVELOPMENT SUMMARY

The following works are proposed:

- Demolition and extension of the southern and western building footprints adjacent to the Mondo Precinct, this includes introduction of the below new tenancies;
- Change of use of tenancy R1 from community facility to retail premises;
- Minor works to the roof level including the addition of a roof plant, licensed balcony and food and beverage tenancy;
- Reconfiguration of landscaping at the southern vehicular entrance from High Street;
- Minor alterations to car parking and servicing arrangements to cater for the new tenancies;
- Installation of new façade elements on the southern elevation at ground and first floor;
- Inclusion of speciality retail and food and beverage tenancies (including licensed external seating areas); and;
- Landscaping and public domain works within the site boundary.

The extent of the proposed works are identified in Figure 3. Architectural Plans prepared by Scentre Group are included at **Appendix C**.

Figure 3 – Extent of proposed works at Ground Level



Source: Scentre Group

The proposed new tenancies are described below. It is noted that the below relates to a net total increase in GFA of 1,583.9m<sup>2</sup> which is primarily located within the existing building footprint. This is a result of removal of 751.2m<sup>2</sup> of existing GFA.

Table 4 – Proposed Retail Tenancies

<b>Tenancy</b>	<b>Use</b>	<b>Area</b>
R1	Specialty Retail	711.5 m <sup>2</sup>
R2	Food	195.8 m <sup>2</sup>
R3 + LSA	Food + Licensed Area	76.7 m <sup>2</sup> + 38.8 m <sup>2</sup> (LSA)
R5 + LSA	Food + Licensed Area	174.1 m <sup>2</sup> + 32.6 m <sup>2</sup> (LSA)
R6 + LSA 2 storeys + Balcony	Food + Licensed Area	334.2 m <sup>2</sup> + 22.8 m <sup>2</sup> (LSA) + 49.6 m <sup>2</sup> (balcony)
R9 + LSA 2 storeys with roof terrace	Food + Licensed Area	653.4m <sup>2</sup> (156.9 m <sup>2</sup> roof terrace 49.9 m <sup>2</sup> (LSA)

### 4.3. DEMOLITION

The proposed works will require partial demolition of the south-west portion of the shopping centre at ground and first floor (in the specific area that is the subject of this DA). The proposed demolition is shown in detail within the architectural plans at **Appendix C**.

### 4.4. ACCESS, PARKING AND LOADING

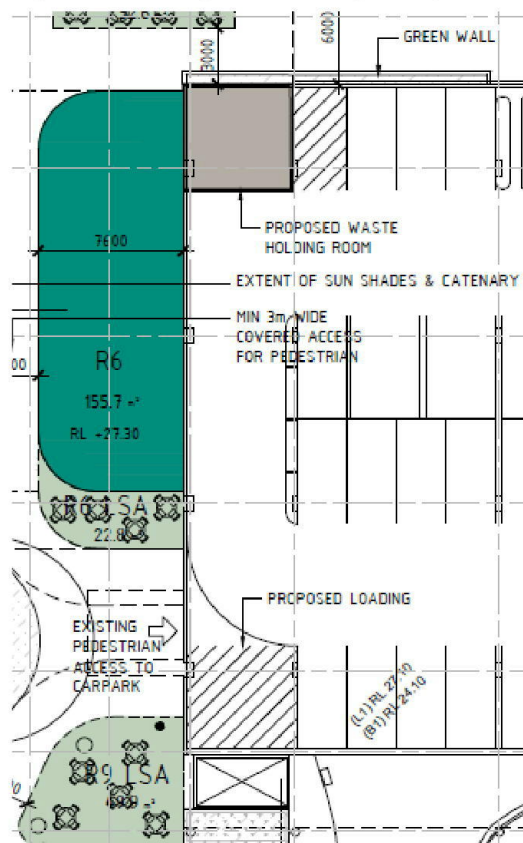
#### 4.4.1. Vehicular Access and Parking

Changes are proposed to support servicing and loading arrangements for the new tenancies. The existing parking supply is 3,521 spaces. Two car spaces within the car park directly east of the tenancy R6 site will be converted to a dedicated loading area to accommodate vans and an additional two car spaces will be converted to provide a waste storage room (Figure 4). The reduction in overall parking will be four spaces.

#### 4.4.2. Service Vehicle Access and Loading

Existing service activity will remain largely unchanged, with the exception of the southernmost tenancy adjacent to High Street. Larger deliveries for this tenancy will be accommodated via the existing Jane Street service area. Smaller deliveries will be accommodated via a new dedicated loading bay located on the first floor of the existing car park, adjacent to the tenancy (Figure 4).

Figure 4 – Loading and Servicing Arrangements



Source: Scentre Group

## 4.5. TREES AND LANDSCAPING

### 4.5.1. Tree Removal

The proposed works will involve the extension of the construction footprint south as detailed. This will require the removal of Trees 4, 5, 6, 7, 8, 9, 21, 22, 23, 24 and 25. The extension of the construction footprint to the west will affect Trees 11, 16, 17, 18 and 19 and most likely require their removal. This is discussed further in Section 7.2 and in the Arborist Report submitted at **Appendix B**.

