

Statement of Environmental Effects

CONSTRUCTION OF 8 STOREY RESIDENTIAL FLAT BUILDING AT LOT 211
DP1205092, LORD SHEFFIELD CIRCUIT, PENRITH



Prepared by: Think Planners Pty Ltd
Document Date: April 2019
Consent Authority: Penrith City Council

QUALITY ASSURANCE

PROJECT: Statement of Environmental Effects – 8 Storey RFB

ADDRESS: Lot 211 in DP1205092: Lord Sheffield Circuit, Penrith

COUNCIL: Penrith City Council

AUTHOR: Think Planners Pty Ltd

ARCHITECT: DKO Architecture

| Date | Purpose of Issue | Rev | Reviewed | Authorised |
|------------|------------------|-------|----------|------------|
| April 2019 | Draft Issue | Draft | SK /AB | ABF |
| April 2019 | Final Issue | Final | SK /AB | AB |

| <i>Integrated Development (under S91 of the EP&A Act). Does the development require approvals under any of the following legislation?</i> | |
|--|-----------|
| <i>Fisheries Management Act 1994</i> | <i>No</i> |
| <i>Heritage Act 1977</i> | <i>No</i> |
| <i>Mine Subsidence Act 1992</i> | <i>No</i> |
| <i>Mining Act 1992</i> | <i>No</i> |
| <i>National Parks and Wildlife Act 1974</i> | <i>No</i> |
| <i>Petroleum (Onshore) Act 1991</i> | <i>No</i> |
| <i>Protection of the Environment Operations Act 1997</i> | <i>No</i> |
| <i>Roads Act 1993</i> | <i>No</i> |
| <i>Rural Fires Act 1997</i> | <i>No</i> |
| <i>Water Management Act 2000</i> | <i>No</i> |
| <i>Concurrence</i> | |
| <i>SEPP 1- Development Standards</i> | <i>No</i> |
| <i>SEPP 64- Advertising and Signage</i> | <i>No</i> |
| <i>SEPP 71 – Coastal Protection</i> | <i>No</i> |
| <i>SEPP (Infrastructure) 2007</i> | <i>No</i> |
| <i>SEPP (Major Development) 2005</i> | <i>No</i> |
| <i>SREP (Sydney Harbour Catchment) 2005</i> | <i>No</i> |

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Executive Summary

This Statement of Environmental Effects has been prepared in support of a Development Application for the construction of an 8 storey 'Residential Flat Building' above 3 basement levels.

The development comprises of 173 residential units and 192 car parking spaces within 3 basement levels and at grade within Lot 211 Lord Sheffield Circuit, Penrith.

The key aspects of the proposal are as follows:

Key Controls

The key control are as follows:

- Height: <32m (32m)
- Communal open space: 852m² (27.6%)
- Deep Soil Zone: 646m² (20.9%)
- Solar Access: 73% of total units (126/173) achieve the minimum 2 hours of solar access at mid-winter
- Natural Ventilation: 61% of total units (105/173) achieve natural ventilation

Residential Unit

A total of 173 residential units with the following mix:

- Studio: 31 units
- 1 bedroom: 79 units
- 2 bedroom: 47 units
- 3 bedroom: 16 units

As a positive community outcome, 6 of the units are to be dedicated as affordable housing for a 10 year period, noting this is a private arrangement undertaken by the applicant and a social housing provider (Evolve Housing) and not sought formally under the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Parking

The development provides a total of 192 residential car parking spaces including 33 tandem parking spaces and 18 accessible car parking spaces across 3 basement levels and at-grade with the following breakdown:

- Basement Level 3: 44 car parking spaces including 8 tandem parking spaces and 2 accessible car parking space
- Basement Level 2: 73 car parking spaces including 15 tandem parking spaces and 4 accessible car parking spaces
- Basement Level 1: 54 car parking spaces including 9 tandem parking spaces and 11 accessible car parking spaces
- At-grade: 21 car parking spaces including 1 accessible car parking spaces.

The development site is located within the southern portion of the Thornton Estate which resides within the Penrith City Centre under the Penrith Local Environmental Plan 2010. The estate is also situated within the Thornton (North Penrith) Precinct associated with the Penrith Development Control Plan 2014.

Separated from Penrith City Centre via the western railway line, Thornton is one of the newest estates within the Penrith Local Government Area, and comprising of a mix of low and medium density dwellings with the high residential dwellings and mix use buildings situated towards the southern portion of the site with a centrally located oval which operates as the key focal point within the estate.

The estate is reaching its final development stage with the subject site and its immediate neighbouring property being some of the last remaining undeveloped land parcels within the new estate, noting that the site has been subject to clearing and earthworks in accordance with Major Project Approval MP10_075.

Residing within its own island, Lot 211 in DP1205092, can be best described as a rectangular shaped land parcel has frontage to Fernandez Lane to the north (97.64m), Kleinig Place to the east (22.7m), Lord Sheffield Circuit to the south (99.14m) and Radcliffe Place to the west (22.495), with a total site area of 3,084m².

The development sites are within walking distance (within a 300-400m walking radius) from Penrith City Centre and a major transportation hub, noting that the western railway line provides a key physical barrier between the town centre and Thornton Estate. The development sites is also within close proximity to schools, child care centres and public transportation

The development site is zoned B2 – Local Centres under the Penrith Local Environmental Plan 2010. Clause 23 (1) Use of certain land at Lord Sheffield Circuit, Penrith permits '*Residential Flat Building*' with consent within the subject site. Subclause 8.4(3)(a) under the Penrith LEP 2010 stipulates that development within the Penrith City Centre that proposes a building greater than 6 storey needs to undertake an architectural design competition. However, it is noted that Subclause (4) stipulates that Subclause 3 will not apply if the Director-General certifies in writing that the development is one for which an architectural design competition is not required. The proposal has been the subject of a Design Excellence Panel determination, confirming that the proposal exhibits Design Excellence.

The design scheme has been influenced by the built form within the immediate locality which has experienced a significant increase in high density development over the past few years. Fernandez Lane separates the site from a 3 storey terrace development to the north with Lord Sheffield Circuit separating the site from a large 10 storey mix use development and vacant land parcel earmarked for future mix use development to the south and Radcliffe Place separating the site from a vacant lot which is to accommodate a flat building of similar scale and size. As such the proposal aims to provide an 8 storey mix use building that will provide an appropriate transition between an existing canal and the three storey terrace development to the north with a recently constructed 10 storey mix use building to the south, noting that Fernandez Lane provides an appropriate point of transition and variation in height between the terrace development and the proposal.

The development has not only been designed to comply with key planning requirements but will play a positive role in the growth and development of the Thornton Precinct via increasing additional housing stock, including affordable housing whilst supporting future commercial development along the Lord Sheffield Circuit corridor.

The proposal is to deliver a high-quality development that will make a positive contribution to the evolving skyline within the southern portion of the new estate. The scheme has been identified as exhibiting design excellence, as discussed further in this report.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

Site Description – Study Area & History

Penrith Local Government Area

The subject site resides within the local government area of Penrith and is located within the Strategic Local Area of Penrith, as illustrated by an aerial map below.

