



Statement of Environmental Effects

Mixed Use Development Application
(DA02 Building B) - Lot 3004 and Lot 3005

May 2016



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Introduction

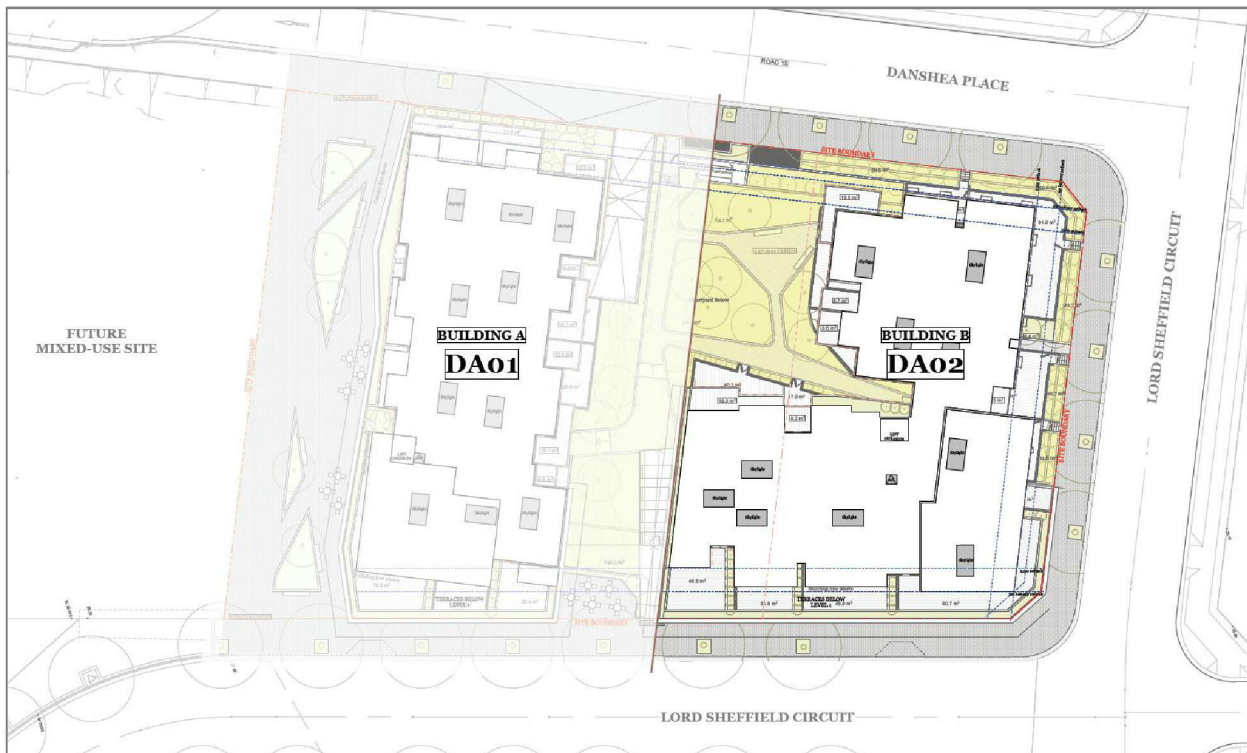
OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared by Urbis on behalf of Thornton North Penrith No. 3 Pty Limited (the applicant) to accompany a development application (DA) for a six storey mixed use building, known as Building B DA02, located at Lot 3004 and Lot 3005 DP1184498 in Thornton North, Penrith.

DA02 (this DA) is submitted together with the DA for the adjoining land to the south, known as DA01. The buildings proposed in DA01 and DA02 both share a common basement carpark, facilities, services and landscaping, and it is expected these applications will be assessed and determined concurrently.

The following image provides the location of Building B DA02.

FIGURE 1 – SITE PLAN SHOWING DA01 AND DA02



The proposed development has a total estimated cost of \$18,413,970 as per the QS Statement submitted at **Appendix C**. Accordingly this development application is considered local development and will be assessed by Penrith City Council.

This SEE includes the following components:

- A description of the site and its context.
- An outline of development history and pre-application discussions.
- Description of the proposed development.
- Consideration of the relevant planning controls and policies applicable to the proposal.
- Discussion of the key planning issues.
- Consideration pursuant to Section 79C of the *Environmental Planning and Assessment Act 1979*.