Both of the Jacaranda's documented (Trees 10 and 11) have developed on three (3) multiple trunks that fork from ground level. This is both a coincidence and structural fault that has undermined the arboricultural significance of each of these trees. Although well-established both have been considered as Low Value for these reasons. Tree 10 is located centrally within the courtyard, while Tree 11 is located adjacent to its western boundary. The proposed construction has however been set back to allow for the retention of tree 11.

### 4.5.2. Landscaping

The following landscaping works are proposed as part of the proposed development. Landscape works the subject of the application are contained wholly within the Westfield site boundary and focus on the High Street arrival to the Mondo precinct (Figure 5).

- Upgrade pavement adjacent to the proposed food and beverage which connects pedestrians from High Street to the food court entry under cover;
- Increase planting and reduce hardstand areas;
- Modify soft landscaping edge;
- Enhance existing under story planting on eastern edge of the Mondo Precinct;
- Reduce areas of synthetic turf; and

- Retain flexible spaces for community events such as weekend markets and performance stages.

Figure 5 – Proposed landscape concept (site boundary in red)



Source: Scentre Group

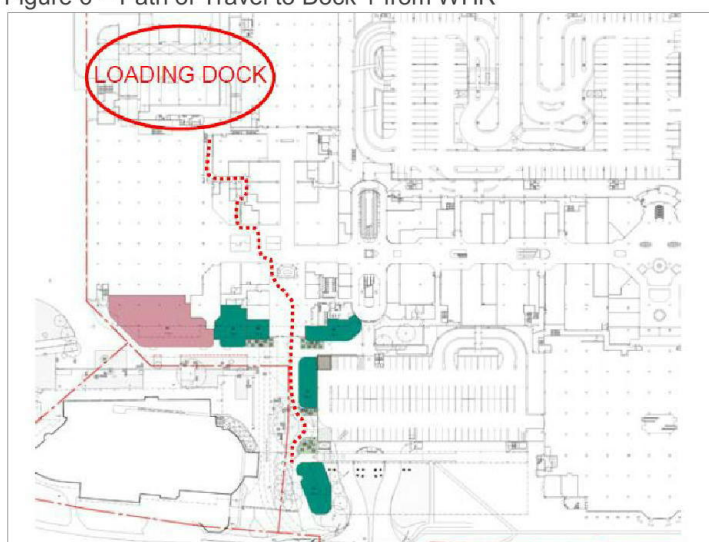
Refer to the Landscape Plans provided within the Public Domain Design Report at **Appendix I** for further information and detail.

## 4.6. WASTE MANAGEMENT

It is proposed to build a purpose-built waste holding room at the rear of the proposed tenancy R6 (Figure 4) for tenants to dispose waste generated throughout the day where it would then be transferred after core trade hours to the waste collection point at Dock 1 by the centres cleaning service providers.

Figure 6 shows the expected path of travel to transfer waste from the waste holding room to Dock 1. Tenants are encouraged to minimise production of waste through effective utilisation of materials and the reduction of unrequired waste material such as packaging. Tenants will be required to separate waste streams at source and / or in the waste holding room into various collected streams. The creation of a waste holding room will prevent the need to move waste through the operating centre during the day impacting customers.

Figure 6 – Path of Travel to Dock 1 from WHR



Source: Scentre Group

## 4.7. OFFER OF PUBLIC BENEFIT

As part of the transformation of this space, a public benefit offer will be submitted to Council for upgrades to “The Mondo” community space. The aim of these upgrades is to positively contribute to the existing plaza, with a range of interventions that connect the proposed dining precinct with the public domain. The Public Benefit Offer will be lodged separately to this development application. This application does not seek approval for the public benefit offer works.

The proposed landscaping concept that forms the offer of public benefit seeks to create a series of connected destinations and introduce a formal pedestrian arrival forecourt at the entrance on High Street. This proposal is fundamentally seeking to provide a unified connection between the different components that make up the Mondo precinct. This will be achieved by better legibility through pavement, landscape elements and clear sight lines. The provision of a covered access way adjacent the shopping centre also provides better weather protection during rain and increases the sense of safety due to the presence of active uses which are open in the evening.

In summary, the proposal positively responds to the streetscape and public domain by:

- Creating a special and iconic place that provides for appropriate interactive uses, including outdoor public seating and alfresco dining at the ground floor.
- Establishing a clear hierarchy of pedestrian circulation and providing new and improved sight lines both internally and externally.
- Strengthening the arrival forecourt through existing tree avenue.
- Improving pedestrian access between High Street, Westfield, John Sutherland Performing Arts Centre and Penrith City Council Chambers.
- Retaining flexible spaces for community events such as weekend markets and performance stages.
- Increasing planters to the eastern entry point to provide a lush landscape setting which includes climbers to the carpark facade.
- Providing new interactive sculptural elements to appeal to various age groups, incorporating public art and water features with pop up jets and mist.
- Improving the safety of the area by incorporating night lighting into the overhead catenary, creating a vibrant pedestrian ceiling for night activation.

