

MATTERS RAISED IN SUBMISSIONS – PENRITH PANTHERS PLANNING PROPOSAL AND PENRITH DCP 2014 AMENDMENT

PUBLIC AUTHORITY SUBMISSIONS

Public Authority	Comments Raised	Council Response
<p>Endeavour Energy</p>	<p>The Endeavour Energy submission raises no objection to the Planning Proposal, subject to recommendations and comments provided in the submission.</p> <p>The submission provides detailed comments primarily in relation to the proposed development scheme. The submission identifies the location and boundaries of electricity infrastructure on the site as well as legislative requirements around the protection and retention of these assets.</p> <p>The submission confirms that Endeavour Energy is investigating alternative locations for a new zone substation in proximity to the Penrith Panthers site instead of using the location currently identified in the current DCP at the north end of the Penrith Panthers site.</p> <p>The submission states that when the development of the site proceeds the proponent will need to submit an application to Endeavour Energy for connection of load to determine a final load assessment and method of supply. Advice on the electricity infrastructure required to facilitate the proposed development (including asset relocations) can be obtained from Endeavour Energy.</p> <p>In the future notification of development applications on the site Council will need to comply with the Section 45 of 'State Environmental Planning Policy (Infrastructure) 2007' in order to enable Endeavour Energy to provide comments about potential safety risks.</p> <p>The submission also provides comments in relation to earthing, easement management / network access, noise, electric and</p>	<p>The submission raises matters and requirements that can be addressed at Development Application (DA) stage, and do not require amendments to either the Planning Proposal (PP) or Development Control Plan (DCP).</p> <p>The 'Potential Zone Substation', as identified in the current endorsed Figure E13.12 of Section 13.6.1 Panthers Penrith Precinct Vision is proposed to be removed from the DCP in the exhibited DCP amendment based on correspondence from Endeavour Energy advising that the identified location would not be feasible due to flood risk.</p> <p>Comments in relation to earthing, easement management / network access, noise, electric and magnetic fields, bushfire, vegetation management, dial before you dig, excavation, demolition, asbestos, and public safety considerations would need be addressed by a range of technical studies and assessments as part of any future DA.</p>

	magnetic fields, bushfire, vegetation management, dial before you dig, excavation, demolition, asbestos, and public safety considerations to make in the preparation of a future development proposal for the subject site.	
NSW Office of Environment and Heritage	The Office of Environment and Heritage advises that any comments in relation to the addendum to the flood assessment report and the additional flood evacuation assessment report (prepared as required by the altered Gateway Determination) will be provided through the Hawkesbury-Nepean Valley Flood Management Directorate of Infrastructure NSW.	Council will rely on the submission by the Hawkesbury-Nepean Valley Flood Management Directorate of Infrastructure NSW, which will incorporate comments provided by the Office of Environment and Heritage.
NSW Rural Fire Service	<p>The subject proposal is to consider the requirements of 'Planning for Bush Fire Protection 2006'. This includes, but is not limited to the following bush fire protection measures that can be incorporated within the Development Control Plan and any concept plans:</p> <ul style="list-style-type: none"> ▪ The provision for Asset Protection Zones within the development site as determined in accordance with Table A2.4. ▪ Access to be provided in accordance with the design specifications set out in section 4.1.3(1), particularly the provision for through roads, urban perimeter roads and compliant road widths. ▪ Services (water, electricity and gas) to be provided in accordance with section 4.1.3. 	<p>Amendments have been made to the DCP amendment to include a specific section on Bushfire Risk Management. Consideration of this section must be made with Section 2.3 Bushfire Management of Part C2 Vegetation Management of Penrith DCP 2014.</p> <p>Due to the site incorporating Bushfire Prone Land future DAs on the site will need to address the requirements of 'Planning for Bush Fire Protection 2006' as part of the development scheme.</p>
Telstra	No objections raised with the proposed development scheme, however Telstra requests that a condition is imposed on future development approvals requiring the developer to liaise with Telstra in relation to any works proposed outside the footprint of the development site and in relation to any proposed disconnection of cables which would be required to be removed to facilitate the development.	The submission raises matters and requirements that can be addressed at Development Application (DA) stage, and do not require amendments to either the Planning Proposal (PP) or Development Control Plan (DCP).
Hawkesbury-Nepean Valley Flood Management Directorate of Infrastructure NSW	The Infrastructure NSW submission concurs with the State Emergency Service submission.	<p>The submission raises no objection in relation to flood risks from the Planning Proposal.</p> <p>The submission does not raise any new or arising flood and/or evacuation matters that require further amendments or additional information to be prepared in support of either the Planning Proposal (PP) or Development Control Plan (DCP).</p>

