

Summary of Submissions

PP-2024-280



Issues Raised	Proponent Response	PPA Team Response
Penrith City Council		
<p>Council which raised concerns with the proposal, including:</p> <ul style="list-style-type: none"> the AMF and the dwelling cap that is imposed on residential development is emerging as a critical factor of this proposal and the future expansion of the City Centre; the introduction of the AMF meant that while there are approximately 8,000-9,000 residential lots zoned within the PMF, there is a cap of 4,050 dwellings; Council is responsible for monitoring development activity and there is capacity of 553 dwellings remaining in the cap; the dwelling cap may limit the ability of a consent authority to grant consent to development on the site; given the cap is in place we are concerned that developing sites in isolation will lead to poor urban outcomes with potential for very tall buildings to exist in isolation; and the best planning outcome would be achieved through a holistic approach to address all issues associated with the key sites and development in the CBD within the 	<p>The proponent's response to flooding, the AMF and the dwelling cap, includes:</p> <ul style="list-style-type: none"> acknowledging the need for Stage 2 of the AMF to be put in place as soon as possible, which will unlock the potential of the Penrith CBD. The proponents support Council's position that the AMF is a matter that requires urgent resolution; the sole purpose of this planning proposal is to facilitate the orderly and economic development on the site in a manner consistent with other key sites identified by the PLEP 2010, which cannot occur without enabling some overshadowing to a residual parcel of open space directly south already anticipated by the Key Site incentives in Clause 8.7; the AMF and dwelling cap will become a relevant matter for consideration during the development application process; the Penrith City Centre is an area in rapid transition, with development commencing in recent years to deliver intensified development outcomes commensurate with Penrith's identified nature as a Metropolitan 	<p>The PPA team notes Council's submission related to the AMF and dwelling cap within the Penrith City Centre.</p> <p>The planning proposal does not alter the dwelling yield that applies to the site and its related contribution to the dwelling cap for the Penrith City Centre. The proposal:</p> <ul style="list-style-type: none"> amends an existing provision relating to an overshadowing design outcome related to an existing area of public open spaces. does not change existing land use permissibilities; and does not change existing development standards which regulate development densities and yields applying to the site, including building heights and FSRs. <p>The status and capacity of the dwelling cap can be further considered through the development application process</p>

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PMF. This would achieve a more comprehensive planning policy for the Penrith City Centre, rather than a piecemeal approach.	<p>Cluster. It is reasonable to expect that during this transitional phase, site-specific development outcomes may appear incongruous until such time that the City's physical form is more closely aligned with the density outcomes envisaged and anticipated under the area's strategic and statutory planning framework; and</p> <ul style="list-style-type: none">• flooding considerations will be addressed as part of future detailed DAs, in accordance with relevant local flood planning controls.	<p>which can also account for detailed design and final dwelling numbers. This has been acknowledged by the proponent in their response to submissions.</p> <p>Council is continuing to work with key state agencies, including the Department, NSW State Emergency Services and NSW Reconstruction Authority to review the AMF dwelling caps and understand the requirements to release stage 2 of the cap.</p>
Jemena Submission		
<p>Jemena have no objection to this Planning Proposal; however, Jemena would like to highlight that it has two high pressure gas assets located within the applicable site areas:</p> <ul style="list-style-type: none">• Western Sydney Primary Main; and• Secondary High-Pressure Mains.	<p>Potential impacts on the existing high-pressure assets will be addressed as part of future, detailed DAs. Future DAs will be referred to Jemena for comment as part of the standard assessment process.</p>	<p>The PPA team is satisfied that this matter can be adequately resolved through the development application process through existing provisions under State Environmental Planning Policy (Transport and Infrastructure) 2021. The proposal does also not alter existing land use permissibilities or development standards.</p>

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Community Submissions			
Solar access and overshadowing Number of Submissions: 4 out of 8 (50%)	<p>Solar access and overshadowing issues raise in community submissions include:</p> <ul style="list-style-type: none"> overshadowing neighbouring parklands and residential development; result in the reduction in quality of life due to reduced solar access; and diminish the property value of the neighbouring properties. 	<p>The proponent's response the solar access and overshadowing concerns includes:</p> <ul style="list-style-type: none"> the public open space is an 'island' land parcel which does not exhibit any significant landscape qualities and demonstrates little amenity for either active or passive recreation uses; the overshadowing studies accompanying this Planning Proposal demonstrate that: <ul style="list-style-type: none"> the public open space to the south of the site will be only partially overshadowed between 9.30am-10.30am in mid-winter; and the public open space to the south of the site will be largely free from overshadowing after 12.30pm in mid-winter. solar access to nearby residential dwellings will form a matter for consideration as part of future DAs. 	<p>The PPA team is satisfied the planning proposal adequately addresses community concerns about solar access and overshadowing impacts, because:</p> <ul style="list-style-type: none"> the solar analysis supporting the proposal demonstrates that the overshadowing of the existing open space at 10 Mulgoa Road, Penrith is acceptable due to its form, shape, location, level of embellishment, usability, size and scale/type of vegetation; solar impacts to neighbouring residential developments will be subject to assessment during the development application process, with compliance required with the Apartment Design Guide as well as associated Council development standards and controls; and does not change existing land use permissibilities nor development standards applying to the site, including zoning, building height and FSR.