## 5. STRATEGIC PLANNING ASSESSMENT

The positioning of Penrith Mondo within the wider context of Penrith City Centres is guided by several strategic planning documents including the Penrith City Centre Vision 2007 and Penrith Night Time Economy Strategy 2015. The following provides a summary of the key directions for the precinct as contained within these strategic planning documents.

Table 5 – Strategic Planning Assessment

Strategic Planning Document	Comment	Consistent
<b>A Metropolis of Three Cities – The Greater Sydney Region Plan</b>	<p><i>Greater Sydney Region Plan: A Metropolis of Three Cities</i> is the NSW Government's plan for the Sydney Metropolitan Area over the next 20 years.</p> <p>Greater Penrith has been identified as a 'collaboration area', a 'metropolitan cluster' and an established centre that is a critical location for commercial and retail business and health and education services as Western City grows. Work undertaken for the Greater Penrith Collaboration Area also includes strategies to promote tourism and considers opportunities to capitalise on the benefits of the potential development and expansion of health, education or other social infrastructure in these centres.</p>	Yes
<b>Western City District Plan</b>	<p>The <i>Western City District Plan</i> complements the Region Plan and provides specific planning priorities and actions for the Greater Penrith Area. The proposed development is consistent with the relevant actions to be addressed by planning authorities.</p> <p><b>Growth of City Centre</b></p> <p><i>Actions:</i></p> <ul style="list-style-type: none"> <li>• <i>support the transformation of the City Centre to grow to its ultimate potential</i></li> <li>• <i>support and enhance a viable commercial core</i></li> <li>• <i>facilitate the attraction of a range of uses that contribute to an active and vibrant City Centre</i></li> <li>• <i>facilitate opportunities for a diverse economy that delivers jobs of the future, strong employment sectors and improves access to education and training</i></li> <li>• <i>encourage new lifestyle, tourist and cultural uses to activate streets and grow the tourism and night-time economies</i></li> </ul> <p>The proposal supports the transformation of the City Centre by providing a new lifestyle precinct which will provide convenient shopping, dining and leisure opportunities for the growing population of the Western City District. The revitalised precinct will provide a new lifestyle destination where residents and visitors can meet, shop and dine. The proposal is intended to transform the area into a vibrant and</p>	Yes

Strategic Planning Document	Comment	Consistent
	<p>diverse centre with land uses that will activate the area and contribute to the night-time economy.</p> <p><b>Visitor Economy</b></p> <p><i>Actions:</i></p> <ul style="list-style-type: none"> <li>• <i>Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation.</i></li> <li>• <i>encourage new lifestyle, tourist and cultural uses to activate streets and grow the tourism and nighttime economies.</i></li> </ul> <p>There is a unique opportunity for the Greater Penrith area to capitalise on the visitor economy which connects not only with the strong natural, recreational and tourism assets that already exist. The future Western Sydney Airport will further increase the demand on tourism in the district. The proposed lifestyle precinct, adjacent to the arts and cultural centre that is the Joan Sutherland Centre will be in a prime position to support this growth.</p> <p>The proposal also directly supports the growth of the night time economy in Penrith.</p> <p><b>Enhancing Public Spaces</b></p> <p><i>Actions:</i></p> <ul style="list-style-type: none"> <li>• <i>activate primary and secondary streets and deliver contemporary urban public spaces</i></li> <li>• <i>promote urban living by improving amenity within the City Centre and activating public spaces</i></li> <li>• <i>support and demonstrate innovation</i></li> </ul> <p><i>Proposal:</i></p> <p>The proposal will enhance the existing public domain by providing additional active land uses such as cafes and restaurants. The proposed public domain upgrades will transform this area into an attractive and functional urban space within proximity to public transport and the Penrith city centre.</p>	
<b>Economic Development Strategy</b>	<p>Penrith City Council have developed the Economic Strategy which seeks to establish a framework for how Council can best support economic development, investment and grow jobs in Penrith. The focus is on growing new jobs in health, education, tourism, arts and culture complemented by growth in the night-time economy, small business and residential services.</p>	Yes

Strategic Planning Document	Comment	Consistent
Night-time Economy Strategy	<p>The Economic Strategy was informed by a Night-time Economy Strategy which provides guidance to enhance the arts and culture sector. The Strategy identifies the Mondo Precinct within the Civic and Cultural Precinct. A key priority is to improve the integration and connectivity within the precinct by supporting evening outdoor dining and events and in turn activating the night-time economy.</p> <p>The key action relevant to the shopping centre is to:</p> <p><i>Work with stakeholders, including JSC, Westfield, and Council to consider re-design and reconstruction of the precinct to support evening outdoor dining and events.</i></p> <p>The proposal directly achieves this action by transforming the existing Mondo precinct into an active urban space with a variety of food and dining offerings. The proposal seeks to revitalise the Mondo Precinct by contributing to the existing cultural and civic assets and providing a complementary food and beverage and retail offering.</p>	Yes

## 6. STATUTORY PLANNING ASSESSMENT

### 6.1. STATE ENVIRONMENTAL PLANNING POLICY

The following assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

The proposed development has been assessed in accordance with the relevant state, regional and local planning policies, as follows:

- Sydney Regional Environmental Plan no 20 – Hawkesbury Nepean River (no 2 - 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;
- Penrith Local Environmental Plan 2010; and,
- Penrith Development Control Plan 2014.

