

- STATEMENT OF ENVIRONMENTAL EFFECTS -
for alterations and additions to Riley Street precinct
WESTFIELD PENRITH

Prepared for

SCENTRE GROUP

Owner and Operator of **Westfield** in Australia and New Zealand

By

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- Appendix A:** Reduced plans of proposed development
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1. INTRODUCTION

The Statement of Environmental Effects (SEE) has been prepared to accompany a development application for alterations and additions to shopfronts and footpath areas along the western side of Riley Street to enhance the outdoor casual dining precinct at Westfield Penrith.

The proposed works relate to the installation of awnings, seating and landscaping along with road alignment and parking relocation as illustrated in the set of development application drawings prepared by Scentre Design and Construction (see **Appendix A**). The works will provide for seating areas for new tenancies that will create an enhanced active frontage to Riley Street, Penrith. The proposed works do not result in any change to gross floor area over the Westfield site.

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

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

2. THE SITE AND LOCALITY

As illustrated in **Figure 1 – Location**, the Riley Street Precinct (shown in pink) is located towards the western end of the Westfield Shopping Centre, Penrith and extends between High Street and Jane Street located adjacent to the railway line, within the commercial centre of Penrith.

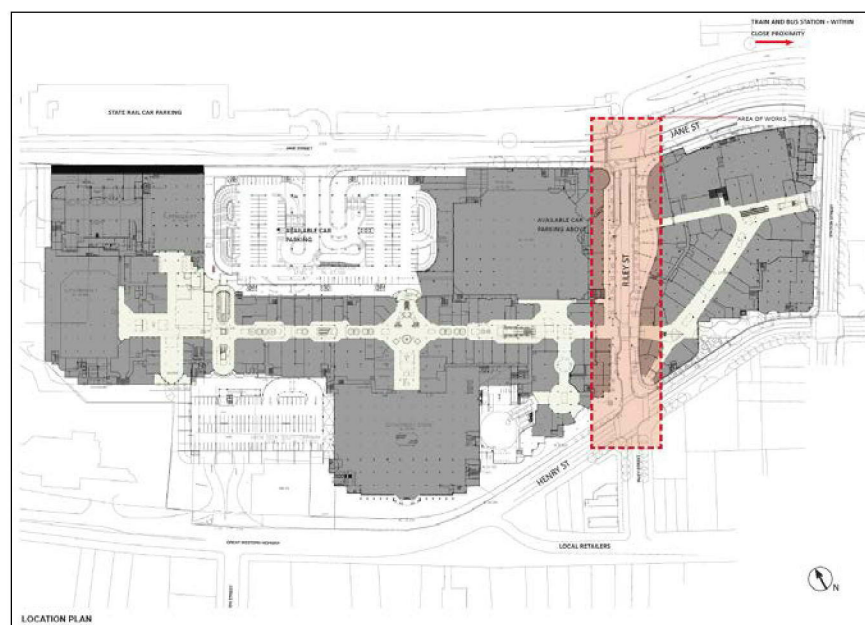


Figure 1 – Location of Proposed Works

Riley Street is a one way road, running north from High Street, across Henry Street to Jane Street. The proposed works are within the segment of Riley Street between Henry Street and Jane Street. This area is straddled on both sides by Westfield Penrith and is recognised as a dining precinct with the Penrith CBD. The area has easy access to public transport services and is designed to attract high volumes of pedestrian traffic and is well served by three sets of signalised pedestrian lights.



Figure 2 – Existing Shopfronts (south)

