



Statement of Environmental Effects

Alterations and Additions to Existing Car Park Facilities at the Nepean Village Shopping Centre

July 2015

urbis

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Associate Director	Jacqueline Parker
Consultant	Cameron Nixon
Job Code	SA5828
Report Number	Final Report 1

© Urbis Pty Ltd
ABN 50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission.

You must read the important disclaimer appearing within the body of this report.

URBIS
Australia Asia Middle East

TABLE OF CONTENTS

Executive Summary	1
Introduction.....	2
1.1 Overview.....	2
1.2 The Project Team	2
2 Site Analysis	3
2.1 The Site	3
2.2 Surrounding Context.....	4
3 Proposed Development	5
4 Legislation Assessment	6
4.1 Overview.....	6
4.2 Penrith Local Environmental Plan 2010	6
4.2.1 Zoning and Permissibility.....	6
4.2.2 Heritage	7
4.3 Penrith Development Control Plan 2014	7
4.3.1 Landscaping	7
4.3.2 Transport Access and Parking	8
5 Section 79C Assessment.....	9
5.1 Environmental Planning Instruments.....	9
5.2 Draft Environmental Planning Instruments.....	9
5.3 Development Control Plans.....	9
5.4 Any Matters Prescribed by the Regulations	9
5.5 Planning Agreement	9
5.6 Likely Impacts of the Development.....	9
5.7 Suitability of the site.....	9
5.8 Submissions	9
5.9 Public Interest.....	10
6 Conclusion	11
Disclaimer	16
Appendices	
Appendix A	Development Plans
Appendix B	Arborist Report
Appendix C	Heritage Impact Statement
Appendix D	DCP Compliance Table
Figures:	
Figure 1 – Site Location Source: Nearmap (showing 09 March 2015)	3
Figure 2 – Land Zoning map (Source: NSW Legislation, 2015).....	6
Figure 3 – Penrith council Heritage map (Source: NSW Legislation, 2015)	7

PICTURES:

Picture 1 – Site Carpark Looking North 3

Picture 2 – Site Carpark Looking Northeast 3

Picture 3 – Kerb Cracking Caused By Existing Trees 4

Picture 4 – Example of Existing Conflict Between Loading Facilities and the Exiting Car Park 4

Picture 5 – Existing Site Parking to be Removed as a Result of the Proposal 4

Executive Summary

INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Urbis Pty Ltd on behalf of Federation Centres (the applicant). It accompanies a Development Application (DA) seeking approval for Alterations and Additions to the Car Park Facilities of the Nepean Village Shopping Centre.

PROPOSAL

Development for which approval is sought is described as follows:

- Realignment of the circulation roadway along the northern side of the shopping centre;
- Widening of kerbed islands at the end of parking aisles to accommodate pedestrians, with pram crossings. Installation of new kerbed outstands on the shopping centre side of the existing circulation roadway;
- Expansion of existing loading dock to accommodate an additional truck bay;
- Relocation of existing pedestrian crossings to align with the new kerbed islands;
- Removal of existing car parking spaces on the western side of the circulation roadway to accommodate its realignment, and installation of new parallel car parking spaces on the shopping centre side of the circulation roadway;
- Installation of new railings/fencing; and
- Removal of nine (9) trees within the existing carpark and planting of nine (9) new trees on the Reserve Street frontage.

ASSESSMENT

The proposed development has been assessed against the applicable state and local planning policies. The proposal represents a high quality and site responsive design that is generally consistent with the objectives of the applicable planning policies and development standards and will have an overall positive environmental impact. The proposal warrants approval for the following reasons:

- The proposal is permissible with consent in the B4 Mixed Use Zone under the *Penrith Local Environmental Plan 2010*;
- The proposal satisfies the applicable local and state planning policies; and
- The proposal represents a development which will provide an enhanced and more logical car parking layout enhancing the amenity of the site for both Federation Centres and users of the site.