This SEE demonstrates that the proposed development is generally consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

#### 6.1.1. Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No 2 – 1997)

The site is located within the Hawkesbury Nepean River Catchment. Accordingly, the *Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River* (SREP 20) applies to the proposal. The aim of the 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.

The proposal had regard to the general planning considerations, specific planning policies and recommended strategies identified in Part 2 of SREP No. 20. It is concluded the proposal will not adversely affect the quality of the stormwater discharged to the road drainage network.

#### 6.1.2. State Environmental Planning Policy 55 – Remediation of Land

Clause 7 of *State Environmental Planning Policy 55 – Remediation of land* specifies that a consent authority must not consent to the carrying out of any development on land unless it has considered whether land is contaminated and if the land is contaminated, it is satisfied that the land is/can be suitable for the proposed development.

A Preliminary Site Investigation report has been prepared by JBS&G Australia Pty Ltd to identify the potential for contamination of the land from historical use activities at the site and is submitted at **Appendix E**.

Previous assessments have identified asbestos containing material impacted soils north of the Joan Sutherland Building, which were remediated in 2016. The Preliminary Site Investigation did not identify conditions indicative of contamination that would prevent development or use of the site for the ongoing commercial land use.

The report concludes that given previous assessment and remediation activities, there is little opportunity for exposure to potential contamination during controlled development. Based on the findings above and limitations of this investigation the site is considered suitable for the proposed development and ongoing land use.

#### 6.1.3. State Environmental Planning Policy (Infrastructure) 2007

*State Environmental Planning Policy (Infrastructure) 2007* applies to the whole State and seeks to facilitate the delivery of infrastructure across the State by improving regulatory certainty and efficiency.

The existing shopping centre comprises more than 10,000sqm of commercial floor area and is therefore considered traffic generating development pursuant to Schedule 3 of the SEPP. However, the proposed works only result in a net increase of 1583.9m<sup>2</sup> commercial GFA which is primarily located within the existing building footprint. Referral to the RMS is not considered necessary.

## 6.2. PENRITH LOCAL ENVIRONMENTAL PLAN 2010

### 6.2.1. Zoning, Permissibility and Objectives

The site is within the “B3 Commercial Core” zone. The objectives of the B3 zone are:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that 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 Penrith City Centre as the business, retail and cultural centre of the region.*

The proposed works align with the zone objectives for the B3 Zone. The proposal will broaden the current dining and lifestyle offering available to the growing population of Western Sydney and increase job opportunities within the heart of Penrith City Centre.

The site is highly accessible to public transport given its proximity to Penrith Rail Station and bus interchange. Further, the proposal will strengthen Penrith City Centre as the business, retail and cultural centre of the region by providing a diverse range of complementary land uses that provide a focus for public life. The enhancement and activation of the civic and cultural precinct will widen the existing centres appeal and therefore strengthen the retail and business role of Penrith CBD.

The proposal comprises the following land uses:

- Retail premises;
- Food and drink premises.

All of the above uses are permissible with consent in the B3 zone.

### 6.2.2. LEP Provisions

The following table provides an assessment of the proposed development against the relevant clauses contained within Penrith Local Environmental Plan (PLEP) 2010.

Table 6 – PLEP 2010 Compliance Table

Relevant Clause	Provision	Proposal	Complies
<b>Clause 4.3 – Building Height</b>	20m	Maximum height of the proposed works: 13.1m	Yes As existing
<b>Clause 4.4 – Floor Space Ratio (FSR)</b>	1.5:1	<b>Existing:</b> 1.246:1 (111,517m <sup>2</sup> ) <b>Proposed:</b> 1.263:1 (114,100.9m <sup>2</sup> ) Incremental GFA increase: 1,583.9m <sup>2</sup>	Yes
<b>Clause 5.10 – Heritage Conservation</b>	Conserve the heritage significance of heritage items and heritage conservation areas.	Site is not a heritage item or within a conservation area.	N/A
<b>Clause 7.8 – Active Street Frontage</b>	High Street is identified as an Active Street Frontage. Development consent must not be granted to the erection of a building, or a	The proposed alterations provide retail and commercial uses that address the High Street frontage. This is considered an improvement to the existing situation.	Yes

Relevant Clause	Provision	Proposal	Complies
	change of use of a building unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.		
<b>Part 8 Local Provisions – Penrith City Centre</b>			
<b>Clause 7.3 – Minimum building street frontage</b>	Land must have at least one street frontage of 20m or more.	The existing shopping centre has street frontages in excess of 20m that will be maintained.	Yes
<b>Clause 8.4 - Design Excellence</b>	Development consent must not be granted for development involving the construction of a new building, or external alterations to an existing building, on land to which this Part applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.	It is considered that the proposed works exhibit design excellence, particularly in its contribution to the public domain both internally to the Mondo Precinct and also outwardly along High Street.  The proposal provides a contemporary redevelopment of an area of the existing centre that will enhance its interface with and activation of the Mondo precinct.	Yes

## 6.3. PENRITH DEVELOPMENT CONTROL PLAN 2014

An assessment of the proposal against the relevant provisions of the Penrith Development Control Plan 2014 (PDCP 2014) is provided at **Appendix J**. Notwithstanding minor non-compliance with some numeric controls, the proposed development is consistent with the objectives of the PDCP 2014. The key issues are discussed below.