1 Site Analysis

1.1 SUBJECT SITE

The subject site is described in the following table and located in the following figure.

TABLE 1 – SITE DESCRIPTION

COMPONENT	DESCRIPTION
Address	192 Lord Sheffield Circuit, Penrith, and 41 Lord Sheffield Circuit, Penrith
Legal description	Lot 3004 DP1184498, and Lot 3005 DP1184498
Site area	Lot 3004: 3,233sqm Lot 3005: 1,488sqm
Site features	The site is: ▪ Relatively rectangular in shape, ▪ Bounded by Lord Sheffield Circuit to the north and east, and Dunshea Street to the west, and ▪ Currently vacant and cleared for development.

FIGURE 2 – LOT IDENTIFICATION



Source: Six Maps

1.2 SURROUNDING CONTEXT

The site is located in Thornton, north of Penrith train station. The surrounding context is currently characterised by underdeveloped, developing land, public open space and infrastructure. The table below provides the land uses surrounding the site.

TABLE 2 – SURROUNDING LAND USES

North	Immediately north are cleared land and recently constructed canal, with an access bridge and pathways. Located further beyond is the residential suburb of Thornton with constructed roads, verges and footpaths, partially constructed residential dwellings, and small amounts of cleared land.
South	Immediately south is Penrith train station and Penrith Town Centre, characterised with a large Westfield shopping centre and low rise commercial buildings.
East	Immediately east is the development site for a range of residential flat buildings. Further east is a public oval and a recreational centre and recently developed residential neighbourhoods.
West	Immediately west is an existing public car park and beyond is the Museum of Fire

FIGURE 3 – SURROUNDING DEVELOPMENT



PICTURE 1 – PENRITH STATION TO THE SOUTH OF SITE



PICTURE 2 – MUSEUM OF FIRE TO THE WEST OF SITE



PICTURE 3 – STATION PLAZA ADJACENT TO SITE



PICTURE 4 – SMITHS PADDOCK TO THE EAST OF SITE

2 Proposed Development

2.1 OVERVIEW

The proposed development is shown in the Architectural Plans prepared by DKO Architects, provided in **Appendix B** and described in the following sections. In summary, this development application seeks consent for the following works:

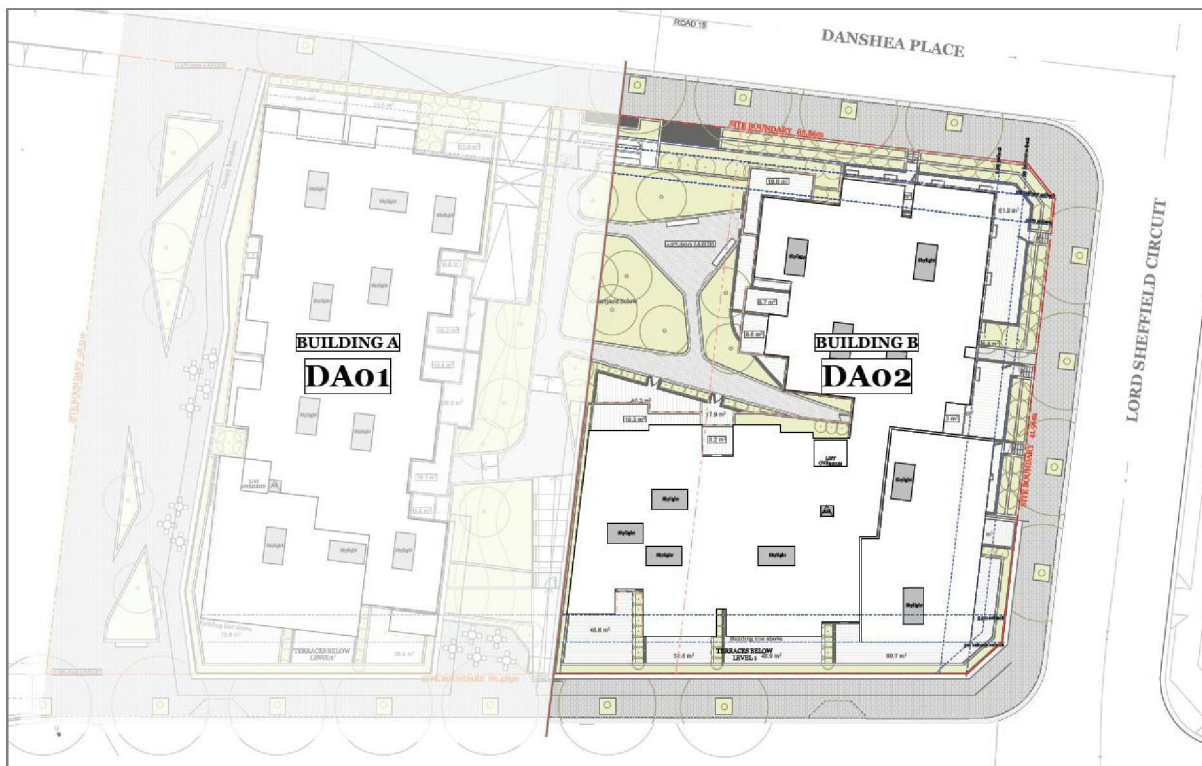
- Construction of a six storey mixed use building.
- Three ground floor commercial tenancies fronting onto Lord Sheffield Circuit.
- Basement car parking.
- Ground floor communal courtyard with significant landscaping works.