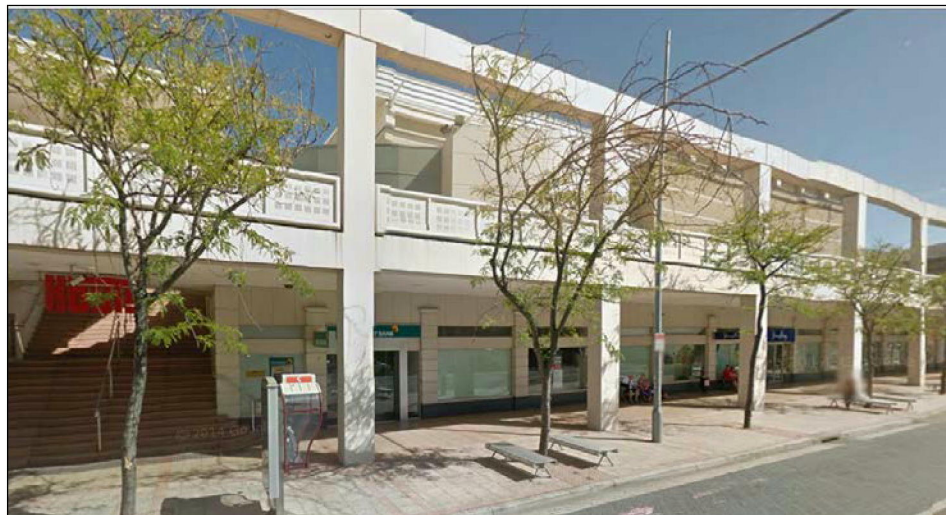


Figure 3 – Existing Shopfronts (north)



Figure 4 – Riley Street (looking south)

The location of the proposed works are generally within the property frontage and footpath/road reserve adjacent to the western side of the Riley Street frontage of the site as illustrated in the drawings provided as Appendices to this report.

3. PROPOSED DEVELOPMENT

The proposed works relate to the installation of awnings, seating and landscaping along with road alignment and parking relocation within Riley Street between Henry Street and Jane Street Penrith.

Specifically, development consent is sought for the works as illustrated in the set of development application drawings prepared by Scentre Design and Construction (see **Appendix A**). The physical works will include modifications to existing shopfronts and façade treatments, new cantilevered awnings, modified landscaping, paving and lighting treatment, new bike racks, connections to drainage infrastructure, modifications to footpath and existing parking bays. The works will provide for improved outdoor seating areas for restaurant tenancies that will create an enhanced active frontage to Riley Street, Penrith.

The proposed alterations to Westfield Penrith (including the modifications to Riley Street) also include the following:

- The existing restaurant tenancies on the western side of Riley Street have a combined approved outdoor seating area comprising 240 seats. It is proposed to increase outdoor seating associated with these restaurant tenancies to some 280 seats (an additional 40 seats);
- Relocation of the existing shared emergency vehicle/Australia Post and disabled pick-up/drop-off zone (two spaces) to allow widening of the footpath on the western side of Riley Street (south of the signalised crossing);
- Modifications to on-street carparking arrangements on the eastern and western sides of Riley Street (north of the central signalised crossing) to accommodate the shared emergency vehicle/Australia Post and disabled pick-up/drop-off zone.

Hoardings during construction will be installed in accordance with Council requirements with detail provided as a condition of consent prior to the release of a construction certificate.

The active street frontage will enhance the permeability of the centre with the public domain and provide improved passive surveillance, safety and pedestrian linkages within this area of the commercial centre.

The proposed works do not result in any change to gross floor area over the Westfield site.

The proposed works will allow for the provision of new modern tenants fronting Riley Street. The proposed works will complement the ongoing upgrades within the Penrith City Centre.

There is no change to the gross floor area of the existing tenancies fronting Riley Street.



Figure 5 – Indicative Riley Street works (south)



Figure 6 – Indicative Riley Street works (north)

The proposed works will require modifications to existing emergency parking bays, taxi and accessible parking space within the road reserve. Consultation has been undertaken with Council, Emergency Services and Police Local Area Command. The proposed amendments to the road works are discussed in detail in the Traffic and Parking Report prepared by CBH&K (see **Appendix B**).

An Access Consultant (Michael Fox, Access Australia) has also been engaged to assist with ensuring the proposed works comply with disabled and emergency access requirements (see **Appendix C**).

A separate application for works within the road reserve under the Roads Act has been lodged with Penrith Council. Any seating within the adjoining footpath area associated with specific restaurant tenancies in the enhanced dining precinct will require licence approval from Council.

4. ZONING AND DEVELOPMENT CONTROLS

4.1 Penrith Local Environmental Plan 2010

The site was rezoned to B3 Commercial Core pursuant to the provisions of Penrith Local Environmental Plan 2008. The City Centre LEP has since been embraced within the provisions of Penrith LEP 2010 and the land retains a B3 Commercial Core zoning.