## 6.4. KEY CONSIDERATIONS

### 6.4.1. Built Form and Urban Design

The design rationale for the development is described in detail in the Public Domain Design Report prepared by Urbis and provided at **Appendix H**. The proposal broadly seeks to enhance the Mondo Precinct as a destination place through the delivery of a lifestyle hub focused on outdoor dining and events.

A series of key urban design principles underpin the proposed design as follows:

1. *Maintain the existing scale proportions of The Mondo public space between the Penrith Plaza and the Joan Sutherland Centre.*
2. *Retain and improve pedestrian pathway desire lines and functionality within the Mondo without compromising the available functionality of the Mondo.*
3. *Maintain solar access to The Mondo space whilst providing a scaled built form response that reflects the Joan Sutherland building.*

4. *Remove barriers to clear sightlines through the Mondo to improve safety and respond to CPTED considerations.*
5. *Retain the passive functionality of the recreational space as the primary character whilst creating opportunity for including future, place responsive embellished play opportunities.*
6. *Respond to the Penrith Night-Time Economy Strategy and support the Joan Sutherland Centre through provision of dining uses that provide activation and casual surveillance of the Mondo.*
7. *Retain existing trees where appropriate and as informed by an arborist report.*
8. *Maintain the predominantly established landscape setback character of High and Henry Streets whilst providing active uses to improve CPTED and safety considerations.*

The public domain works have been designed to encourage greater uses in the outdoor spaces as part of Council's vision to improve the vibrancy, livelihood and attractiveness of Penrith City Centre. The plaza plays a dual role as a both a key pedestrian spine linking Council Chambers with the shopping centre, the Joan Sutherland Performing Arts Centre and Penrith Library and as a passive meeting space

In summary, the proposal is appropriate in the context of the future vision for Penrith City Centre for the following reasons:

- The local context of the Mondo Precinct is changing. Immediately to the south of the precinct, large scale mixed-use developments are underway which will bring a new residential population to the area. The proposed works will improve the pedestrian arrival experience at Westfield Penrith and is a key consideration for these new developments.
- There is an existing set of traffic lights located to the south-east of the Mondo precinct providing access to the shopping centre car park. Pedestrian crossings are provided at these lights, however the quality of the public domain and sense of safety from the Great Western Highway through to the entrance to the shopping centre and Joan Sutherland Centre is somewhat lacking. This is in part due to the lack of active uses along the existing facades of the shopping centre and the terminated sight lines. The proposal supports the creation of new spaces for emerging businesses and will promote an active ground plane throughout the day and into the evening through the provision of outdoor public seating and alfresco dining.
- The proposed upgrades retain the existing character of 'The Mondo', whilst increasing the activation of the precinct through new dining and lifestyle facilities. The key drivers include a transition of uses and intensification of activity, retaining the passive character to the west and introducing a more active character to the east.
- The proposed precinct reinforces the desired future character of the Mondo Precinct as a Cultural and Civic Precinct by improving the integration and connectivity within the precinct by supporting evening outdoor dining and events and in turn activating the night-time economy.
- The proposal will contribute to developing a stronger night-time economy in the Penrith City Centre in a location that benefits from high quality urban and built form. The design adopts key CPTED principles to support a feeling of safety for users of the space.

The proposed built form changes are minor and do not affect the height, bulk or scale of the existing shopping centre when viewed within the context of the surrounding built and natural environment. The proposed works will improve integration of the Mondo Precinct with Penrith City Centre.

#### **6.4.2. Public Domain & Landscaping**

The proposed landscaping that is the subject of this application is located wholly within the site. The landscape works focuses on the High Street arrival to the Mondo precinct. This will be achieved by better legibility through pavement, landscape elements and clear sight lines. The provision of a covered access way adjacent the shopping centre also provides better weather protection during rain and increases the sense of safety due to the presence of active uses which are open in the evening.

The orientation of the R9 tenancy toward High Street also provides an entrance and meeting place that currently does not exist in this location. This proposal will contribute to greater activation and surveillance in this area which current has limited exposure and activity.

In summary, the proposal positively responds to the streetscape and public domain by:

- Providing for appropriate interactive uses, including outdoor public seating and alfresco dining at the ground floor.
- Establishing a clear hierarchy of pedestrian circulation and providing new and improved sight lines both internally and externally.
- Strengthening the arrival from High Street.
- Improving pedestrian access between High Street, Westfield, John Sutherland Performing Arts Centre and Penrith City Council Chambers.
- Retaining flexible spaces for community events such as weekend markets and performance stages.
- Increasing planters to the eastern entry point to provide a lush landscape setting which includes climbers to the carpark facade.

### 6.4.3. Visual Context Analysis

Following on from feedback from Council a Visual Context Analysis (**Appendix I**) was prepared by Urbis to better understand the impact of the proposed works, particularly with regard to the public domain. Through consultation with Council, 12 key views were identified to consider key pedestrian desire lines approach the Mondo space, movements through the space and the internal use of the space.