Introduction

1.1 OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared by Urbis Pty Ltd on behalf of Federation Centres. This SEE accompanies a Development Application (DA) prepared in under Section 78 of the *Environmental Planning and Assessment Act 1979* (the Act).

The application seeks consent for Alterations and Additions to the existing Car Park Facilities for the Nepean Village Shopping Centre. Further detail can be found in the following chapters.

- Overview of the site and surrounding area (Section 2)
- Detailed description of the proposed development (Section 3)
- Assessment of the compliance of the proposal against the relevant controls (Section 4)
- Assessment of the matters listed for consideration in Section 79C of the *Environmental Planning and Assessment Act 1979*.(Section 5)

1.2 THE PROJECT TEAM

A number of specialist consultants have been engaged to assist in the preparation of the application and whose reports are included in the Development Application, as follows:

- Development Plans prepared by Cardno | **Appendix A**
- Arborist Report prepared by Moore Trees | **Appendix B**
- Heritage Impact Statement prepared by Urbis | **Appendix C**

2 Site Analysis

2.1 THE SITE

The Nepean Village Shopping Centre is owned and operated by Federation Centres. The centre forms the retail heart of South Penrith and is located at the corner of Woodriff Street and Reserve Street, Penrith. The centre is located across multiple allotments however the works proposed will occur only to Lot 1 in DP 715198 as identified in **Figure 1** below.

FIGURE 1 – SITE LOCATION SOURCE: NEARMAP (SHOWING 09 MARCH 2015)



The site is rectangle in shape and comprises a single level building with setbacks of varying distance between the built form of the site and Woodriff Street, Reserve Street and Station Street. The site has pedestrian and vehicular access from all street frontages.

Existing site conditions are shown in **Picture 1 – 5** below.



PICTURE 1 SITE CARPARK LOOKING NORTH



PICTURE 2 SITE CARPARK LOOKING NORTHEAST



PICTURE 3 KERB CRACKING CAUSED BY EXISTING TREES



PICTURE 4 EXAMPLE OF EXISTING CONFLICT BETWEEN LOADING FACILITIES AND THE EXISTING CAR PARK



PICTURE 5 EXISTING SITE PARKING TO BE REMOVED AS A RESULT OF THE PROPOSAL

2.2 SURROUNDING CONTEXT

The surrounding area is varied in character and includes retail, commercial and special uses such as the Penrith Paceway and Pepper Stadium. The site is located approximately 800m from Penrith Station and is serviced by a bus stop on the Station Street frontage of the site. The 793 bus service stops at the Station Street bus stop and connects the site to Penrith Station and the surrounding residential areas.

The following lists the surrounding features and land uses:

Northeast: Low density residential and commercial development.

Southwest: Low density residential development

Southeast: Aircomp storage warehouse and office

Northwest: Penrith Paceway

3 Proposed Development

The proposed development involves Alterations and Additions to the existing Car Park Facilities for the Nepean Village Shopping Centre. There is no increase to the current gross floor area or operating hours of the retail centre.

The proposal is described in detail as follows:

- Realignment of the circulation roadway along the northern side of the shopping centre;
- Widening of kerbed islands at the end of parking aisles to accommodate pedestrians, with pram crossings. Installation of new kerbed outstands on the shopping centre side of the existing circulation roadway;
- Expansion of existing loading dock to accommodate an additional truck bay;
- Relocation of existing pedestrian crossings to align with the new kerbed islands;
- Removal of existing car parking spaces on the western side of the circulation roadway to accommodate its realignment, and installation of new parallel car parking spaces on the shopping centre side of the circulation roadway;
- Installation of new railings/fencing; and
- Removal of nine (9) trees within the existing carpark and planting of nine (9) new trees on the Reserve Street frontage.

Development Plans are attached as **Appendix A** of this report demonstrating the proposed works.

An Arborist Report is attached as **Appendix B** of this report identifying the trees which will be removed as a result of this proposal and the location of the new tree plantings.