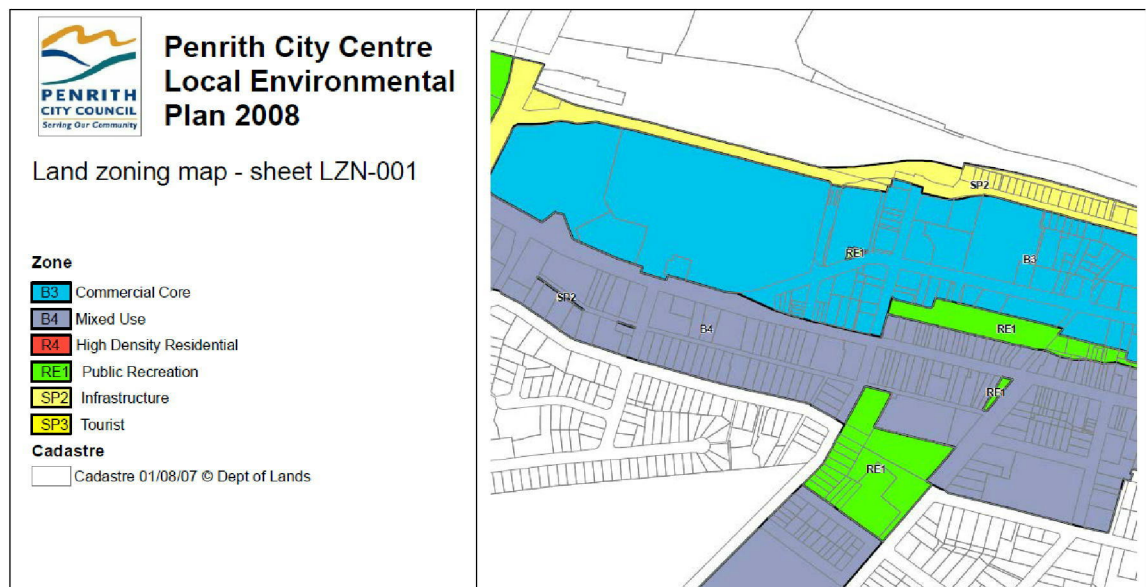


Figure 7: Extract of Zoning Map (Penrith LEP 2008)

Zone B3 Commercial Core

1 Objectives of zone

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

2 Permitted without consent

Exempt development; Roads

3 Permitted with consent

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

Serviced apartments; Sex services premises; Take away food or drink premises; Telecommunications facilities; Temporary structures; Tourist and visitor accommodation; Utility installations

4 Prohibited

Any other development not otherwise specified in item 2 or 3

The proposed development is ancillary to the approved restaurant and retail premises which are a permissible use within the zone. The proposed development is permissible on the site subject to development consent.

4.2 Penrith City Centre Development Control Plan 2014

Penrith City Centre Development Control Plan was adopted by Council on 23 March 2015 and came into force on 17th April 2015. The relevant provisions of this DCP are discussed in Section 5.3 of this SEE.

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

5.1 The provisions of any environmental planning instrument

Sydney Regional Environmental Plan 20 – Hawkesbury-Nepean River (SREP 20)

SREP 20 relates to the future long term planning in the Hawkesbury-Nepean River Valley and identifies the major issues affecting the river and its valley. The plan covers all planning aspects along the river through eleven local government areas.

The plan requires Councils to consider water quality objectives through the preparation of river management plans and when considering development applications.

The proposed development relates to existing sealed footpath and road reserve areas on the subject site and does not significantly alter or affect existing stormwater infrastructure servicing the area. The proposal will not have any significant impact on the Hawkesbury Nepean River system.

Penrith Local Environmental Plan 2010

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

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

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

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

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

5.3 Any development control plan

5.3.1 Penrith City Centre Development Control Plan 2014

Clause 1.2.5 of Penrith DCP 14 relates to safety and security and the principles of Crime Prevention through Environmental Design (CPTED). The design of buildings and public spaces has an impact on perceptions of safety and security. There are four main principles of CPTED – natural surveillance, access control, territorial reinforcement and space management.

With respect to **natural surveillance** the proposed work have been designed to make people feel safe in public areas via providing places where people can see and interact with each other. Natural surveillance has been achieved by the improved connection between the internal operations of the tenancies in Riley Street and the external area. The enhanced dining precinct will improve the interaction with and casual surveillance of the Riley Street precinct.