Figure 7 – Key view analysis locations



Source: Urbis

Figure 7 above identifies the locations of the key views from within and around the site.

The assessment identified the following key findings based on the proposed design:

- *Through the analysis of the proposed DA on the visual changes towards the existing condition, the proposed design within this DA presents minimal impact to The Mondo public space while providing greater visual amenity, clearer sightlines along pedestrian path and improved casual surveillance to the Mondo public space.*

- *The key visual change proposed within the DA is the extension of the south-western and western facade of Westfield Penrith with retainment of existing spatial scale in respect to the Joan Sutherland Performing Arts Centre and the passive use of the Mondo. The extension of the building provides visual markers for wayfinding and clear sightlines to the entrances of the Mondo at the west from Penrith City Council building and the entrance from High Street.*
- *The offering of food and beverage uses along the area of extension and the design of the building facade at ground level with retail frontage better integrates with the Mondo, providing immediate sightlines and pedestrian access to the Mondo while ensuring casual surveillance to the public space throughout the day and night.*
- *The proposed new awnings with upper level structure recessed results in a less building bulk when compared with the existing structure. The removal of awning posts declutter the space and provide a more welcoming and open pedestrian pathway to the Mondo. Additionally, the green wall treatment to the building facade on the upper levels also improves the visual amenity from the Mondo.*
- *Existing planting that were determined to be of low quality and unsuitable for long term retention has also been taken into consideration in the proposed DA, where these will be replaced with mature trees of similar scale and canopy, further enhance the visual amenity of the Mondo public space and the users' experience.*

#### 6.4.4. Traffic and Parking

A Traffic and Parking Report has been prepared by SLR Consulting and is attached at **Appendix K**. The report provides an assessment of the proposal against the relevant transport and parking controls and guidelines. The proposed Mondo Precinct redevelopment does not introduce any land uses that are significantly different to what is currently provided within the shopping centre. Further, the proposal does not seek to change the current vehicular access locations and arrangements and there will be no significant change to existing car parking arrangements.

##### Parking

The proposed redevelopment will not significantly alter the current parking supply however it will convert four existing car spaces in order to facilitate service/loading and a waste storage area proximate to the restaurant/bar tenancy. This will reduce the total car parking supply from 3,521 spaces to 3,517 spaces (- 4).

The parking demand assessment included in **Appendix K** illustrates that the additional parking demand as a result of the Mondo expansion could be accommodated within the existing parking supply for all Saturdays except for the one-off Saturday 16 December which is already exceeded. Whilst the shortfall is exacerbated, the last Saturday before Christmas would be subject to additional travel demand measures that would mitigate and control any external impacts.

Historical car park occupancy rates also indicate that the peak parking accumulation only exceeded the current 3,521 spaces and the proposed 3,517 spaces on one occasion during the seven-month period being Wednesday 20 December 2017. This accumulation figure would also include vehicles that entered the car park site but also circulating. Accordingly, the actual number of parked cars is likely to be less and may be closer or lower to the 3,521 (future 3,517) space supply.

##### Traffic

The incremental development yield delivered as part of the proposed redevelopment has been projected to generate an additional 12 traffic movements (two-way) during the Saturday peak hour period. This incremental demand is considered insignificant in the context of the current peak hour demand which approximates 3,665.

It is considered that due to the site being first and foremost a shopping centre, that a significant number of visits to the site will be dual purpose.

The Traffic and Parking Impact Assessment concludes that the proposed Mondo expansion is not anticipated to have any adverse impact on the surrounding transport network and will not warrant detailed analysis or capacity upgrading works.

#### 6.4.5. BCA and Access

A BCA statement has been prepared by Steve Watson and Partners and is submitted at **Appendix L**. The statement identifies a number of compliance issues to be addressed by a fire safety engineer and required upgrades as a result of the proposed works.

An Access Report has also been prepared by Access Australia and is submitted at **Appendix M**. Subject to compliance with the Access Report and recommendations, Access Australia consider the current planning and design to meet the applicable access codes and legislation, consistent with the DDA.

#### 6.4.6. Fire Engineering

A Preliminary Fire Safety Engineering Review has been prepared by Fire Engineering Professionals Pty Ltd and is submitted at **Appendix N**. The review identifies the potential major impacts on the fire safety systems serving the existing building and any new fire management systems which may result from the proposed works. The review addresses the non-compliances outlined in the BCA report and outlines the fire safety upgrades required for the proposed works. The proposal will comply with the recommendations detailed in Section 11 of **Appendix N**.

#### 6.4.7. Acoustic

An Acoustic Report has been prepared by Arup and is submitted at **Appendix D**. The report provides an assessment of the acoustic impacts of the construction and operation associated with the proposal.

##### Operational Noise

The nearest potentially affected land uses surrounding the development have been identified and include a variety of residential, commercial and educational uses. The primary operational noise sources with the potential to impact upon surrounding noise sensitive uses include:

- Patron and potential music from within retail premises;
- Outdoor patron areas associated with retail premises; and
- Mechanical plant and equipment serving the various uses.