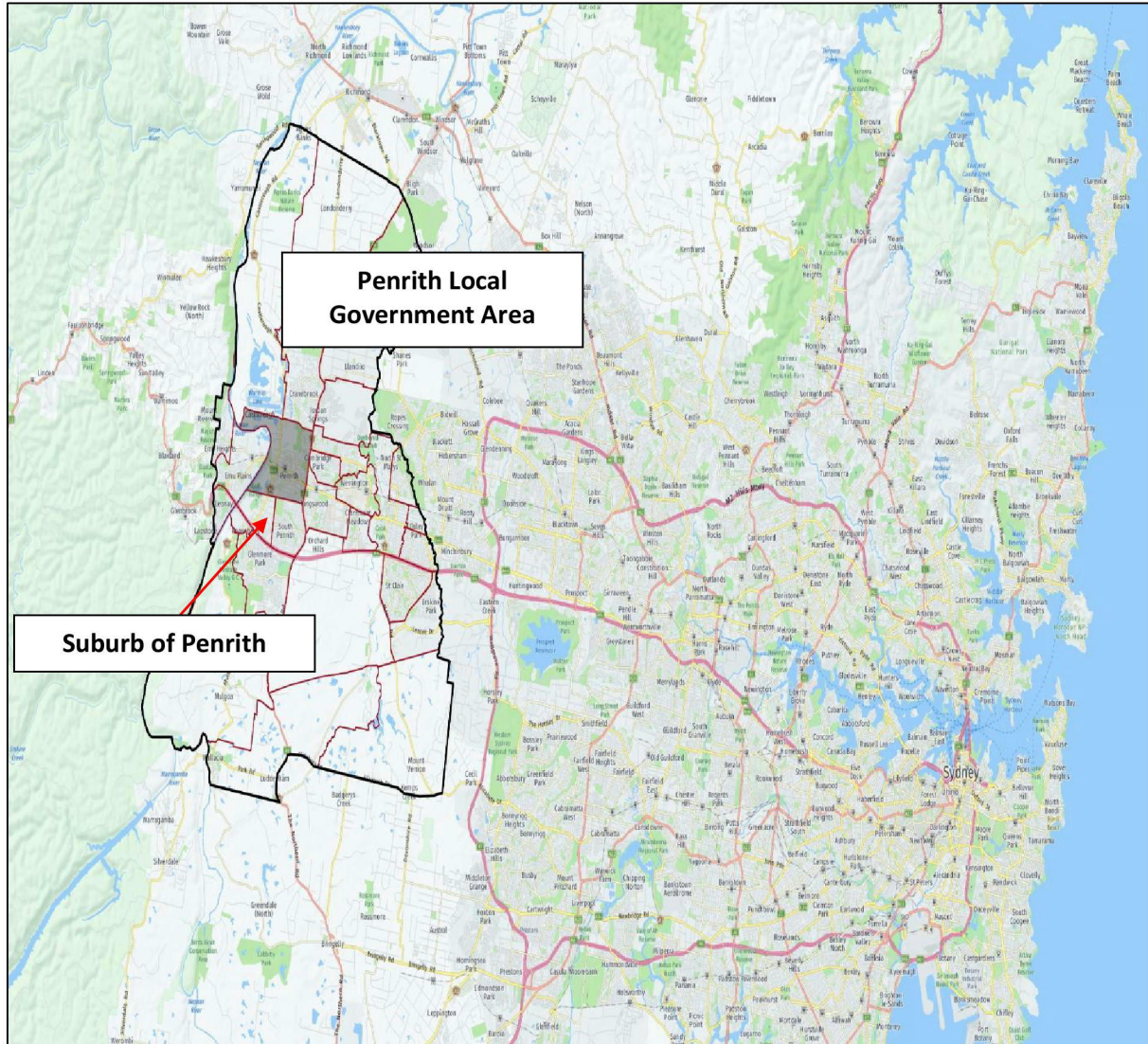


Figure 1: Penrith Local Government Area Boundary Map Extract (Source: forecast i.d)

Greater Sydney Regional Plan – Metropolis of 3 Cities – A Vision to 2056 (March 2018)

The Greater Sydney Region Plan provides a framework for the predicted growth in Greater Sydney. Key themes within this plan based on delivering a metropolis of three 30-minute cities which are a follow on from the ten directions envisioned by the Greater Sydney Commission.

This vision is set out in the structure plan shown in Figure 2 overleaf.

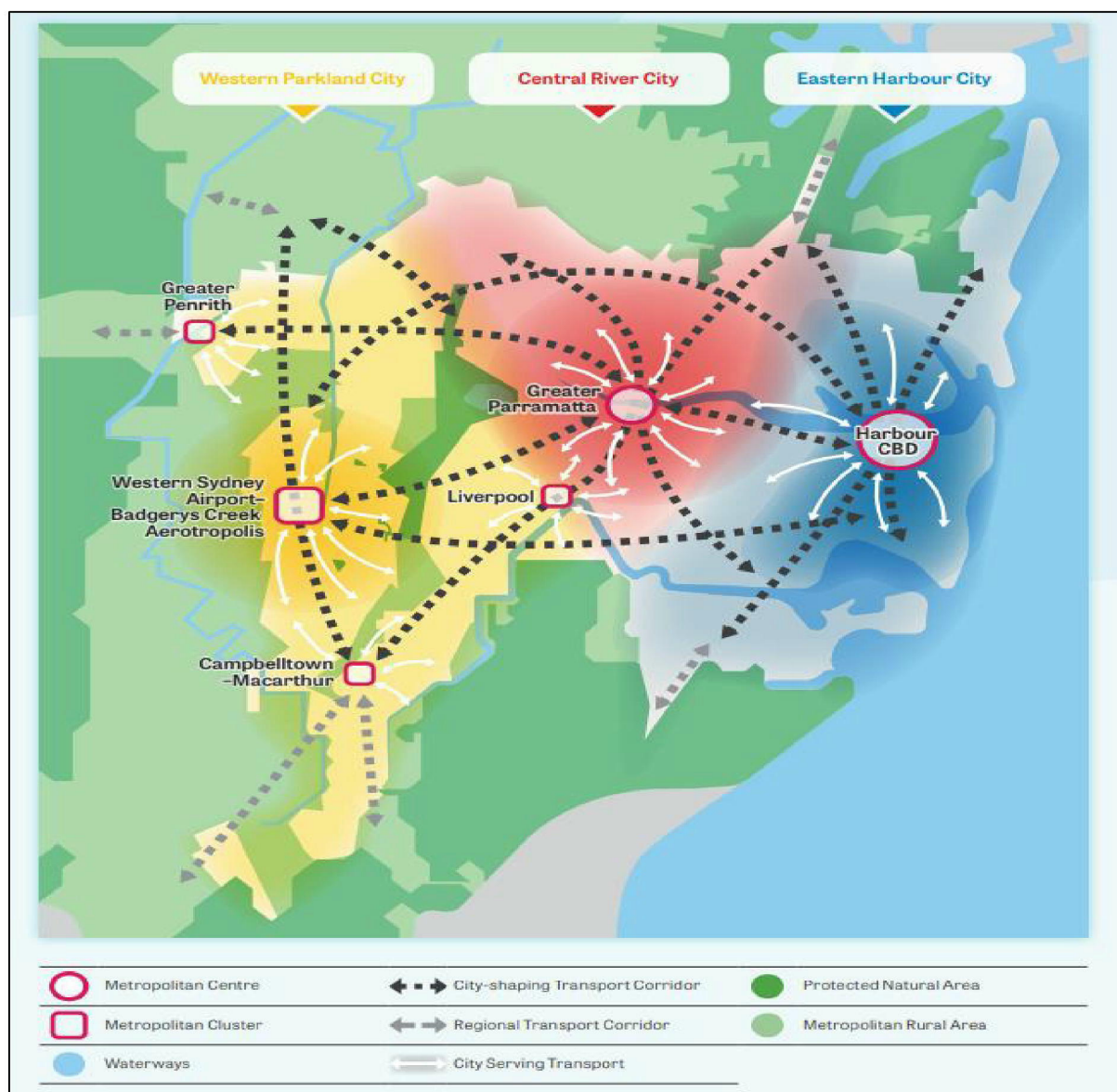


Figure 2: Greater Sydney Regional Plan

The Greater Sydney Region Plan presents a polycentric approach to Sydney which re-enforces the significant role of Penrith within the Western City and within Greater Sydney. Greater Sydney experiences a step change in population growth, with population growth levels being revised even further upwards since the release of the Plan for Growing Sydney. To accommodate this population growth and respond to issues of housing affordability, housing supply in key strategic centres such as Penrith need to be accelerated.

Greater Penrith is a nominated area in the first tranche collaboration areas within Sydney along with Liverpool and Rhodes East.

Western City District Plan (Greater Sydney Commission March 2018)

The Western City District Plan sets out the priorities and actions for the Western Parkland City and these are structured around the same key themes as highlighted in the Greater Sydney Region Plan. As relevant to the subject site the importance of Penrith's City Centre and growing this CBD in terms of both jobs and housing are continually emphasised in the District Plan. Particularly with reference to the 30-minute city. The planning proposal seeks to deliver both additional housing but also jobs within a 30-minute city scenario.

The proposal will make a valuable contribution to Penrith and it's continued growth as a major strategic centre.

Expediting the delivery of housing brings more dwellings to the market which in turn drives prices down. Delivering more dwellings and within shorter timeframes aims to respond to the current housing crisis in Western Sydney where scarcity has resulted in an affordable housing shortage.

The development seeks to deliver a mixed-use development including housing to the market quickly and in a highly liveable location which is well within the 30-minute city scenario and in fact within walking/cycling distance of the Penrith City Centre.