In regard to **access control** design measures can be used to attract, channel or restrict pedestrian and vehicle movement. The proposed works will enhance existing pedestrian connections within the centre. For example, the introduction of a solid landscaped edge to Riley Street will assist in channelling the movement of pedestrians to dedicated signalised crossing points within the centre.

Territorial reinforcement is a key element in the design of the proposed works within Riley Street. Clearly identified pedestrian circulation areas align within quality finishes and materials are proposed to be used to make this part of the centre feel cared for and protected by its users.



Figure 8: Proposed awnings and landscaped edge treatment

Space management is a principle that is linked to territorial reinforcement and ensures that spaces are well used and maintained. The internal and external areas of the shopping centre will be maintained in a comfortable, clean and coordinated manner by centre Management. Maintaining the centre in such a way is not only important for crime prevention and safety but is important for the commercial viability of the centre.

Clause 10 of Penrith DCP 2014 predominantly relates to Council requirements for traffic, access and parking requirements. These matters are discussed in Section 5.5 of this SEE and in detail in the Traffic Report prepared by Colston Budd Hunt & Kafes Pty Ltd (see **Appendix B**)

Consultation with emergency services in regard to modifications of parking bays and works within Riley Street has been undertaken with Penrith Local Area Command of the NSW Police Force, and representatives from NSW Fire and Rescue and NSW Ambulance. Correspondence indicating support for the proposed works is provided as part of the Access Australia report in **Appendix C** and discussed further in Section 5.5 of this SEE.

Clause 10.6 of Penrith DCP 2014 relates to pedestrian connections. Riley Street is a highly pedestrianised environment and the need to provide a safe, convenient and legible movement network for all people with diverse abilities has been carefully examined in the preparation of the development application. This matter is further discussed in Section 5.5 of this SEE and in detail within the report prepared by Access Australia attached as **Appendix C**.

Clause 11.3.2 of Penrith DCP 2014 relates to the promotion of active street frontages and safe pedestrian environments within the Penrith City Centre. The DCP seeks to encourage active street frontages and enhance the interactivity of buildings with the street network.

The DCP has the following objectives and controls:

Objectives	Controls
<ul style="list-style-type: none">• To promote pedestrian activity and safety in the public domain.• To maximise active street fronts in Penrith city centre.• To define areas where active streets are required or are desirable.• To encourage an address to the street outside of areas where active street frontages are required.	<p>Active Street Frontages</p> <p>a) Active frontage uses are defined as one or a combination of the following at street level:</p> <ul style="list-style-type: none">• entrance to retail;• shop front;• glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12 metres frontage;• café or restaurant if accompanied by an entry from the street;• active office uses, such as reception, if visible from the street;• public building if accompanied by an entry.

In regard to the current application, the DCP 2014 specifically identifies Riley Street as a location where active street frontages are required and outdoor dining is encouraged. It is also noted that the concept of the inclusion of cafes and restaurants with outdoor seating to enliven the town centre thereby contributing to active streetscapes and creating a modern multi-activity CBD was encapsulated in the Development Consent No.03/2703. The proposal is consistent with the provisions of the Penrith DCP 2014.

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

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

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

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

Context and Setting

As discussed previously, the proposed works will improve the opening up of tenancies to the street by utilising the existing frontages within the footpath and colonnade space for seating providing improved activation of the Riley Street frontage.

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

Social and Economic Impacts

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

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

Traffic and Parking

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

The CBHK report states that:

"2.14 Restaurants would typically generate one car per three people at busy times. Based on 85% occupancy of the restaurants, the parking demand for the additional restaurant seating during the evening period would be some 10 parking spaces. During the middle of the day, when restaurant patrons would generally be people working in the CBD or customers already visiting the shopping centre, the parking demand would be less than five additional parking spaces. These are low additional parking demands which can be readily accommodated within the shopping centre car park of some 3,680 spaces."

The proposal reconfigures emergency parking spaces within the road reserve of Riley Street. The emergency services/postal bay (two spaces) will be relocated to the exiting 5 minute parking zone of the western side of Riley Street north of the central signalised crossing with similar dimensions and clear line-marking. The existing bus zone (some 30 metres in length) is not proposed to be modified.