The proposed opening times for the retail uses are 7:00 am to 12:00 am.

Based on the outlined patron capacities and internal operations, compliance with NSW noise guidelines is predicted for all locations except for:

- **Joan Sutherland Performing Arts Centre (JSPAC) teaching spaces with windows open** -The criteria along with the open windows condition of the space presents a significant constraint to potential activation of the plaza space. The predicted noise levels are comparable to the current site environment inside the JSPAC with windows open. Consideration could be given to whether the learning spaces are likely to be used during times of peak trade of the retail spaces (e.g. evening/night period).
- **Residential between 10 pm to 12am** – If not all tenancies operate during the later evening periods, noise emissions will be reduced. noise emission will be reduced. With closure of the level two balcony and doors, compliance is predicted with other areas remaining in operation. Doors to the level three rooftop area are also recommended to remain closed except for ingress and egress of patrons to the outdoor area.

The report recommends that further detailed acoustic design be carried out following confirmation of the intended uses for the retail spaces and outdoor areas including licenced venues, balconies and roof terraces. Detailed review of the façade and building envelope, along with interior finishes should also be carried out to ensure that noise break out from internal areas is appropriately controlled. Façade openings may also be reviewed following confirmation of the likely internal noise levels of each use.

##### Construction Noise

The Acoustic Report notes the proposed redevelopment construction plan will need to consider the impact to surrounding receivers and aim to adhere to the noise management levels. Primary management issues relating to construction hours, equipment use, consultation and scheduling have been outlined and should be further reviewed once the contractor has been nominated and construction activities have been defined in more detail. It is considered that the additional review of both operational and construction matters could reasonably form conditions of approval to be addressed prior to the commencement of construction.

### 6.4.8. Crime Prevention through Environmental Design (CPTED)

A CPTED Assessment has been undertaken by Urbis and is submitted at **Appendix O**. The assessment identified CPTED priority areas and recommendations as follows:

- *Maintain the proposed landscaping areas to ensure passive surveillance, clear sight-lines and prevent any opportunities for concealment.*
- *Install signage and access control measures to clearly demarcate retail and publicly accessible areas and prevent unauthorised access to service areas and private commercial tenancies from.'*
- *Design landscaping or other public realm elements to maintain site lines from the public plaza to High Street to provide safe pedestrian connection.*
- *Locate seating and other public realm elements in areas with high passive surveillance to encourage social gathering.*
- *Consult with Council to confirm maintenance and management responsibility for of the public domain.*
- *Blank walls, such as at the rear of the detached food and beverage building on High Street, should include design treatments to deter graffiti and vandalism.*
- *Material choices for public domain should reduce the opportunity for vandalism and other damage to property.*

With the implementation of these recommendations, it is considered that the proposed development will help to activate the Mondo Dining Precinct through different times of the day, provide an improved sense of ownership and territorial reinforcement of the space and increase passive surveillance.

### 6.4.9. Lighting

A Lighting Strategy has been prepared by Scentre Group and is submitted at **Appendix P**. The lighting will be designed to achieve compliance with the performance, technical and aesthetic requirements outlined in the strategy and will comply with the relevant lighting standards including AS 1158, AS 1680 and AS 4282.

The car park lighting levels can be adjusted when the car park has minimal occupation or in late night situations. The car park roof top lighting and footpath lighting will be LED lighting which will allow for accurate control of any light produced by the fittings and will also allow for the lighting to be dimmed when the space is not in use. Further detail is provided in **Appendix P**.

## 7. SECTION 4.15 ASSESSMENT

### 7.1. STATUTORY POLICY AND COMPLIANCE

The following assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.

This SEE demonstrates that the proposed development is consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

### 7.2. NATURAL ENVIRONMENT IMPACTS

#### 7.2.1. Trees and Landscaping

All appropriate measures will be implemented during the construction phase to ensure that there is no adverse amenity impacts to surrounding properties in terms of dust, soil erosion, air and noise.

A total of 11 trees will be removed and a further four trees are likely to be affected by the extent of the construction footprint. A comprehensive landscaping scheme to mitigate these losses is proposed and will include the planting of new trees.

An Arborist Report has been prepared by Botanics Tree Wise People and is submitted at **Appendix B**. The report recommends several trees for removal irrespective of the proposed development. Trees 21, 22, 23, 24 and 25 are understood to have been affected by both the shadowing that comes from the surrounding buildings and the limited volumes of soil available in the planters. Trees 21-27 are recognised as Class 3 Environmental Weed species and should not have been planted for a range of reasons. These species are not recommended for long term retention and have been recommended for removal to allow alternative planting opportunities to be explored.

The Arborist Report concludes that the proposed new plantings will improve the long term horticultural and arboricultural amenity. Further, the proposal provides a 66% increase in the number of trees within the precinct and seeks to strengthen the green gateway along High Street whilst providing shade and protection to play areas during the summer months. The increase in vegetation will have a positive impact on the natural environment in this area, but also the amenity provided to the Mondo precinct.