The key development details are provided in the table below.

COMPONENT	PROPOSAL
Building height	23m (RL49.5)
Number of storeys	6
Non-residential floor space	503.6sqm commercial floor space
Car parking spaces	76 (including 5 accessible)

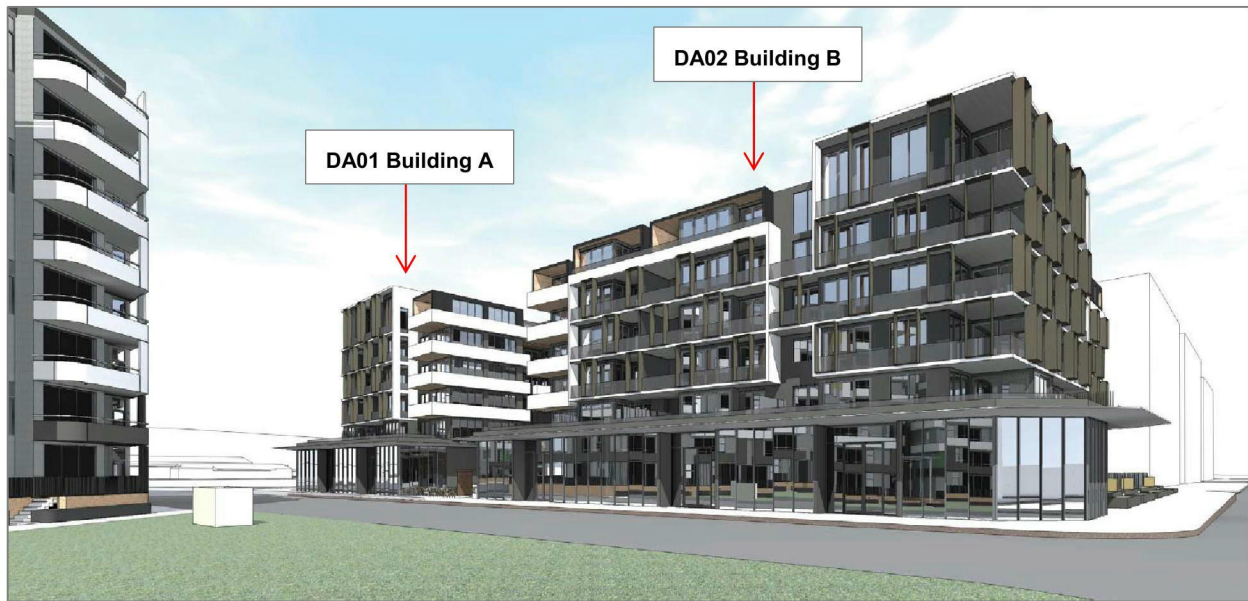
The design scheme is shown in the Architectural Plans prepared by DKO Architects at **Appendix B**. **Figure 4** illustrates the location of DA02.