In summary, the proposal seeks to deliver on the vision set forward in the Western City District Plan by:

1. Creating conditions for a stronger economy by increasing patronage to the future planned commercial areas within the precinct.
2. Development of a more accessible and walkable city through the injection of new housing within walking distance of both the Penrith CBD 100% of the proposed new dwellings are to be located within a 10 minute walk of the Penrith CBD and also within 30 minutes of the Central City CBD (being located at Parramatta).
3. Delivering housing to meet both the 5 and 20-year strategic housing supply targets. Penrith is scheduled to deliver more than 6,600 new homes over the coming 5 years.
4. Expediting the delivery of new housing stock to ease the pressure of demand resulting in a generally more affordable housing product.
5. Reduced emissions through both building environmental performance but also through reduction in reliance on private vehicle travel. Focusing increased housing on the subject site which is highly accessible to local bus and train services means that future residents are more likely to walk, cycle and use integrated public transport systems.
6. Enhancing the role of Greater Penrith as the economic anchor by delivering both jobs and housing.
7. The objectives of the planning proposal are considered to align closely with the documented priorities for the Western City.

Site and Locality

Subject Area Analysis

The Penrith Local Environmental Plan 2010 has identified the site as being located within the Penrith City Centre as per the Clause Application Map below.

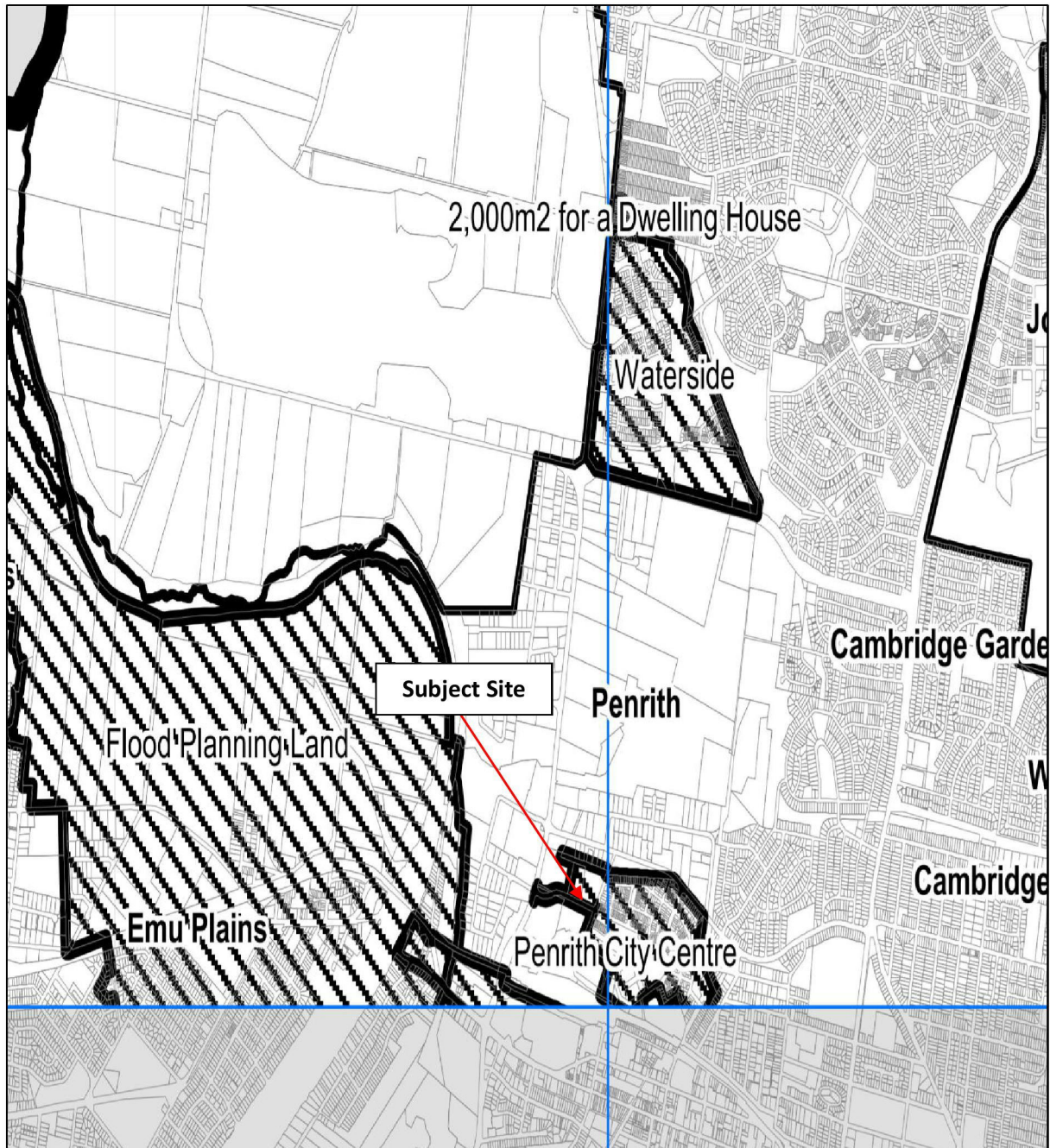


Figure 3: Clause Application Map Sheet CAP_002 Extract (Source: Penrith LEP 2010)

The development site is also located within a Key Precinct (North Penrith) associated with the Penrith Development Control Plan 2014, as demonstrated by boundary map extract provided within the following page.

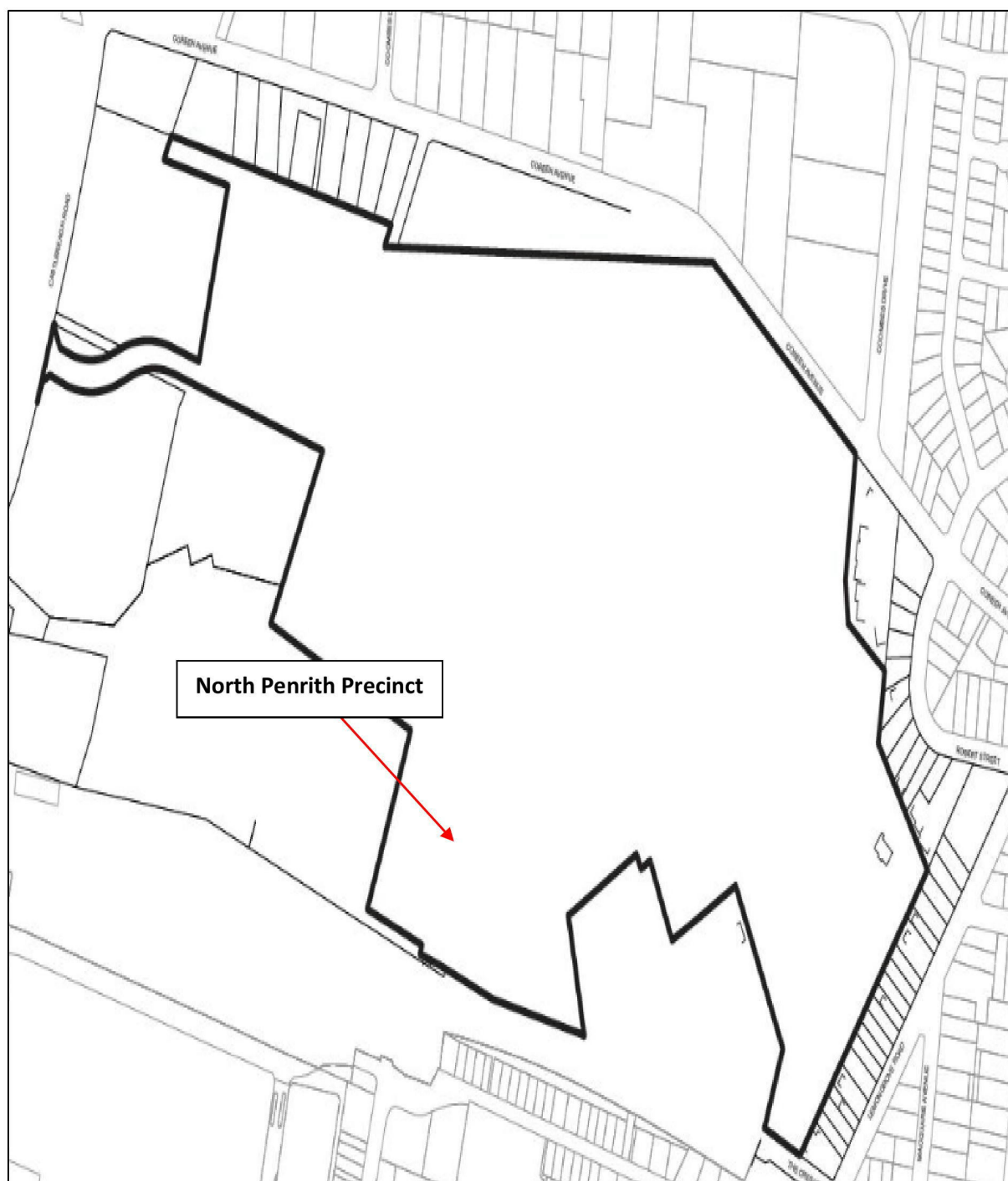


Figure 4: Figure E11.30 Map Extract (Source: Penrith DCP 2014)

Thornton Estate

Concept plan for the Thornton Estate, which was issued on the 9th of November 2011 provides for a mix use transit oriented development comprising predominantly of low density housing towards the northern, central, eastern and western portion of the site and higher mixed densities to the southern portion of the estate, predominantly along the Lord Sheffield circuit.