		Both the SES and iNSW submissions provide support in relation to flood evacuation matters at the Panthers site.
NSW State Emergency Service	The State Emergency Service submission advises that, following an analysis of evacuation road capacity, it is concluded that the Panthers site can evacuate within the flood forecast timeframe.	<p>The submission raises no objection to the Planning Proposal or supporting DCP amendment.</p> <p>The submission notes several technical reports and studies undertaken in the preparation of the Planning Proposal.</p> <p>The submission does not raise any new or arising flood and/or evacuation matters that require further amendments or additional information to be prepared in support of either the Planning Proposal (PP) or Development Control Plan (DCP).</p>
Roads and Maritime Services	The submission raises no objection to the planning proposal and DCP amendment subject to agreement by Council and the proponent on traffic modelling which reflects the ESQ1818 development scheme, and that an amendment to the Road Works Planning Agreement is executed prior to gazettal of the LEP 2010 amendment.	Council concurs with the Roads and Maritime Services submission and recommends that the LEP amendment is progressed upon execution of an amendment to the Road Works Planning Agreement by all parties.

PUBLIC SUBMISSIONS

Public Submission	Comments Raised	Council Response
Submission 1	<p>Concern raised regarding the large volume of traffic which would be generated by the proposed development scheme and its contribution to traffic congestion on Mulgoa Road and Jamison Road as well as its impact on the availability of on-street parking opportunities in the locality.</p> <p>The following specific concerns raised are:</p> <ol style="list-style-type: none"> 1. Concern regarding the impact that large traffic volumes from the proposed development scheme will have on Mulgoa Road. 2. Concern regarding the high volume of vehicles parked on-street in the locality during Penrith Panthers football game 	<p>Detailed traffic and parking assessments have been undertaken by the proponent's consultant, GHD, with several iterations being prepared for consideration. These assessments have considered the impacts of the ESQ1818 development scheme on Mulgoa Road, Jamison Road and the surrounding road network, as well as internal traffic movements within the Panthers site.</p> <p>It is noted that the content of the existing Road Works Planning Agreement is currently under review by the relevant parties to address the impacts of the ESQ1818 development scheme and future RMS road widening requirements, including widening of Mulgoa Road.</p>

	<p>days at Penrith Stadium and other Panthers events.</p> <ol style="list-style-type: none"> 3. Concern regarding the ability for Jamison Road between Mulgoa Road and Tench Avenue to accommodate higher traffic volumes from the future development of properties near Tench Reserve. 4. Concern that Mulgoa Road is not coping with accommodating current traffic volumes between the M4 Motorway and the Great Western Highway. 5. Concern that Council has approved a further 152 apartments (under DA17/0766) on the corner of Mulgoa Road and Ransley Street which would result in many cars from the occupants of these apartments using the surrounding streets for on-street parking and thereby contributing to congested on-street parking. 6. Concern that a solution to traffic congestion at Mulgoa Road must be found to accommodate traffic generated by the future airport at Badgery's Creek. 	<p>The traffic assessments provide a comparison between the current endorsed retail outlet, residential and hotel uses envisaged for the site under the existing LEP and DCP with the ESQ1818 scheme.</p> <p>Although the traffic assessments have not at this stage been endorsed by relevant parties, it is identified that overall both the current endorsed scheme and the proposed ESQ1818 scheme generate similar traffic volumes. Consideration of the peak periods has identified some deficiencies in the performance of Ransley Street, Retreat Drive and the ESQ1818 development access road as a result of queuing on Ransley Street. The modelling has identified options involving the provision of an additional eastbound lane on Ransley Street towards Mulgoa Road as a means to address these deficiencies. The review and amendment to the Road Works Planning Agreement will determine required internal road improvements, as well as proposed intersection layouts, timing and triggers for delivery of improvements to support the ESQ1818 development as well as the wider Penrith Panthers site.</p> <p>Any future scheme will be subject to meeting the minimum parking rates required in Council's Development Control Plan (DCP). All proposed retail and residential uses will be subject to demonstrating compliance with these rates. Additional opportunities for on-street parking will be created with the creation of additional streets.</p> <p>Access to off-street parking for Penrith Panthers football games and other events, is provided within the Panthers Precinct, as well as the following locations:</p> <ul style="list-style-type: none"> • Penrith Cricket Club • Penrith Paceway • Parkland at Station Street <p>The envisaged outcome of development application DA17/0766 has been considered as part of the traffic and parking analysis undertaken by GHD in support of the proposed ESQ1818 scheme achieved by way of the Planning Proposal and DCP amendment. The assessment of the development application is subject to its own</p>
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Submission 2	<p>The following specific concerns are raised:</p> <ol style="list-style-type: none"> 1. The proposed changes do not have an affirming affect on Penrith. 2. The proposed change to building height controls should be amended to limit development proposals to 3 storeys for all properties in order to place a cap on development yield. It is preferable to facilitate multiple, low level buildings rather than obtrusive 14 storey buildings on the subject site. 3. The subject site has existing flood zone restrictions placed on it which prevent development. 4. Concern that Penrith's rural aspect and views to the Nepean River and the Blue Mountains are being reduced due to higher density development approvals and high buildings in the Penrith area. Consideration should be made instead to facilitate lower buildings and take into account the surrounding environment and aspects in order to accommodate Penrith's growing population. 5. Concern that recent developments in Penrith have not delivered appropriate architectural outcomes. 6. Concern that Council has not appropriately considered the capacity and availability of supporting road infrastructure, parking, water supply infrastructure and power infrastructure in the planning process for future developments in Penrith. 7. Concern raised that concerns raised by the community in the community consultation process employed by Council for the planning proposal will not be adequately taken into account by Council. 	<p>The ESQ1818 development scheme will result in the delivery of additional housing, providing for greater diversity in housing choice and affordability within proximity to existing services and facilities, as well as public transport.</p> <p>The scheme will provide for additional retail and leisure opportunities within a mixed-use precinct, further supporting existing recreational and entertainment uses located within the Panthers Precinct.</p> <p>The scheme will increase access to the site and surrounding areas, with increased opportunities for walking and cycling and connectivity within the greater Riverlink Precinct.</p> <p>The scheme will provide for rehabilitation and regeneration of existing riparian corridor (Showground Creek), as well as new public domain and outdoor recreation areas. This will include a new lakeside promenade with new retail and dining opportunities.</p> <p>Limiting development to a maximum height of 3 storeys would not be consistent with the existing height limits permissible across the site.</p> <p>The planning proposal caps maximum development capacity at the ESQ1818 development site to a maximum of 850 dwellings and 80,400 square metres of residential gross floor area.</p> <p>The maximum dwelling yield and gross floor area have been determined with regard to existing capacities achievable under</p>

