
-STATEMENT OF ENVIRONMENTAL EFFECTS -
To accompany a Development Application for a
PROPOSED VOID INFILL LEVEL 1
AT WESTFIELD PENRITH

SCENTRE GROUP
85 CASTLEREAGH STREET SYDNEY NSW 2001

JULY 2015

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APPENDICES

Appendix A:	Location of Proposed Kiosk
Appendix B:	Reduced Architectural Drawing

1. INTRODUCTION

The Statement of Environmental Effects (SEE) has been prepared to accompany a development application for the establishment of an existing void infill of an existing stair Level 1 of Westfield Penrith.

This report describes the subject property in terms of site characteristics, real property description, ownership details, site area and surrounding locality. This report then discusses the proposed development outlining the project objectives, the architectural concept and provides the details of the works associated with the establishment of the new retail kiosks on site. A reduced copy of the plan is provided in **Appendix A**.

The SEE then outlines the statutory and development controls which 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. SITE, LOCATION & OWNERSHIP

Westfield Penrith Plaza is a regional shopping centre located in the heart of Penrith approximately 55 km west of Sydney's CBD. The shopping centre extends across a large tract of land in the Penrith commercial centre bounded by The Great Western Highway, Henry Street, Station Street and Jane Street (**Figure 1 – Location & Figure 2 – Site**).

The Centre opened in 1971, was extensively redeveloped in 1992 and cinemas added in 1998. The centre now comprises approximately 68,800 sqm of gross leasable retail space, including a Myer department store, two discount department stores (Big W and Target), two supermarkets (Woolworths and Franklins), a Hoyts cinema complex and 220 specialty stores.

A further \$140 million redevelopment of Penrith Plaza has recently been opened, extending the Centre across the existing Riley Square site to the Station Street frontage, started in June 2004 involving and extra three mini-major tenants, 100 specialty tenants and additional parking.

A legal description of the site has been provided with the development application forms submitted with this application.

The proposed works are entirely within the existing internal malls of the shopping centre and do not involve a change to the external appearance of the centre.

3. PROPOSED DEVELOPMENT

3.1 Details of Project

The Location of the proposed void infill on Level 1 as shown in **Appendix A – Proposed Void location**. The void infill will occupy a small area of the existing shop 1018 in a location that does not unreasonably disrupt the general flow of the pedestrians within the centre.

The area of the new retail kiosk proposed as part of this development application is detailed below:

New Void Infill Level 1

The dimension of this infill is as per the plans attached and is located on Level 1.

3.2 Development Application

Specifically, development consent is sought for the retail use of floor area as illustrated in the following plans prepared by Westfield Design & Construction and submitted with the development application (refer **Appendix B**).

Drawing	Drawing Name	Scale	Date
80.2002	Proposed Void Infill	1:100	

4. ZONING AND DEVELOPMENT CONTROLS

4.1 Zoning

The subject property is zoned 3(a) General Business Zone under the provisions of Penrith Local Environmental Plan 2008 (Penrith City Centre). The land use table for the zone states as follows:

- "(1) The Table at the end of this Part specifies for each zone:
- (a) the objectives for development, and
 - (b) development that may be carried out without consent, and
 - (c) development that may be carried out only with consent, and
 - (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Table at the end of this Part:
- (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and

(b) *a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.*

(4) *This clause is subject to the other provisions of this Plan.*

Note.

1 *Schedule 1 sets out additional permitted uses for particular land.*

2 *Clause 16 requires consent for subdivision of land."*

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."

The development application seeks consent for a new retail kiosk within Westfield Penrith which is permissible subject to development consent.

4.2 Development Controls

There is no development control plan specifically relating to the proposed development. The proposal should be assessed on the merits of the application.

5. CONSIDERATION UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESMENT ACT 1979

5.1 Introduction

In determining the subject development application, Council is required to consider those relevant matters listed in Section 79C of the Environmental Planning and Assessment Act, 1979. Each of the relevant matters is addressed below.

5.2 Section 79C(1)(a)(i) – Any Environmental Planning Instrument

Penrith Local Environmental Plan 2008 (Penrith City Centre)

Clause 2 of the Penrith LEP 2008 includes the following aims and objectives with respect to land use within the Penrith City Centre.