FIGURE 4 – SITE PLAN



Source: DKO Architects

FIGURE 5 – PERSPECTIVE – LOOKING SOUTH WEST



Source: DKO Architects

2.2 LANDSCAPING AND PUBLIC DOMAIN WORKS

Landscaping and communal open space forms a large component of development on site and includes:

- Courtyard including grassed area, seating, paving and landscaping works. The courtyard is accessed via Dunshea Place in the west and Lord Sheffield in the east. Security measures are provided to ensure residents have safe access to and from apartments.
- Provision of street trees and landscaping directly fronting all streets surrounding the site.

Refer to the Architectural Drawings for landscape detail.

2.3 VEHICULAR ACCESS AND CAR PARKING

Vehicular access for the shared carpark is gained via the driveway on Dunshea Place. Each building will have separate access to the basement via a lift. The proposed retail tenancies will have access to the basement via a separate good lift accessed through internal passageways.

The basement carpark contains a total of 142 car parking spaces, 66 spaces are to be assessed in this DA.

3 Planning Assessment

3.1 OVERVIEW

The following provides an assessment of the proposed development against the provisions of relevant legislation, policy and planning instruments, including:

- *State Environmental Planning Policy No 55 - Remediation of Land.*
- *State Environmental Planning Policy (Infrastructure) 2007.*
- *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development.*
- *Penrith Local Environmental Plan 2010.*
- *Penrith Development Control Plan 2014.*

3.2 STATEMENT ENVIRONMENTAL PLANNING POLICIES

The proposed development is consistent with relevant State Environmental Planning Policies as identified and discussed in the table below.

TABLE 3 – SEPP ASSESSMENT

POLICY	PROPOSAL
<i>State Environmental Planning Policy No 55 - Remediation of Land</i>	<i>State Environmental Planning Policy No 55 - Remediation of Land</i> (SEPP 55) aims to promote the remediation of contaminated land for the purpose of reducing the risks of harm to human health or any other aspect of the environment by identifying what remediation work requires consent, and requiring that remediation work meets certain standards for the proposed use. In accordance with Clause 7 of SEPP 55 if land is contaminated a consent authority must not consent to the carrying out of development unless it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose which the development is proposed to be carried out. As part of the Concept Plan process and subsequent approval for subdivision and infrastructure works, relevant testing and remediation was carried out to ensure the land was suitable for residential purposes. As part of purchasing the land from Urban Growth NSW further analysis and reporting was undertaken confirming this.
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	<i>State Environmental Planning Policy (Infrastructure) 2007</i> (ISEPP) came into force in December 2007 and aims to facilitate the effective delivery of infrastructure across the State. The SEPP identifies matters for consideration in the assessment of development adjacent particular types of infrastructure development.
<i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i>	<i>State Environmental Planning Policy No. 65</i> (SEPP 65) “aims to improve the design quality of residential flat development in New South Wales”, having regard to its economic, environmental, cultural and social benefits, including sustainability, the public domain, amenity and the changing needs of the population. The proposed development of DA01 and DA02 responds to the ten principles of good design, and the requirements of SEPP 65 and the Apartment Design Guide (ADG). Refer to the ADG Design Statement at Appendix B. In summary:

POLICY	PROPOSAL
	73% of apartments will achieve adequate solar access. 63% of apartments will be cross ventilated. 13% of apartments will receive no solar access.

3.3 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

Penrith Local Environmental Plan 2010 (the LEP) is the principal LEP applicable to the subject site.

The site is located within the B2 Local Centre zone, under which 'residential flat buildings' and 'retail premises' are permissible with development consent in the B2 zone, pursuant to the additional permitted uses in Schedule 1 Division 23 of the LEP.

The following table demonstrates the proposed development is consistent with the objectives of the B2 Local Centre zone.

TABLE 4 – CONSISTENCY WITH THE B2 LOCAL CENTRE ZONE OBJECTIVES

OBJECTIVE	PROPOSAL
<i>To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</i>	The proposal includes 503.6sqm of retail floor space which will provide retail and commercial uses serving existing and future residents of Penrith.
<i>To encourage employment opportunities in accessible locations.</i>	The provision of retail floor space will generate employment opportunities near Penrith Train Station.
<i>To maximise public transport patronage and encourage walking and cycling.</i>	The location of site in proximity to Penrith Train Station will encourage public transport patronage for future residents and users of the retail space.
<i>To provide retail facilities for the local community commensurate with the centre's role in the local and regional retail hierarchy.</i>	The provision of retail floor space satisfies this objective.
<i>To ensure that future housing does not detract from the economic and employment functions of a centre.</i>	The proposal includes 503.6sqm of retail space at ground level to ensure that economic and employment functions of the site are maintained.
<i>To ensure that development reflects the desired future character and dwelling densities of the area.</i>	The proposal is generally consistent with the vision for the North Penrith precinct.