Concept plan map extract is provided within the following page that illustrates the overall layout of the Thornton Estate.



Figure 5: Thornton Estate Concept Plan Map Extract

The estate is one of the newest precinct within the Penrith Local Government Area, which comprises approximately 40.6 ha of land and is envisioned to accommodate a total of 1,000 dwellings, 4,500m² of retail floor space, 10, 625m² of commercial floor space, 7,000m² of industrial floor space and 7 hectares of public open space.

Major Project Approval MP10_0075, which was issued on the 9th of November 2011 has set the framework for the subdivision, infrastructure and public open space within the North Penrith Precinct.

The majority of the precinct has been developed as illustrated by an aerial map extract provided in the following page.

The map extract also illustrates the development site within the overall precinct.

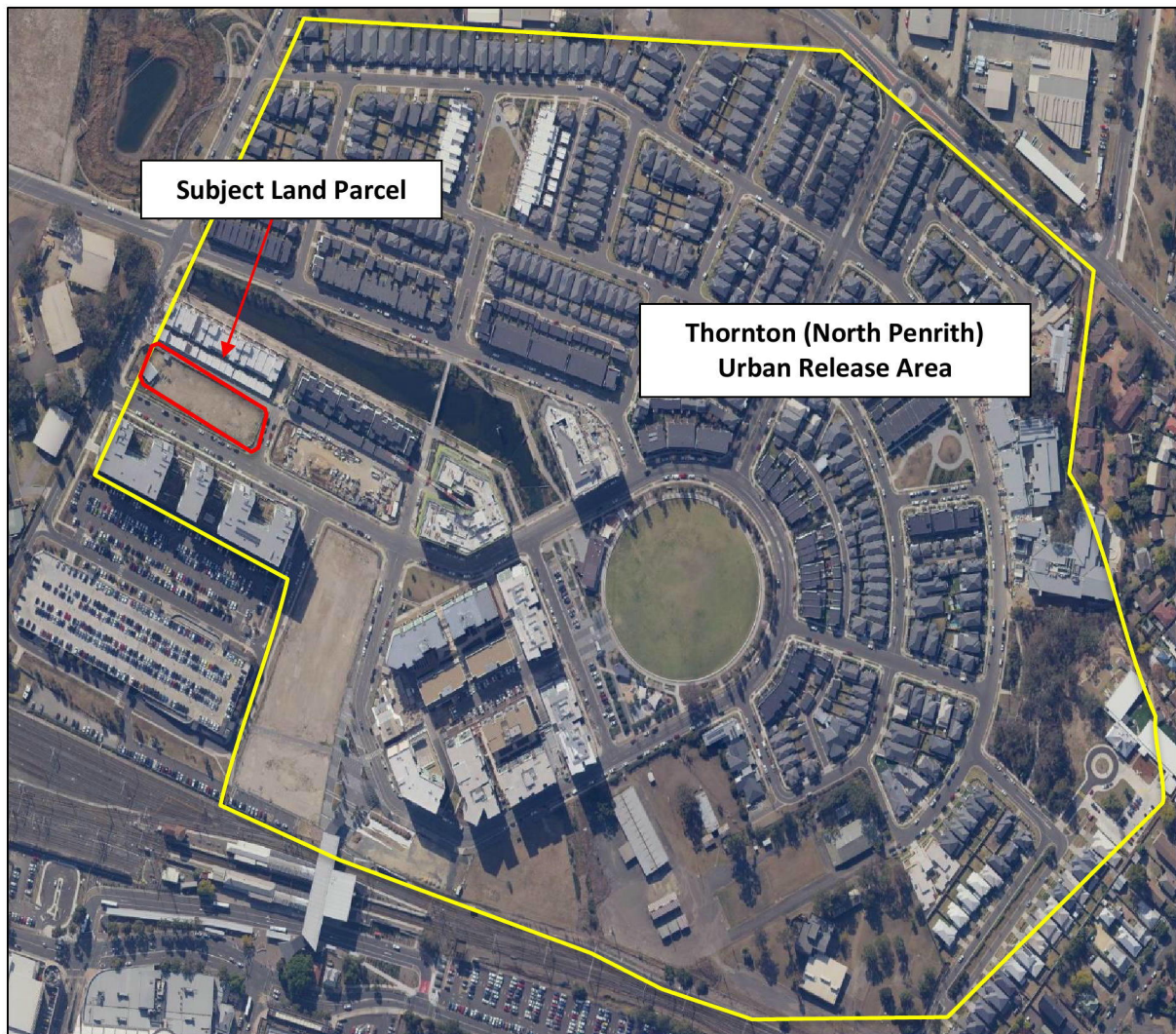


Figure 6: Thornton (North Penrith) Urban Release Area Boundary Map (Source: Six Maps)

Zoning Provisions and Design Excellence

The development site is zoned B2 – Local Centres and subject to a maximum building height of 32m under the Penrith Local Environmental Plan 2010, as indicated on the zoning extract map provided in the following page.

Clause 23 (1) Use of certain land at Lord Sheffield Circuit, Penrith, permits '*Residential Flat Building*' with consent within the subject sites.

Subclause 8.4(3)(a) under the Penrith LEP 2010 stipulates that development within the Penrith City Centre that proposes a building greater than 6 storey needs to undertake an architectural design competition. However, it is noted that Subclause (4) stipulates that Subclause 3 will not apply if the Director-General certifies in writing that the development is one for which an architectural design competition is not required.

In the current circumstances the Office of the Government Architect, which has been granted delegated authority by the Director-General of Planning, has undertaken an alternative Design Excellence Process through a Design Excellence Panel.

The Panel has confirmed that the proposal has achieved Design Excellence, subject to relevant conditions and additional documentation within the Development Application. Those matters raised in determining Design Excellence have been incorporated into the Development Application submission.