"(a) to strengthen the regional position of the Penrith city centre as a multifunctional and innovative centre that encourages employment and economic growth,"

Clause 2(3) of the Penrith LEP 2008 requires council to consider the aims and objectives Of the LEP as well as the objectives of the 3(a) General Business zone which are outlined in Section 4.1 of this report.

The proposed development for the inclusion of an additional retail kiosk within the Westfield Penrith shopping complex will ensure that a wider range of retailing is provided which contributes to employment and economic growth in the centre.

It is considered that the proposal will allow for the logical use of an underutilised area within the complex in a manner consistent with modern retail shopping centre environments.

It is considered that the proposed development is entirely consistent with the function and role of Penrith City Centre as the pre-eminent retail centre of Penrith LGA. The proposal is consistent with the objectives of all planning instruments and policies applicable to the land.

The proposed kiosk is located within the building and will not be visible from the public domain or neighbouring properties. There is no change to the bulk, height or scale. There will be no change to the external appearance of the building.

5.3 Section 79C(1)(a)(ii) – Any Draft Environmental Planning Instrument

There are no draft environmental planning instruments which are applicable to the proposed development.

5.4 Section 79C(1)(a)(iii) – Any Development Control Plan

This matter has been previously discussed in Section 4.2 of this SEE.

5.5 Section 79C(1)(b) – likely impacts of that development

Context and Setting

The proposal is consistent with the planning objectives for the land and will not 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.

Character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of that development:

The proposed kiosk within the retail mall of the shopping centre will not have any impact on the height, location, siting, bulk, scale, shape, size, height and external appearance of the shopping complex. The proposal is compatible with the existing internal layout of the centre and will have no significant impact on the overall built form.

Retail kiosks are a common effective use of floor space within mall areas throughout modern shopping centres.

Landscaping

The proposed retail kiosk does not require the removal of any internal landscaping within the shopping centre.

Parking and Access

The proposed use of underutilised area within the internal malls for a retail kiosk within the existing shopping centre will not result in any significant increase in traffic generation or parking requirements for the centre.

Based on the Council's carparking rate of 1 space per 30sqm of retail floor space, the total additional retail kiosk space requires less than 1 additional car space within the shopping centre. The shopping centre already comprises in excess of 3,600 car parking spaces. It is considered that given the minor nature of the ancillary retail space proposed and the immediate access of the site to regional rail and bus public transport systems there is no need to provide any additional carparking.

Furthermore, retail kiosks are effectively ancillary uses to the primary specialty retailers and major tenants within the centre. The existing car parking and surrounding road network can accommodate the proposed development without any material change in the operation of the centre or the surrounding road network.

Pedestrian Movement

The location and size of the proposed retail kiosk has been carefully designed so as to not have any unreasonable impact on the movement and flow of pedestrians within the retail mall space of the existing shopping centre.

The location of the kiosk is similar to the kiosks located centrally within the mall area and setback from the shop frontages thereby ensuring the free flow of pedestrians adjacent to shop fronts on either side of the proposed kiosk.

The kiosk is located within a central location in the mall to ensure that a continuous flow of shopping patrons along either side of the internal malls can be accommodated. The kiosks retain adequate space for shoppers at the kiosks to stop and shop in comfort without disrupting other pedestrians utilising the mall space.

5.6 Section 79C(1)(c) – the suitability of the site for the development

It is considered that the subject property is entirely suitable for the proposed development. The proposed kiosk is a permissible use on the site and will complement the existing retailing within the centre.

5.7 Section 79C(1)(d) – submissions made in accordance with this Act or the regulations

This is a matter for the Council consideration following public exhibition of the application.

5.8 Section 79C(1)(e) – the public interest

The proposal is considered to create the opportunity for improving retailing, interest and activity within the retail malls of Westfield Penrith Plaza without any unreasonable impact on the surrounding retail tenants or the use and operation of the mall areas.

The proposal is considered in the public interest and will provide for the improved operations of the approved modern shopping complex.

The proposed amendments to the existing mall area will not have any significant adverse impact.

6. CONCLUSION

We are of the opinion that the proposed void infill within the existing shopping centre on the subject site are consistent with the requirements of section 79C of the Environmental Planning and Assessment Act, 1979.

The proposed alterations to the centre and use of the floor space within the existing building are the result of a sensible proposal that will complement the uses which presently occupy the Westfield Penrith. The proposed development provides for improved outcomes for the centre's retail operations.