The following table demonstrates the proposed developments consistency with relevant development standards in the LEP.

TABLE 5 – ASSESSMENT OF PROPOSAL AGAINST KEY DEVELOPMENT STANDARDS – PENRITH LEP 2010

DEVELOPMENT STANDARD	PROPOSAL	COMPLIANCE
4.3 Height of buildings 32 metres	The building height of DA02 is 23m.	Yes

DEVELOPMENT STANDARD	PROPOSAL	COMPLIANCE
4.4 Floor space ratio Nil	No FSR control applies to the site.	N/A
8.4 Design Excellence The proposed development must exhibit design excellence.	The design excellence provisions of the LEP do not apply as the proposed development is not greater than 6 storeys and 24m in height.	N/A

3.4 PENRITH DEVELOPMENT CONTROL PLAN 2014

The detailed development guideline for development within North Penrith is the Penrith Development Control Plan 2014 (the DCP). An assessment of the proposed development against the DCP is provided in the planning compliance table at **Appendix D**. The proposal is generally consistent with the DCP or relevant objectives where applicable.

Housing density

The Concept Plan Approval provides an indicative dwelling target for North Penrith to control the residential density of the precinct, in lieu of floor space ratio controls. The DCP clarifies the objectives of the housing density control, stating:

- 1) *To ensure that **a minimum residential density is achieved** in the precinct in recognition of its proximity to public transport and the Penrith City Centre.*
- 2) *To **provide a diverse range of housing forms and densities**.*
- 3) *To promote a range of dwellings types to **meet the needs of a diverse range of age groups and family types**.*

In response to these objectives the proposed development provides for housing type diversity in the Thornton precinct with the provision of a variety of apartments ranging in unit size, including a mix of one, two and three bedroom apartment typologies to apply to a range of diverse housing needs.

Based on the design of the proposed building, number of dwellings, access arrangements and parking provision, the proposal will not give rise to any unreasonable environmental impacts and comfortably satisfies the above objectives that originally formed part of the Concept Plan approval and now sit within the DCP.

4 Assessment of Key Issues

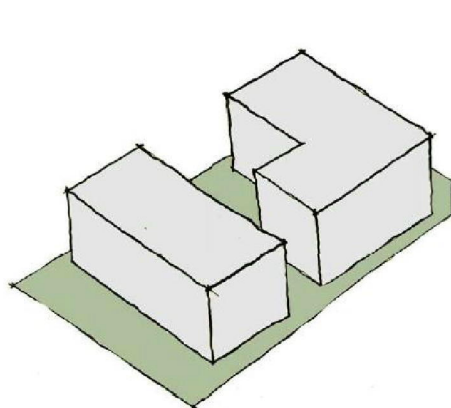
4.1 BUILT FORM AND DESIGN

In terms of built form and design, the proposed design scheme is described as follows:

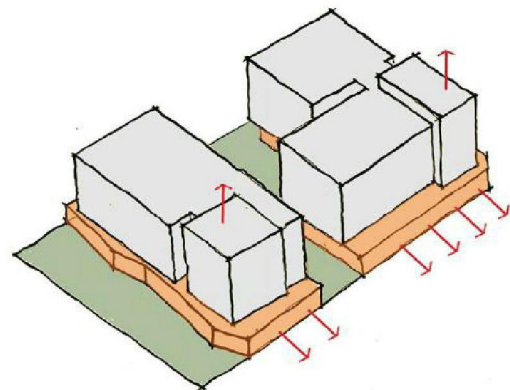
- The design of the building is well articulated incorporating an appropriate use of materials and architectural detail. The façade is 'broken up' with different proportioned fenestration patterns and a variety of material. The appearance of the building will provide an attractive addition to the Thornton Precinct.
- The proposed building is of a height and scale that will result in a building that complements the existing and approved development within the locality.
- The bulk, scale and massing of the proposed building was considered throughout design development to ensure existing and future amenity is maintained. Refer to shadow drawings in the architectural drawing set.
- Lord Sheffield Circuit and the proposed through-site link are activated by ground floor commercial with extensive glazing. The Lord Sheffield frontage includes an awning to protect users of the public domain from weather events.
- The proposal is generally consistent with the built form controls for North Penrith.