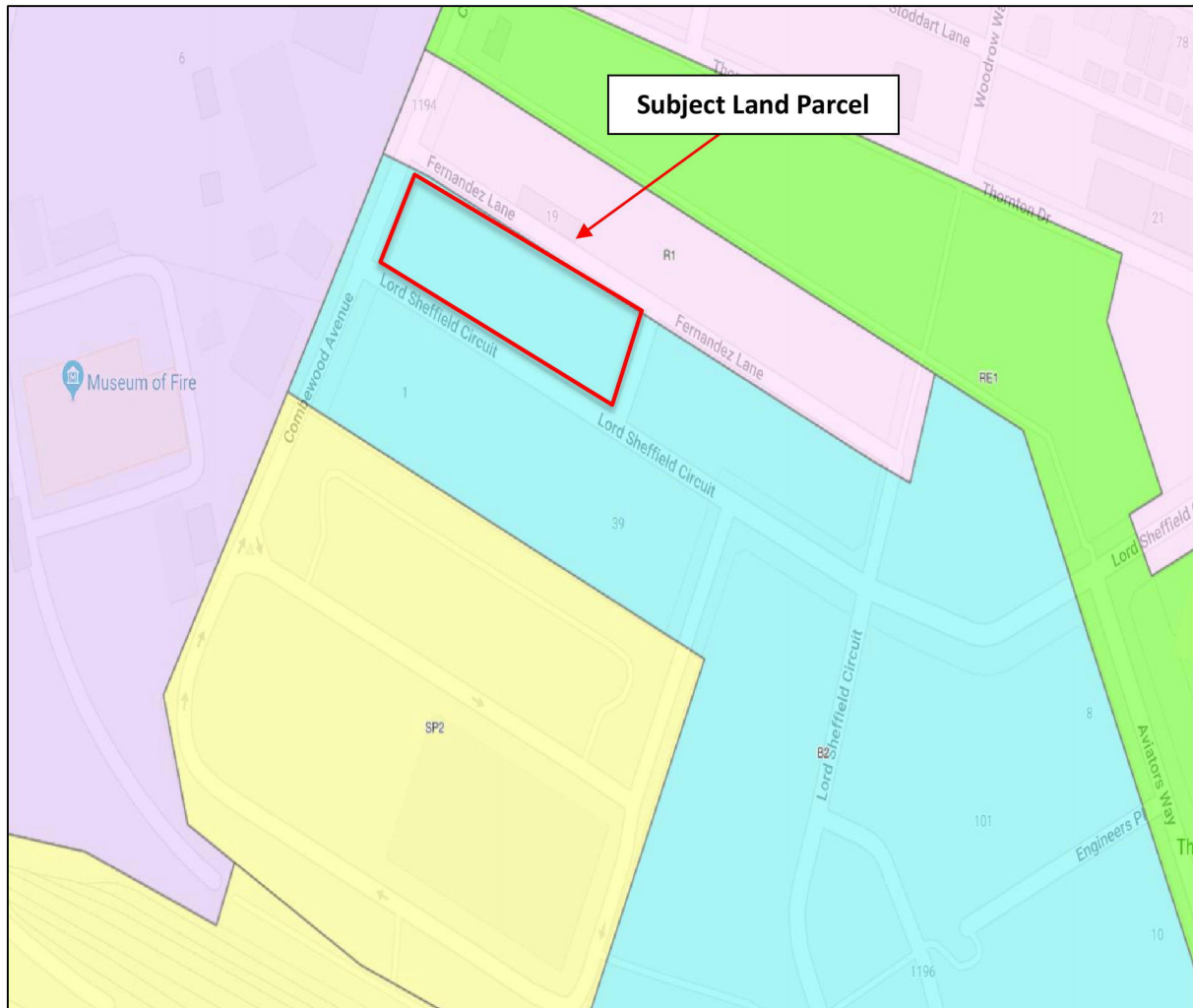


Figure 7: Zoning Map Extract (Source: NSW Planning Portal)

Site Analysis & Built Form Pattern

Located within the southern portion of the Thornton Estate, the development site known legally as Lot 211 in DP1205092 and can be best described as a rectangular shaped land parcel has frontage to Fernandez Lane to the north (97.64m), Kleinig Place to the east (22.7m), Lord Sheffield Circuit to the south (99.14m) and Radcliffe Place to the west (22.495), with a total site area of 3,084m².

The development site is one of the last remaining large undeveloped land parcels within the estate noting that the allotment was subject to clearing and earthworks associated with the subdivision of the land and the construction of infrastructure in accordance with Major Project Approval MP10_075.

An aerial map of the subject sites and its immediate context is provided overleaf.



Figure 8: Locality Map (Source: Six Maps)

The design scheme has been influenced by the built form within the southern portion of the site, especially within the immediate locality which has experienced a significant increase in high density development over the past few years.

As illustrated by Figure 8 above, Fernandez Lane separates the site from a terrace development to the north with Lord Sheffield Circuit separating the site from a large 10 storey mix use development and vacant land parcel earmarked for future mix use development to the south and Radcliffe Place separating the site from a vacant lot which is to accommodate a mix use building of similar scale and size.

As such the proposal aims to provide an 8 storey residential flat building that will provide an appropriate transition between an existing canal and a terrace development to the north with a recently constructed 10 storey mix use building to the south, noting that Fernandez Lane provides an appropriate point of transition and variation in height between the terrace development and the proposal. This is illustrated by an 3D photomontages and provided in the following page.



Figure 9: 3D Photomontage 1



Figure 10: 3D Photomontage 2

The photographs provided below and the following pages demonstrate the evolving skyline within the southern portion of the Thornton Precinct.

Photograph 1 Shows mix use buildings along the southern side of Lord Sheffield Circuit



Photograph 2 Shows the evolving skyline viewed eastward from Lord Sheffield Circuit



Photograph 3 Shows a recently constructed service apartment situated opposite Penrith Station



Subject Area

The development sites are within walking distance (within a 300-400m walking radius) from Penrith City Centre and a major transportation hub, noting that the western railway line provides a key physical barrier between the town centre and Thornton Estate.

The development sites is also within close proximity to schools, child care centres and public transportation.

An aerial map extract of the subject area is provided within the following page.



Figure 11: Aerial Map of Subject Area (Source: Six Maps)

The Metropolis of Three Cities supports higher density residential developments in strategic locations to accommodate future population growth. The subject area is ideal for future urban intensification as it is located within proximity to a large commercial centre, industrial precincts, regional hospital, schools, public transportation and recreational opportunities.

The current proposal would permit the development sites to fulfil its zoning potential while being consistent with Council's vision for the North Penrith Precinct.

The development has not only been designed to comply with key planning requirements but will play a positive role in the growth and development of the Thornton Precinct via increasing additional housing stock including affordable housing whilst supporting future commercial development with the provision of a commercial tenancy along the Lord Sheffield Circuit corridor.

The proposal is to deliver a high-quality development that will make a positive contribution to the evolving skyline within the southern portion of the new estate.

Photographs are provided below and within the following page give context to the locality and also the relationship of the development site with adjoining developments.

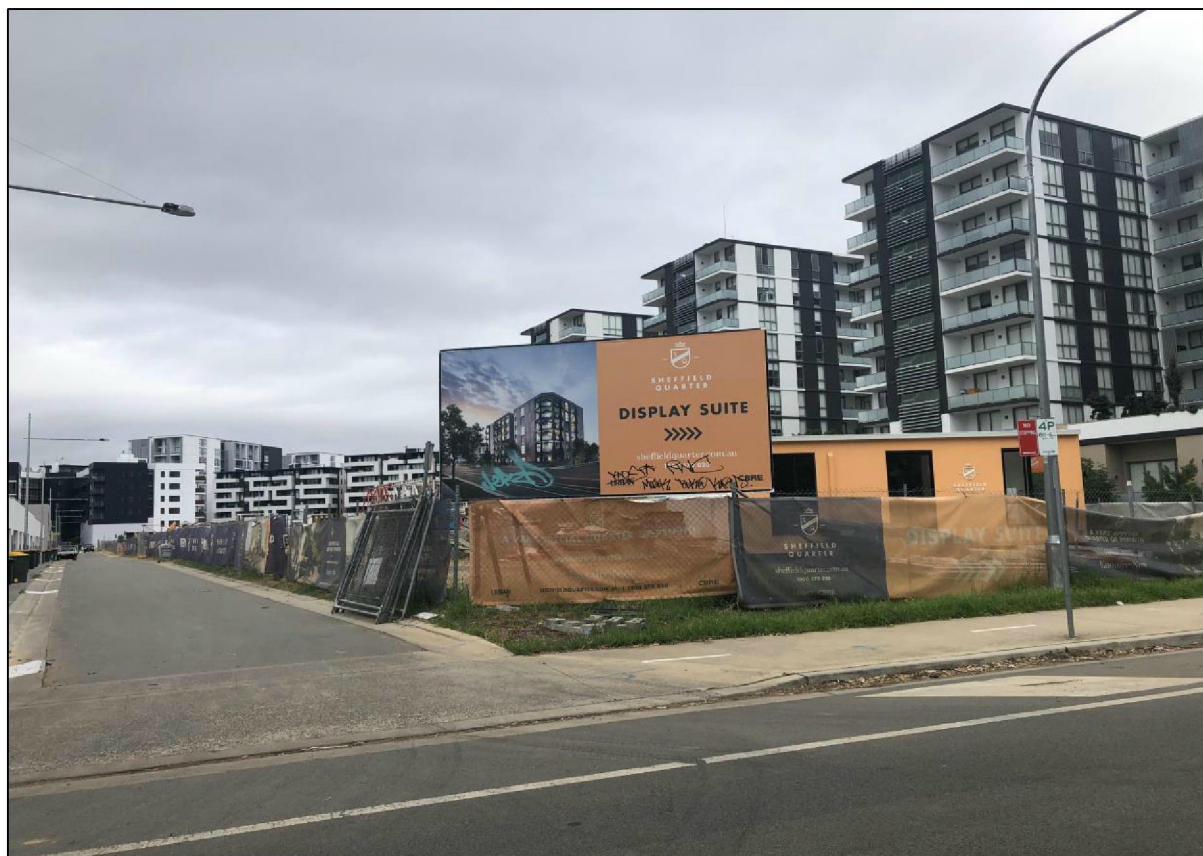
Photograph 4 Shows the development site as viewed from the intersection of Combewood Ave and Lord Sheffield Circuit, looking north-eastwards



Photograph 5 Shows the development site as viewed from Combewood Ave, looking eastwards



Photograph 6 Shows the development site as viewed from the intersection of Combewood Ave and Fernandez Lane, looking eastwards



Photograph 7 Shows the existing streetscape along Fernandez Lane looking eastwards.