4 Legislation Assessment

4.1 OVERVIEW

The proposed development has been prepared having regard to relevant planning policies and consideration of potential impacts on the surrounding area. The following sections provide a detailed assessment of the proposed development pursuant to the heads of consideration contained in Section 79C of the *Environmental Planning and Assessment Act 1979*.

The applicable Environmental Planning Instruments and planning policies are as follows:

- *Penrith Local Environmental Plan 2010*;
- *Penrith Development Control Plan 2014*

4.2 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The *Penrith Local Environmental Plan 2010* (PLEP) applies to the site. Key components of the PLEP and how the proposal responds are discussed below.

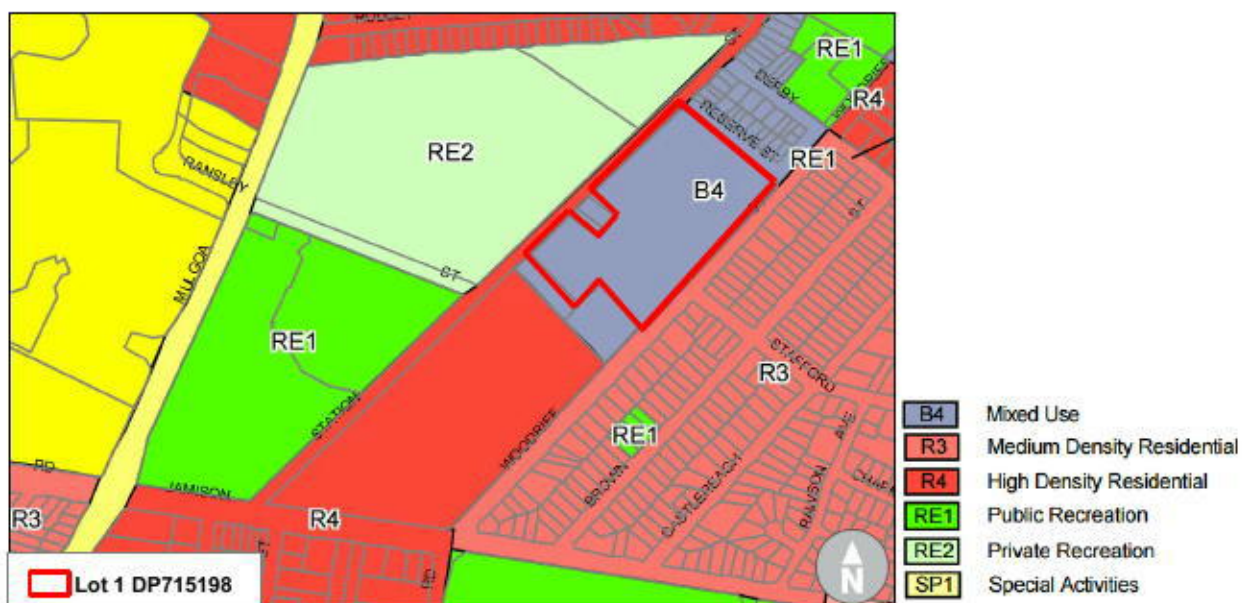
4.2.1 ZONING AND PERMISSIBILITY

The site is zoned B4 Mixed use under the provisions of the *Penrith Local Environmental Plan 2010* (PLEP) as shown in **Figure 2**. The objectives of the B4 zone are as follows:

- *To provide a mixture of compatible land uses;*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling;*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To create opportunities to improve public amenity;*
- *To provide a wide range of retail, business, office, residential, community and other suitable land uses.*

The proposed alterations and additions to the car park facility is consistent with the B4 zone objectives as the proposal will make a significant positive contribution to the public amenity of the Nepean Village Shopping Centre by improving the safety and accessibility of the site for both pedestrians and motorists.