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<p>Flooding, Adaptive Management Framework (AMF) and dwelling cap</p> <p>Number of Submissions: 2 out of 8 (25%)</p>	<p>Flooding, AMF and dwelling cap issues raised in community submissions include:</p> <ul style="list-style-type: none"> the site is within the AMF and dwelling cap area. The removal of the applicable sun access provision will allow for residential development which is inconsistent with disaster planning for large flood events; land being developed is within the PMF area; and the site is subject to flash flooding. 	<p>The proponent's response to flooding, the AMF and the dwelling cap, includes:</p> <ul style="list-style-type: none"> acknowledging the need for Stage 2 of the AMF to be put in place as soon as possible, which will unlock the potential of the Penrith CBD. The proponents support Council's position that the AMF is a matter that requires urgent resolution; the sole purpose of this planning proposal is to facilitate the orderly and economic development on the site in a manner consistent with other key sites identified by the PLEP 2010, which cannot occur without enabling some overshadowing to a residual parcel of open space directly south already anticipated by the Key Site incentives in Clause 8.7; the AMF and dwelling cap will become a relevant matter for consideration during the development application process; the Penrith City Centre is an area in rapid transition, with development commencing in recent years to deliver intensified development outcomes 	<p>The planning proposal does not alter the dwelling yield that applies to the site and its related contribution to the dwelling cap for the Penrith City Centre. The proposal:</p> <ul style="list-style-type: none"> amends an existing provision relating to an overshadowing design outcome related to an existing area of public open spaces. does not change existing land use permissibilities; and does not change existing development standards which regulate development densities and yields applying to the site, including building heights and FSRs. <p>The status and capacity of the dwelling cap can be further considered through the development application process which can also account for detailed design and final dwelling numbers. This has been acknowledged by the proponent in their response to submissions.</p> <p>Council is continuing to work with key state agencies, including the Department, NSW State Emergency Services and NSW Reconstruction Authority to review the AMF</p>

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		<p>commensurate with Penrith's identified nature as a Metropolitan Cluster. It is reasonable to expect that during this transitional phase, site-specific development outcomes may appear incongruous until such time that the City's physical form is more closely aligned with the density outcomes envisaged and anticipated under the area's strategic and statutory planning framework; and</p> <ul style="list-style-type: none">• flooding considerations will be addressed as part of future detailed DAs, in accordance with relevant local flood planning controls.	<p>dwelling caps and understand the requirements to release stage 2 of the cap.</p>
Bulk and Scale Number of submissions: 1 out of 8 (12.5%)	<p>Bulk and scale issues raised in community submissions include:</p> <ul style="list-style-type: none">• impact the resident's views to the Blue Mountains; and• changes to the character of the area	<p>The proponent's response to bulk and scale issues raised in community submissions, includes:</p> <ul style="list-style-type: none">• the incentive FSR controls of Part 8 of the LEP are currently in force, signalling anticipated increases to development densities in line with Council's broader strategic objectives.• acknowledged that implementation of these incentive will result in changes to views and character. These changes have been previously addressed by	<p>The PPA team is satisfied the planning proposal adequately addresses community concerns about bulk and scale, because it does not change existing land use permissibilities nor development standards applying to the site.</p> <p>Bulk and scale impacts can be adequately resolved during the development application process.</p>

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PP-2024-280



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		Council during the finalisation of these incentive provisions.	
Traffic and car parking Number of submissions: 1 out of 8 (12.5%)	Bulk and scale issues raised in community submissions include the proposal will result in a significant increase in dwellings will result in additional congestion.	<p>The proponent's response to traffic issues raised in community submissions, includes:</p> <ul style="list-style-type: none">• state and local strategic plans recognise Penrith City Centre as a key location to accommodate future growth;• policies are in place to ensure that the future growth of Penrith City Centre will not negatively affect the quality of life for current and future residents and workers; and• future DAs will include detailed assessments of all potential impacts of development on Key Sites 3 & 10, including impacts on the local road network.	<p>The PPA team is satisfied the planning proposal adequately addresses community concerns about traffic and car parking impacts, because it does not change existing land use permissibilities nor development standards applying to the site.</p> <p>Traffic and car parking impacts can be adequately resolved during the development application process.</p>