Photograph 8 Shows the existing streetscape along Fernandez Lane looking westwards.



Photograph 9 Shows the development site as viewed from the intersection of Radcliffe Place and Lord Sheffield Circuit, looking north-westwards



Photograph 10 Shows the development site as viewed Lord Sheffield Circuit looking northwards.



Photograph 11 Shows the existing streetscape along Lord Sheffield Circuit ,looking eastwards.



Photograph 12 Shows the existing streetscape along Fernandez Lane ,looking eastwards.



Heritage

The site is not identified as a heritage item, it is not located within a heritage conservation area however there are local heritage items within close proximity to the development site as illustrated by the heritage extract map below.

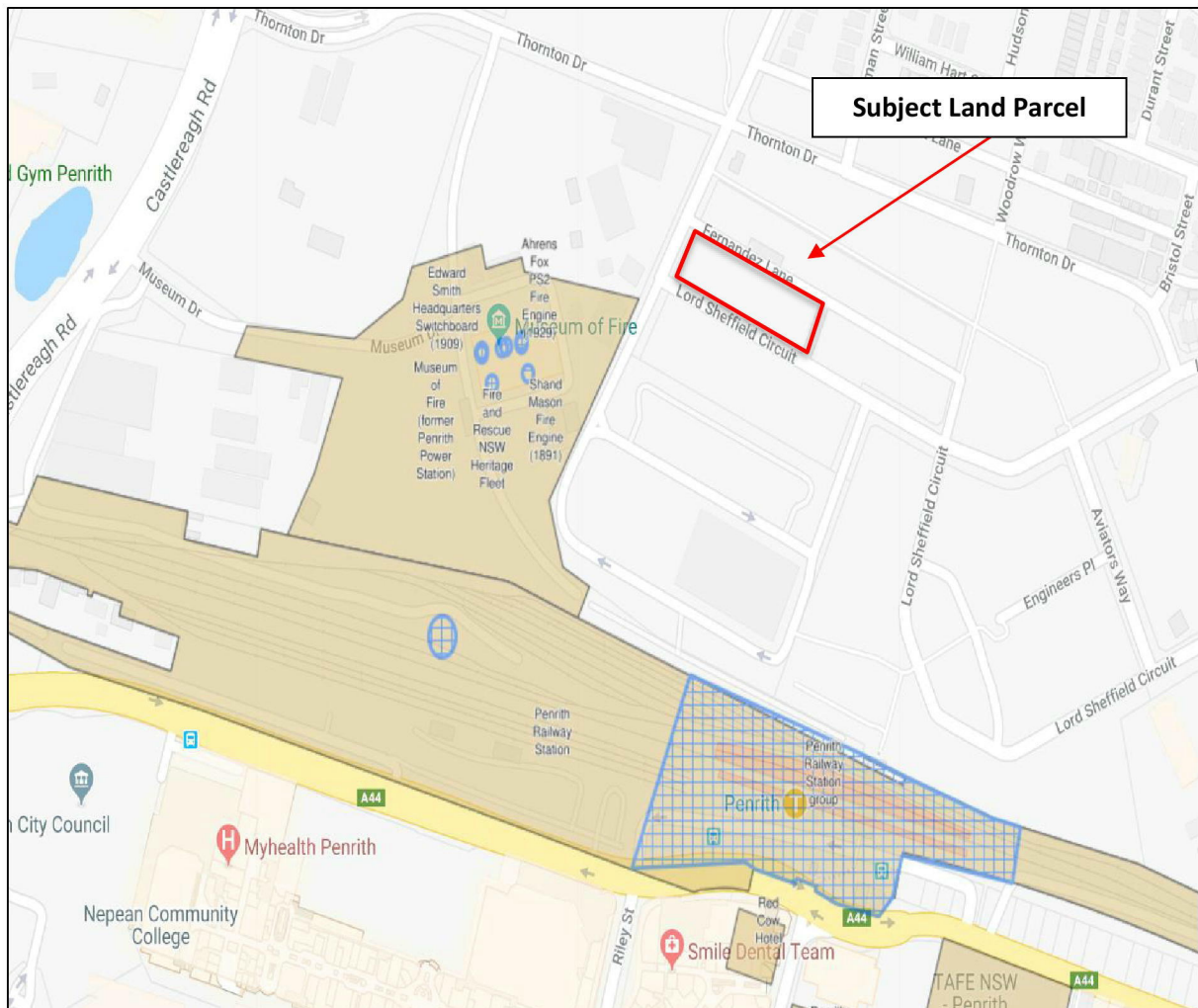


Figure 12: Heritage Map Extract (Source: NSW Planning Portal)

Existing road network provides sufficient separation of local heritage items and as such no future heritage studies is deemed necessary.

Scenic and Landscape Values Map

Portion of the site has been identified on the Land with Scenic and Landscape Values Map as illustrated below.

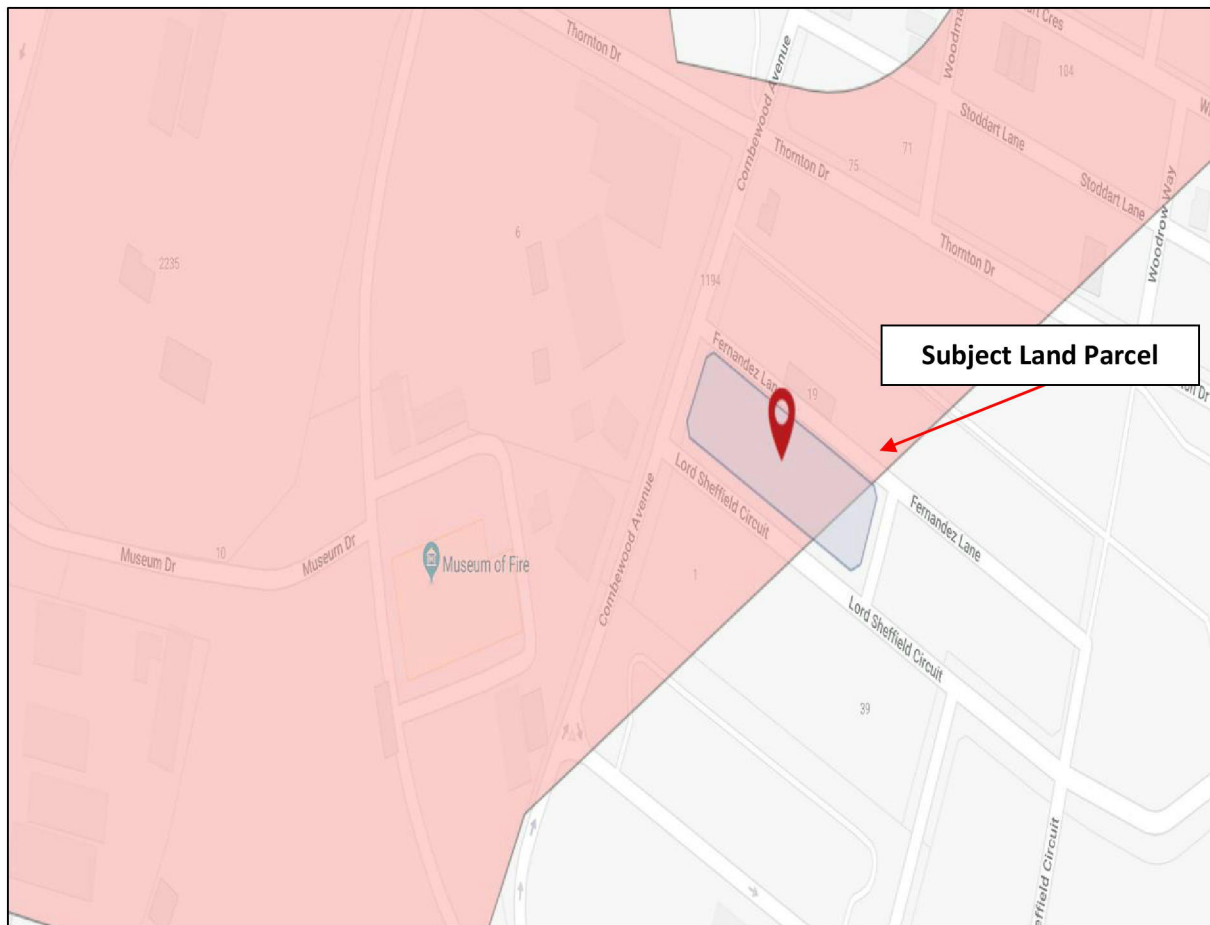


Figure 13: Scenic and Landscape Values Map Extract (Source: NSW Planning Portal)

It is noted that the site is cleared of all vegetation as per Major Project Approval MP10_075, which has addressed and identified potential areas that is to be protected for scenic values.