Riley Street will be retained as a one-way street of 5.8m wide to accommodate existing bus, vehicle and emergency services.

In accordance with the Access Report, the disabled pick-up/drop-off zone will be relocated adjacent to the existing ½ hour parking zone on the eastern side of Riley Street. The existing taxi zone will be moved to the norther side of the disabled pick-up/drop off zone.

Consultation has been undertaken with the Local Area Command of NSW Police Force and representatives from NSW Fire and Rescue and NSW Ambulance with the conclusion that there is no impediment from an emergency services perspective on the proposal. The correspondence in relation to the proposed works states that:

"The area is clearly desirous of attracting more pedestrian patronage for the collective restaurants and eateries in the precinct and making the visibility and hazard identification easier for motorists and pedestrians is a key feature of the proposal and is reasonably likely to reduce risk of collisions involving pedestrians. There is also the capacity for emergency services vehicles to occupy the bus bay adjacent to the proposed parking bay and be collated together at times requiring an emergency response to the area."

Other changes to the configuration and use of existing parking within Riley Street are discussed in detail in the report by CBHK (See **Appendix B**).

Access and Mobility

As illustrated in the extract below of the Penrith City Centre Access Map, Riley Street is recognised as a significant pedestrian location with the heart of Penrith CBD. The area has easy access to public transport services and is designed to attract high volumes of pedestrian traffic and is well served by three sets of signalised pedestrian lights. There are audio traffic lights, accessible kerbs, accessible drop off points with access to lifts and accessible toilet facilities within the locality.



Figure 8: Extract from Penrith City Centre Access Map

Access Australia has been engaged to assist with ensuring the proposed works comply with disabled and emergency access requirements (see **Appendix C**). The recommendations of the Access Australia report include:

- Pedestrian path of travel (POTs) to provide consistent orientation to east and west sides of Riley Street;
- Provide minimum 1.5m wide footpaths east and west of Riley Street, preferably 2.5 m wide;
- Install 300 wide detectable directional paving with minimum 30% illuminance contrast to adjacent surfaces between POTs and seating areas, and 600 wide detectable warning indicators at bus stops;
- Locate accessible parking drop-off NE of central pedestrian crossing
- Seating to provide back and armrests.

Access Australia considered that the current planning and design meets applicable access codes and legislation, consistent with the DDA – subject to compliance with the AA Access Report and recommendations (see **Appendix C**).

Drainage and Landscaping

The previous reconstruction of Riley Street has resulted in the provisions of large trenches and associated drainage system at Street level to enable suitable tree species to be planted and capable of sustaining longevity.

The new paving effectively replaces existing footpath and road surface. The proposed works include the extending of paving into the existing to align with the adjacent kerb line. The drainage points are envisaged to follow the new kerb line, but utilise the existing stormwater drainage. The planters will include for hardy plants which require little water. New awnings will be drained to the existing below ground drainage. All below ground and above ground drainage capacity will be designed by a certified hydraulic engineer and civil engineer.

The proposal does not increase impervious areas within Riley Street. Indeed the proposal increases landscaping through the provision of new low level planter wall (with hardwood timber bench seats) that provides a physical barrier to the adjoining road. The couple of trees that are required to be removed with the proposed works will be replaced with same species as removed within the landscaped works.

5.6 The suitability of the site for the development

The site is highly suited to the proposed use as it is within a major shopping centre and has all the appropriate facilities for such premises. The proposal predominantly relates to a reorganisation of footpath and road reserve area to provide an improved active dining precinct within the commercial centre of Penrith.

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

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

5.7 Submissions made in accordance with this Act or the regulations

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

5.8 The public interest

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

6. CONCLUSION

The proposal is for alterations within the Riley Street Precinct at Westfield Penrith. It will not have any significant environmental impact and will provide improvement in retail and shopper experience and additional employment while maintaining appropriate transport, service and emergency vehicle operations.

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

APPENDIX A

Reduced Set of DA Drawings

APPENDIX B

**Traffic Report
By Colston Budd Hunt & Kafes Pty Ltd**

APPENDIX C

**Access Report by
Access Australia Pty Ltd**