		<p>existing Floor Space Ratio (FSR) and maximum building heights that currently apply to the site.</p> <p>The proposal will not increase existing capacities for gross floor area and dwelling yield, instead it will allow for a better distribution of height across the site that will result in reduced heights adjacent to existing residential. It will also provide certainty for Council and the community with respect to development outcomes across the Panthers Precinct.</p> <p>The scheme has been reviewed by Council's Urban Design Review Panel (UDRP) and has subsequently made a number of amendments in line with UDRP comments. The DCP amendment has been prepared to reflect the proposed scheme.</p> <p>Any development of the site will be required to demonstrate compliance with <i>State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development)</i> and the supporting Apartment Design Guide (ADG).</p> <p>The ESQ1818 development scheme seeks to locate a number of taller buildings in the centre of the precinct and reduce the height of buildings in locations adjacent to existing developments, such as the Mountainview Aged Care Facility so as to reduce overshadowing and amenity impacts.</p> <p>The proposal is supported by a number of technical studies and assessments dealing with traffic, parking and transport accessibility, socio-economic outcomes, flooding, evacuation, as well as infrastructure services.</p> <p>Council is bound to consider all submissions to the planning proposal in accordance with legislative requirements.</p>
Submission 3	Concern raised that the increase in permissible building heights to allow for 14 storey buildings is not in accordance with the character of Penrith and may set an unwanted precedent for future development proposals in the area.	The proposed height increase allows for a re-distribution of permissible Gross Floor Area (GFA) across the site that will result in buildings near adjoining dwellings to the east being significantly reduced in height, with this yield redistributed to the buildings

		<p>fronting the lake.</p> <p>These taller buildings have been consolidated to create a localised destination marker to the development and wider Panthers Precinct.</p> <p>The ESQ1818 development scheme seeks to locate a number of taller buildings in the centre of the precinct and reduce the height of buildings in locations adjacent to existing developments, such as the Mountainview Aged Care Facility so as to reduce overshadowing and amenity impacts.</p>
<p>Submission 4</p>	<p>Concerns raised regarding the increased traffic volumes in Ransley Street and Retreat Drive as a result of the proposed development scheme.</p> <p>The following specific concerns are raised:</p> <ol style="list-style-type: none"> 1. Traffic flows at the Retreat Drive/Ransley Street roundabout are currently managed during major events at the Panthers site and on Penrith Panthers game days in order to retain vehicle parking opportunities for residents and their visitors within the nearby Mountainview Aged Care Facility and on Retreat Drive. 2. Retreat Drive should be a two lane road with footpath to accommodate buses and ambulances which access the nearby Mountainview Aged Care Facility. 3. Concern that the location of the connection point for the proposed east-west road at Retreat Drive would be dangerous, as it is not proposed to connect at the Retreat Drive roundabout. 4. Concern that the traffic volumes generated by the proposed development scheme would cause traffic congestion on Ransley Street which is already a busy street. 	<p>Refer to traffic and parking response provided in association with submission 1.</p> <p>There is currently no planning agreement in place between Council and any other party that would result in the widening of Retreat Drive.</p> <p>Amendments to the DCP will create additional requirements for a pedestrian path along Retreat Drive to connect the retirement village to the north with Ransley Street.</p> <p>Detailed traffic analysis has been undertaken by GHD in response to the proposed arrangement of new internal roads and their relationship to existing streets and intersections, including the roundabout at the intersection of Retreat Drive and Ransley Street. GHD as part of this analysis has traffic modelled the intersection of Mulgoa Road, Ransley Street and Retreat Drive.</p>