Description of Proposal

The proposal involves the construction of an 8 storey '*Residential Flat Building*' with basement levels within Lot 211 DP 1205092, Lord Sheffield Circuit, Penrith.

The residential flat building comprises of 173 residential units with a total of 192 car parking spaces over 3 basement levels and at-grade.

The key aspects of the proposal are as follows:

Key Controls

The key control are as follows:

- Height: <32m (32m)
- Communal open space: 852m² (27.6%)
- Deep Soil Zone: 646m² (20.9%)
- Solar Access: 73% of total units (126/173) achieve the minimum 2 hours of solar access at mid-winter
- Natural Ventilation: 61% of total units (105/173) achieve natural ventilation

Unit Mix

A total of 173 residential units with the following mix:

- Studio: 31 units
- 1 bedroom: 79 units
- 2 bedroom: 47 units
- 3 bedroom: 16 units

As a positive community outcome, 6 of the units are to be dedicated as affordable housing for a 10 year period, noting this is a private arrangement undertaken by the applicant and a social housing provider (Evolve Housing) and not sought formally under the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Parking

The development provides a total of 192 residential car parking spaces including 33 tandem parking spaces and 18 accessible car parking spaces across 3 basement levels and at-grade with the following breakdown:

- Basement Level 3: 44 car parking spaces including 8 tandem parking spaces and 2 accessible car parking space
- Basement Level 2: 73 car parking spaces including 15 tandem parking spaces and 4 accessible car parking spaces
- Basement Level 1: 54 car parking spaces including 9 tandem parking spaces and 11 accessible car parking spaces
- At-grade: 21 car parking spaces including 1 accessible car parking spaces.

Unit Configuration

A summary of the unit configuration is provided below:

Ground Floor

| Unit | Bedrooms | Floor Area | POS | Solar | Cross |
|-------------------|----------|------------------|------------------|-------|-------|
| Unit 0.01 | Studio | 40m ² | 11m ² | Yes | No |
| Unit 0.02 | Studio | 40m ² | 11m ² | Yes | No |
| Unit 0.03 | 2 Bed | 77m ² | 33m ² | Yes | Yes |
| Unit 0.04 | 2 Bed | 70m ² | 19m ² | No | No |
| Unit 0.05 | 2 Bed | 71m ² | 17m ² | No | No |
| Unit 0.06 | 2 Bed | 70m ² | 20m ² | No | No |
| Unit 0.0.7 | 2 Bed | 71m ² | 17m ² | No | No |
| Unit 0.08 | 2 Bed | 70m ² | 16m ² | No | No |
| Unit 0.09 | 2 Bed | 70m ² | 30m ² | No | Yes |
| Unit 0.10 | Studio | 40m ² | 9m ² | No | No |

Level 1

| Unit | Bedrooms | Floor Area | POS | Solar | Cross |
|------------------------------|----------|------------------|------------------|-------|-------|
| Unit 1.01 | 1 Bed | 56m ² | 9m ² | No | Yes |
| Unit 1.02 | 1 Bed | 55m ² | 8m ² | Yes | Yes |
| Unit 1.03 | 1 Bed | 64m ² | 26m ² | Yes | Yes |
| Unit 1.04 | 1 Bed | 59m ² | 21m ² | Yes | No |
| Unit 1.05 | 1 Bed | 55m ² | 25m ² | Yes | No |
| Unit 1.06 | 1 Bed | 59m ² | 30m ² | Yes | No |
| Unit 1.07 | 2 Bed | 85m ² | 33m ² | Yes | Yes |
| Unit 1.08 | 1 Bed | 54m ² | 12m ² | No | Yes |
| Unit 1.09 | 2 Bed | 85m ² | 33m ² | Yes | Yes |
| Unit 1.10 | Studio | 41m ² | 18m ² | Yes | No |
| Unit 1.11 | Studio | 41m ² | 18m ² | Yes | No |
| Unit 1.12 | Studio | 39m ² | 18m ² | Yes | No |
| Unit 1.13 | Studio | 43m ² | 18m ² | Yes | No |
| Unit 1.14 | 2 Bed | 91m ² | 33m ² | Yes | Yes |
| Unit 1.15 | 2 Bed | 88m ² | 12m ² | No | Yes |
| Unit 1.16 | 1 Bed | 52m ² | 15m ² | No | Yes |
| Unit 1.17 – Adaptable | 2 Bed | 85m ² | 33m ² | Yes | Yes |
| Unit 1.18 – Adaptable | 1 Bed | 59m ² | 20m ² | Yes | No |
| Unit 1.19 | 1 Bed | 55m ² | 24m ² | Yes | No |
| Unit 1.20 | 1 Bed | 58m ² | 9m ² | No | No |
| Unit 1.21 | 2 Bed | 88m ² | 13m ² | No | Yes |

Levels 2-5

| Unit | Bedrooms | Floor Area | POS | Solar | Cross |
|--|-----------------|-------------------|------------------|--------------|--------------|
| Unit 2.01 – Unit 5.01 | 1 Bed | 56m ² | 9m ² | No | Yes |
| Unit 2.02 – Unit 5.02 | 1 Bed | 55m ² | 8m ² | Yes | Yes |
| Unit 2.03 – Unit 5.03 | 1 Bed | 64m ² | 12m ² | Yes | Yes |
| Unit 2.04 – Unit 5.04 | 1 Bed | 59m ² | 8m ² | Yes | No |
| Unit 2.05 – Unit 5.05 | 1 Bed | 55m ² | 8m ² | Yes | No |
| Unit 2.06 – Unit 5.06 | 1 Bed | 59m ² | 8m ² | Yes | Yes |
| Unit 2.07 – Unit 5.07 | 2 Bed | 85m ² | 10m ² | Yes | Yes |
| Unit 2.08 – Unit 5.08 | 1 Bed | 54m ² | 11m ² | No | Yes |
| Unit 2.09 – Unit 5.09 | 2 Bed | 85m ² | 10m ² | Yes | Yes |
| Unit 2.10 – Unit 5.10 | Studio | 41m ² | 8m ² | Yes | No |
| Unit 2.11 – Unit 5.11 | Studio | 41m ² | 6m ² | Yes | No |
| Unit 2.12 – Unit 5.12 | Studio | 39m ² | 6m ² | Yes | No |
| Unit 2.13 – Unit 5.13 | Studio | 43m ² | 8m ² | Yes | No |
| Unit 2.14 – Unit 5.14 | 2 Bed | 91m ² | 10m ² | Yes | Yes |
| Unit 2.15 – Unit 5.15 | 2 Bed | 88m ² | 12m ² | No | Yes |
| Unit 2.16 – Unit 5.16 | 1 Bed | 52m ² | 14m ² | No | Yes |
| Unit 2.17 – Unit 5.17 – Adaptable | 2 Bed | 85m ² | 10m ² | Yes | Yes |
| Unit 2.18 – Unit 5.18 – Adaptable | 1 Bed | 59m ² | 8m ² | Yes | Yes |
| Unit 2.19 – Unit 5.19 | 1 Bed | 55m ² | 8m ² | Yes | No |
| Unit 2.20 – Unit 5.20 | 1 Bed | 59m ² | 8m ² | Yes | No |
| Unit 2.21 – Unit 5.21 | 1 Bed | 70m ² | 15m ² | Yes | Yes |
| Unit 2.22 – Unit 5.22 – Adaptable | 3 Bed | 101m ² | 19m ² | No | Yes |