The image below illustrates how DKO Architects established the proposed built form.

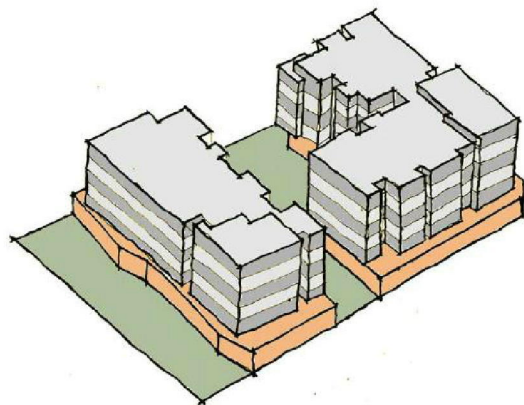
FIGURE 6 – DESIGN DEVELOPMENT OF BUILT FORM



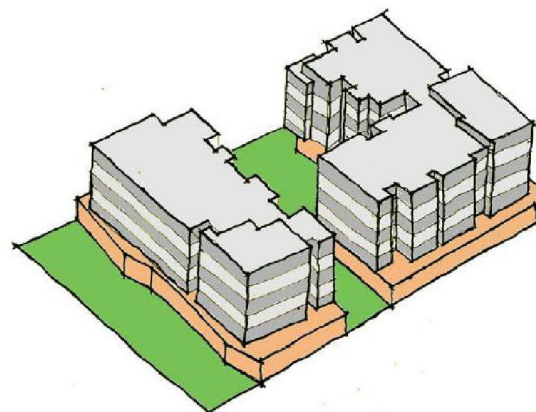
1. Resultant form derived from plan studies



2. Vary heights, introduce stoops and human scale to street edges



3. Celebrate corners, patterns on the facade



3. Embellish the landscape zones

Source: DKO Architects

4.2 RESIDENTIAL AMENITY

The architectural drawings at **Appendix B** demonstrate the proposal will achieve a high level of residential amenity to future residents, including:

- 73% of apartments will receive adequate solar access in mid-winter in excess of the 70% minimum in the ADG.
- 63% of apartments will be naturally cross-ventilated in excess of the minimum 60% requirement in the RFDC.
- 13% of apartments are single-aspect south facing apartments which are below the 15% maximum.

In summary, the proposed development generally satisfies the objectives under the ADG and SEPP 65 and will provide a high level of residential amenity to future residents.

4.3 PARKING, TRAFFIC AND ACCESS

Parking

The DCP requires the following maximum car parking provision:

- *1-2 bedroom: 1 space per dwelling,*
- *3+ bedroom: 2 spaces per dwelling, and*
- *Commercial/retail: 1 space per 50sqm retail/commercial GFA.*

Therefore the maximum quantum of car parking allowable for both DA01 and DA02 is 153 car park spaces.

The combined basement carpark for DA01 and DA02 provides a total of 142 car parks and therefore complies with the DCP.

Traffic

The proposal is not expected to give rise to any unreasonable impacts on the surrounding road network. A Traffic Impact Statement can be submitted should Council require further information.

Access

Private vehicle access to the basement car park is gained via Dunshea Place. This is consistent with DCP controls.

Residents and visitors on foot can access the residential flat building by an entrance door located in the south of the secure internal courtyard.

4.4 WASTE MANAGEMENT

The following matters are proposed with regard to waste management:

- Garbage truck access is gained via Dunshea Place adjacent to the main vehicular access driveway. The truck can enter and exit the site in a forward direction through the provision of a truck turning mechanism.
- The garbage truck area is located directly adjoining the garbage bin room allowing for safe and easy access for waste contractors.

A Waste Management Plan can be submitted should Council require further detail.

4.5 CONTAMINATION

In accordance with Clause 7 of SEPP 55 if land is contaminated a consent authority must not consent to the carrying out of development unless it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose which the development is proposed to be carried out.

As part of the Concept Plan process and subsequent approval for subdivision and infrastructure works, relevant testing and remediation was carried out to ensure the land was fit for residential purposes. As part of purchasing the land from Urban Growth further analysis and reporting was undertaken confirming this.