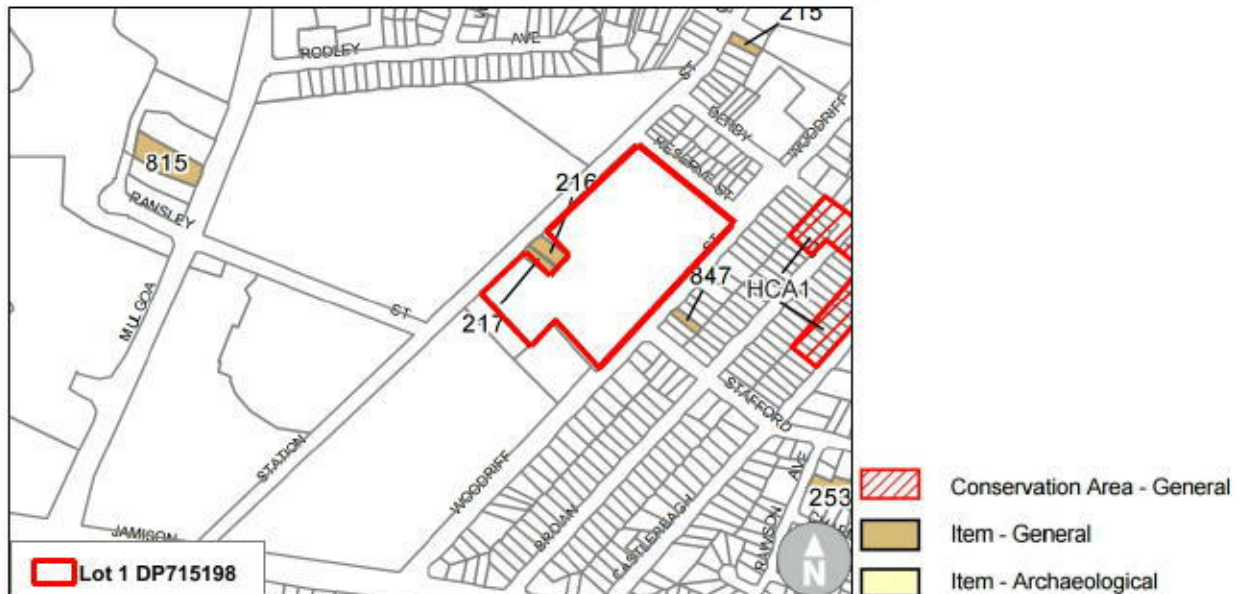
FIGURE 2 – LAND ZONING MAP (SOURCE: NSW LEGISLATION, 2015)



4.2.2 HERITAGE

The site not identified as an item of environmental heritage under the provisions of the PLEP however it is located adjacent to the heritage listed "Kentucky" Villa at 146 Station Street and the heritage listed Victorian House at 148 Station Street as shown in **Figure 3**. A Heritage Impact Statement has been prepared for the project and is attached as **Appendix C** of this report. The Heritage Impact Statement concludes that as the proposed works are predominantly at road level and consist of the alteration of kerbs, car parking and pedestrian crossing there will be no physical impact to the heritage items as the works will be outside the curtilage of the heritage items.

FIGURE 3 – PENRITH COUNCIL HERITAGE MAP (SOURCE: NSW LEGISLATION, 2015)



4.3 PENRITH DEVELOPMENT CONTROL PLAN 2014

The *Penrith Development Control Plan 2014* (PDCP) applies to the site. Key components of the PDCP and how the proposal responds are discussed below. Additional detail can be found within the DCP Compliance Table attached at **Appendix D** of this report.

4.3.1 LANDSCAPING

The tree removal proposed by this application is essential to ensure the long term safety of the car park facilities on site. In addition it is noted that the trees proposed have caused significant damage to the kerbing of the site and must be removed before further damage is done. It is also noted that as the trees have matured branches have been unexpectedly dropped onto stationary cars and other objects damaging these items.

To ensure that appropriate landscaping is maintained for the site the proposal seeks approval for the planting of nine (9) trees along the Reserve Street frontage of the site which will provide suitable screening between the car park facilities of the shopping centre to adjacent development significantly softening the visual impact of the car park area. The removal and location of the trees are shown in the location plan shown in **Appendix B** of the Arborist Report.