#### 7.2.2. Flooding

Penrith City Council flood mapping indicates that there is localised overland flooding in the north-eastern corner of the development area. The Stormwater Management Report submitted at **Appendix F** addresses the existing flooding constraints and confirms the proposed landscaping upgrades will not affect drainage capacity nor is it proposed to modify surface levels or gradients in the flood affected area.

Due to the inclusion of OSD infrastructure and Raingardens (treating roof runoff) with extended detention storage attenuating peak flows to less than existing levels, there is expected to be a minor improvement in site hydrology and flooding conditions in the proposed development scenario. Furthermore, despite the extension of the existing awning connected to the Westfield Penrith Shopping Centre, it will be extended over existing impervious areas and hence there will be no net change in site imperviousness in the flood affected private domain

### 7.3. SOCIAL AND ECONOMIC IMPACTS

The Penrith Night-time Economy Strategy, endorsed by Council, identifies the creation of an evening economy as an important element in the revitalisation of Penrith City Centre. The Mondo Precinct is located within the proposed Cultural/Civic Precinct whereby a key action is to support outdoor dining and evening events through the re-design and re-construction of the precinct. The proposal directly responds to the Strategy by expanding the current retail and dining offering and undertaking public domain improvement works. It is anticipated the proposal will provide the following social and economic benefits:

- The proposal will diversify the mix of night time uses and has the potential to deter anti-social behaviour by improving public surveillance and activity during the evening;
- The proposal will help integrate Westfield with the rest of the City Centre through the various urban design improvements;

- The proposal will provide a family friendly destination precinct for residents and visitors to dine and play;
- The proposal will activate the street through street art and creative lighting, improving the overall safety of the public domain; and
- The proposed Offer of Public Benefit will further support the strengthening of the Mondo Precinct and its role in the Penrith city centre through delivering a more integrated and useable destination for visitors and locals to the civic precinct.
- Whilst the proposal involves the removal of the existing community college from its current location, Westfield are actively working with the college to find a suitable location in another part of the centre.

## **7.4. BUILT ENVIRONMENTAL IMPACTS**

The proposed development has been designed to be consistent with the surrounding built environment. This is discussed further in Section 6.4.1.

## **7.5. SUITABILITY OF THE SITE FOR DEVELOPMENT**

The site is highly suitable for the proposal for the following reasons:

- The proposal is consistent with the objectives of the B3 zone which seeks to provide a wide range of retail, business, office, entertainment, community and other suitable land uses that support and serve the needs of the local and wider community;
- The proposed works represent an appropriate built form in an area undergoing significant growth and change;
- The proposal is compatible with surrounding land uses which include a range of civic and cultural uses. The proposed works will continue to support these uses and position the Mondo Precinct as a lively meeting place for Penrith City and Greater Western Sydney; and
- Passive surveillance of the existing space is currently limited and existing sight lines into the space terminate at the internal corner where the entrance to Westfield is located. This corner has been identified as requiring activation and the proposed works will achieve this by providing active uses and encouraging occupation of the space throughout the day and night.

## **7.6. THE PUBLIC INTEREST**

The proposal is in the public interest for the following reasons:

- The proposed outdoor dining will bring additional activity to the Mondo Precinct, throughout all hours of the day;
- The proposed improvements will provide the community with a unique urban landscape setting where a range of social engagements and activities can occur;
- The revitalised precinct will offer a contemporary arts and cultural precinct for visitors to socialise, eat, play and connect with the community; and
- The proposal directly supports the growing of a night-time economy in Penrith city centre and particularly in the Civic and Cultural Precinct, an initiative directly linked to Council's Night-time Economy Strategy.

## 8. CONCLUSION

The proposal is appropriate for the site and the locality because:

- **The proposal is consistent with State and subregional strategic planning objectives.** The proposal supports the transformation of the City Centre by providing a new lifestyle precinct which will provide convenient shopping, dining and leisure opportunities for the growing population of the Western City District. The precinct will further support the growth of tourism in the greater Penrith area.
- **The proposal satisfies the applicable local and state planning policies.** The proposal has been determined to achieve a high level of compliance with Council's planning controls. Where the proposal does not fully comply with a numeric control, the report has demonstrated the objectives and intent of the control are satisfied.
- **The proposal directly supports the delivery of the outcomes of the Penrith Night Time Economy Strategy.** The strategy identifies the site within the Civic and Cultural Precinct and recommends working with stakeholders, including JSC, Westfield, and Council to consider re-design and reconstruction of the precinct to support evening outdoor dining and events.
- **The design responds positively to the site conditions and the surrounding environment.** The proposal responds positively to the existing site conditions and surrounding environment by reinforcing the desired future character of the Mondo Precinct as a Cultural and Civic Precinct whilst elevating the unique features of the location through focused public domain interventions including improved integration, connectivity, landscaping and active uses.
- **The proposal is suitable for the site.** The proposal will make a positive contribution to Penrith and will serve as the catalyst for further investment in the night time economy. The proposal increases employment opportunities, provides for an active frontage along High Street and is consistent with the building typology envisaged in the city centre.

The proposal represents a sound development outcome that reinforces Council's vision to transform the area into a Civic and Cultural Precinct. As demonstrated in this SEE and accompanying documentation, we consider the proposal to make a positive contribution to Penrith city centre and should be supported by Council.

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