A Contamination Report can be submitted should Council require further detail.

5 Section 79C Assessment

The following assessment is made pursuant to Section 79C of the *Environmental Planning and Assessment Act 1979* (the Act).

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS

The proposal is generally consistent with relevant environmental planning instruments as detailed in **Section 3** of this report.

5.2 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

A Gateway Determination has been issued by the Department of Planning and Environment on 14 April 2016 supporting an increase to the maximum building height that applies to the site from 32 metres to 130 metres to enable the development of a landmark tower on Lot 3003.

This DA does not seek to utilise the amended controls sought in the Planning Proposal, nor does this design scheme relate to the scheme submitted as part of the Planning Proposal.

5.3 DEVELOPMENT CONTROL PLAN

The proposal is generally consistent with the relevant provisions set out under North Penrith Design Guidelines 2013 and Penrith DCP 2014.

5.4 PLANNING AGREEMENT

There is no planning agreement currently in place.

5.5 REGULATIONS

There are no matters prescribed by the regulations which relate to this proposal.

5.6 LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the proposed development have been discussed at **Section 4** of this report. In summary:

- The design of the proposed mixed use development will positively impact the built form and urban design of Thornton North by virtue of the considered design response to site and surrounding conditions. The proposed building façade is well articulated and provides visual interest. The scale and form of the proposed development is in keeping with the surrounding existing and future uses.
- The proposal ensures a high level of residential amenity for future residents with a satisfactory number of apartments receiving adequate amounts of solar access, natural ventilation. The amenity of future residents is also ensured through the provision of adequate solar access.
- The onsite car parking provision is consistent with the DCP parking rates and as such is not anticipated to result with any increased demand for on street parking.

5.7 SUITABILITY OF THE SITE

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

- The site is specifically zoned B2 Local Centre in which residential and retail development is permissible with consent.

- Given that the site is located within an established area, existing essential services are available to the site including water, sewer, electricity, gas and telecommunications.
- The site is well serviced by public transport providing access to Sydney CBD and other surrounding locations.

Therefore, the proposal is considered to be consistent with the public expectation for development in the locality.

5.8 SUBMISSIONS

It is understood the proposal will be publicly notified. Any submission based upon relevant town planning matters pursuant to Section 79C of the *Environmental Planning & Assessment Act 1979* should be considered in the assessment of the proposal.

5.9 PUBLIC INTEREST

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

- It has been designed to relate to the characteristics of the site and to the existing and likely future development on adjoining properties.
- Given the proximity to Penrith Train Station the proposal advances transit orientated development.
- It is been designed to minimise adverse impacts on surrounding properties.
- A number of public domain improvements are proposed to enhance the immediate locality.

6 Conclusion

This SEE has been prepared by Urbis on behalf of Thornton North Penrith No. 3 Pty Limited to accompany a DA for a six storey mixed use building, known as Building B DA02, located at Lot 3004 and Lot 3005 DP1184498 in Thornton North, Penrith.

DA02 (this DA) is submitted together with the DA for the adjoining land to the south, known as DA01. The buildings proposed in DA01 and DA02 both share a common basement carpark, facilities, services and landscaping, and it is expected these applications will be assessed and determined concurrently.

This DA seeks consent for the following works:

- Construction of a six storey mixed use building.
- Three ground floor commercial tenancies fronting onto Lord Sheffield Circuit.
- Basement car parking.
- Ground floor communal courtyard with significant landscaping works.

The compelling reasons why a positive assessment and determination of the project should prevail are summarised below:

- The built form and architectural presentation of the proposed mixed use building contributes to the built environment of North Penrith by providing a well-considered building that is expected to improve the quality of the public domain.
- The through-site link to the south of south offers permeability to the North Penrith precinct. Whilst the ground floor of the proposed building is activated with active uses.
- The proposed provision of onsite car parking, waste storage and collection facilities and access arrangements has been designed to meet Council's requirements.
- The proposal is found to be in the public interest and is suitable for the site.

Having considered all the relevant matters, we conclude that the proposal represents a sound development outcome that upholds the vision for the precinct. The proposal therefore is considered worthy of support.

Disclaimer

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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

Survey Plan

Appendix B

Architectural Drawings

Appendix C

Quantity Surveyor Statement

Appendix D

Planning Compliance Table

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