Multiple trees will be maintained throughout the car park to avoid a heat island effect and sustain the visual amenity of the car park.

4.3.2 TRANSPORT ACCESS AND PARKING

The application has been proposed to enhance the overall functionality of the existing car park facilities and will minimise the potential for vehicular/pedestrian conflicts in the vicinity of the existing loading dock on the west of the site. At present the need for vehicle to back into the loading dock facilities of the site which is inhibiting the safe and efficient operation of the carpark facilities. The proposal will ensure the functionality of the car park and ensure that traffic flow within and around the site will be maintained in a safe and orderly fashion.

Development within the Penrith City Centre is required to provide 1 parking space for every 30sqm of retail floor space. The site has a total gross floor area of 20, 715sqm and is as such required to provide 691 parking spaces. The proposal will result in the total onsite parking to be reduced from the 779 spaces to 776 which is compliant with the numerical standards of the PDCP .

5 Section 79C Assessment

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS

An assessment of the proposal against *Penrith Local Environmental Plan 2010* is provided at **Section 4.2** of this report. In summary, the proposal is permissible with consent and is consistent with the objectives of the B4 Mixed Use zone. The proposal will not impact on the adjacent heritage items of the site.

5.2 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft environmental planning instruments applicable to this proposal.

5.3 DEVELOPMENT CONTROL PLANS

An assessment of the proposal against PDCP is provided at **Section 4.3** of this report. In summary,

5.4 ANY MATTERS PRESCRIBED BY THE REGULATIONS

No matters prescribed by the regulations are relevant to the proposal.

5.5 PLANNING AGREEMENT

There are no planning agreements relevant to this proposal.

5.6 LIKELY IMPACTS OF THE DEVELOPMENT

The potential environmental impacts of the proposal has been identified and assessed having regard to the provisions of Section 79C of the Act and are addressed within **Section 5** of this report. On a whole it is considered that the proposal will provide an acceptable level of impact on surrounding properties and its general surroundings.

5.7 SUITABILITY OF THE SITE

The proposed development is considered to be suitable for the subject site for the following reasons:

- The proposed alterations and additions to the car park facility are permissible with development consent within the B4 Mixed Use zone and will make a positive contribution to the flow of traffic through the site. Furthermore, the built form of the shopping centre has previously been approved and will not be materially altered;
- The proposed works will not result in adverse amenity impacts on adjacent or nearby uses; and
- The alterations to the built form are considered to be minor in nature and will not visually impact the relationship of the site with surrounding development

5.8 SUBMISSIONS

Should any submission be received during the public notification period, the applicant will provide a separate response to Council if required.

5.9 PUBLIC INTEREST

Section 79C (a) and (e) of the Act require that any public submissions made in accordance with the Act or the public interest be considered in the development assessment process. The public, owners, occupants and other local stakeholders should be consulted as part of the development application process.

The proposed development is in the public interest as it involves an upgraded design of a permissible use which improves the useability of the site for both pedestrians and vehicles.

6 Conclusion

The proposed development has been assessed against the relevant provisions of Section 79C of the *Environmental Planning and Assessment Act 1979*, and is considered appropriate for the following reasons:

- It is permissible with consent within the zone under the provisions of the *Penrith Local Environmental Plan 2010*;
- It is compliant with the applicable planning controls;
- It will have a positive impact on the locality by improving the functionality of the Nepean Village Shopping Centre Loading and Parking facilities by minimising the potential for vehicular and pedestrian conflicts; and
- It will not have adverse social, economic or environmental impacts.

For the above reasons, the proposed development is considered worthy of Council's support.

Disclaimer

This report is dated July 2015 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 Federation Centres (**Instructing Party**) for the purpose of Development Approval from Penrith City Council (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

Appendix A

Development Plans

Appendix B

Arborist Report

Appendix C

Heritage Impact Statement

Appendix D

DCP Compliance Table