Level 6

| Unit | Bedrooms | Floor Area | POS | Solar | Cross |
|------------------|-----------------|-------------------|------------------|--------------|--------------|
| Unit 6.01 | 1 Bed | 56m ² | 9m ² | No | Yes |
| Unit 6.02 | 1 Bed | 55m ² | 8m ² | Yes | Yes |
| Unit 6.03 | 1 Bed | 64m ² | 12m ² | Yes | Yes |
| Unit 6.04 | 1 Bed | 59m ² | 8m ² | Yes | No |
| Unit 6.05 | 1 Bed | 55m ² | 8m ² | Yes | No |
| Unit 6.06 | 1 Bed | 59m ² | 8m ² | Yes | Yes |
| Unit 6.07 | 2 Bed | 85m ² | 10m ² | Yes | Yes |
| Unit 6.08 | 1 Bed | 54m ² | 11m ² | No | Yes |
| Unit 6.09 | 2 Bed | 85m ² | 10m ² | Yes | Yes |
| Unit 6.10 | Studio | 41m ² | 8m ² | Yes | No |
| Unit 6.11 | Studio | 41m ² | 6m ² | Yes | No |
| Unit 6.12 | Studio | 39m ² | 6m ² | Yes | No |
| Unit 6.13 | Studio | 43m ² | 8m ² | Yes | No |
| Unit 6.14 | 2 Bed | 91m ² | 10m ² | Yes | Yes |
| Unit 6.15 | 2 Bed | 88m ² | 12m ² | No | Yes |
| Unit 6.16 | 1 Bed | 52m ² | 14m ² | No | Yes |

| | | | | | |
|------------------------------|-------|-------------------|------------------|-----|-----|
| Unit 6.17 – Adaptable | 2 Bed | 85m ² | 10m ² | Yes | Yes |
| Unit 6.18 – Adaptable | 1 Bed | 59m ² | 8m ² | Yes | Yes |
| Unit 6.19 | 1 Bed | 55m ² | 8m ² | Yes | No |
| Unit 6.20 | 1 Bed | 59m ² | 8m ² | Yes | No |
| Unit 6.21 | 1 Bed | 70m ² | 15m ² | Yes | Yes |
| Unit 6.22 – Adaptable | 3 Bed | 101m ² | 19m ² | No | Yes |

Level 7

| Unit | Bedrooms | Floor Area | POS | Solar | Cross |
|------------------------------|-----------------|-------------------|------------------|--------------|--------------|
| Unit 7.01 | 1 Bed | 56m ² | 9m ² | No | Yes |
| Unit 7.02 | 1 Bed | 55m ² | 8m ² | Yes | Yes |
| Unit 7.03 | 2 Bed | 95m ² | 16m ² | Yes | Yes |
| Unit 7.04 | 2 Bed | 82m ² | 16m ² | Yes | No |
| Unit 7.05 Adaptable | 1 Bed | 59m ² | 8m ² | Yes | No |
| Unit 7.06 | 1 Bed | 54m ² | 11m ² | No | Yes |
| Unit 7.07 Adaptable | Studio | 41m ² | 8m ² | Yes | Yes |
| Unit 7.08 | Studio | 41m ² | 6m ² | Yes | No |
| Unit 7.09 | Studio | 39m ² | 6m ² | Yes | No |
| Unit 7.10 | Studio | 43m ² | 8m ² | Yes | Yes |
| Unit 7.11 | 2 Bed | 88m ² | 12m ² | No | Yes |
| Unit 7.12 | 1 Bed | 52m ² | 14m ² | Yes | Yes |
| Unit 7.13 | 1 Bed | 59m ² | 8m ² | Yes | No |
| Unit 7.14 | 2 Bed | 82m ² | 16m ² | Yes | No |
| Unit 7.15 | 3 Bed | 109m ² | 12m ² | Yes | Yes |
| Unit 7.16 – Adaptable | 3 Bed | 101m ² | 19m ² | No | Yes |

Level 8

| Unit | Bedrooms | Floor Area | POS | Solar | Cross |
|--------------------------------|-----------------|-------------------|------------------|--------------|--------------|
| Unit 8.01 – Lower Level | 3 Bed | 49m ² | 15m ² | Yes | Yes |
| Unit 8.02 | 2 Bed | 46m ² | 17m ² | Yes | No |
| Unit 8.03 – Lower Level | 3 Bed | 49m ² | 18m ² | Yes | Yes |
| Unit 8.04 – Lower Level | 1 Bed | 54m ² | 11m ² | No | Yes |
| Unit 8.05 – Lower Level | 3 Bed | 49m ² | 15m ² | Yes | No |
| Unit 8.06 – Lower Level | 2 Bed | 46m ² | 14m ² | Yes | No |
| Unit 8.07 – Lower Level | 3 Bed | 49m ² | 15m ² | Yes | Yes |
| Unit 8.08 – Lower Level | 1 Bed | 36m ² | 10m ² | No | Yes |
| Unit 8.09 – Lower Level | 3 Bed | 35m ² | 14m ² | No | No |
| Unit 8.10 – Lower Level | 3 Bed | 50m ² | 16m ² | Yes | Yes |
| Unit 8.11 – Lower Level | 3 Bed | 49m ² | 18m ² | Yes | Yes |
| Unit 8.12 – Lower Level | 2 Bed | 46m ² | 17m ² | Yes | No |
| Unit 8.13 – Lower Level | 2 Bed | 46m ² | 18m ² | Yes | No |
| Unit 8.14 – Lower Level | 3 Bed | 60m ² | 15m ² | Yes | Yes |
| Unit 8.15 – Lower Level | 2 Bed | 46m ² | 12m ² | No | Yes |
| Unit 8.16 – Lower Level | 3 Bed | 39m ² | 22m ² | No | No |

Mezzanine

| Unit | Bedrooms | Floor Area | POS | Solar | Cross |
|--------------------------------|----------|------------------|------------------|-------|-------|
| Unit 8.01 – Upper Level | - | 65m ² | - | - | - |
| Unit 8.03 – Upper Level | - | 53m ² | 49m ² | - | - |
| Unit 8.04 – Upper Level | - | 73m ² | 68m ² | - | - |
| Unit 8.05 – Upper Level | - | 65m ² | - | - | - |
| Unit 8.06 – Upper Level | - | 53m ² | - | - | - |
| Unit 8.07 – Upper Level | - | 65m ² | - | - | - |
| Unit 8.08 – Upper Level | - | 31m ² | - | - | - |
| Unit 8.09 – Upper Level | - | 79m ² | - | - | - |
| Unit 8.10 – Upper Level | - | 70m ² | - | - | - |
| Unit 8.11 – Upper Level | - | 73m ² | - | - | - |
| Unit 8.12 – Upper Level | - | 53m ² | - | - | - |
| Unit 8.13 – Upper Level | - | 53m ² | - | - | - |
| Unit 8.14 – Upper Level | - | 60m ² | - | - | - |
| Unit 8.15 – Upper Level | - | 44m ² | - | - | - |
| Unit 8.16 – Upper Level | - | 74m ² | - | - | - |

A brief description of the various aspects of the development is provided below.

| Level | Inclusions |
|------------------|---|
| Basement Level 3 | <p><u>Access</u> Access to Basement Level 3 is provided via graded access ramp from the upper basement level with internal circulation areas and turning areas to allow vehicles to enter and exit the basement in a forward direction.</p> <p><u>Parking</u> The provision of parking spaces within basement level 3 is provided below:</p> <ul style="list-style-type: none"> - 44 residential car parking spaces including 8 tandem spaces and an accessible car parking space. <p>Development also provides 1 x motorbike parking space.</p> <p>Residential storage space.</p> <p>Service cupboard.</p> <p>Lift core and stair well.</p> |
| Basement Level 2 | <p><u>Access</u> Access to Basement Level 2 is provided via graded access ramp from the upper basement level with a graded ramp to Basement Level 3 with internal circulation areas and turning areas to allow vehicles to enter and exit the basement in a forward direction.</p> <p><u>Parking</u> The provision of parking spaces within basement level 2 is provided below:</p> <ul style="list-style-type: none"> - 73 residential car parking spaces including 15 tandem spaces and 4 accessible car parking spaces. |

| | |
|------------------|--|
| | Development also provides 3 x motorbike parking spaces. |
| | Residential storage space. |
| | Service cupboards. |
| | 3 x lift core and stair well. |
| Basement Level 1 | <p><u>Access</u> Access to basement level 1 is provided via graded access ramp from the ground floor with a graded ramp to Basement Level 2 with internal circulation areas and turning areas to allow vehicles to enter and exit the basement in a forward direction.</p> <p><u>Parking</u> The provision of parking spaces within the upper basement is provided below:</p> <ul style="list-style-type: none"> - 56 residential car parking spaces including 9 tandem spaces and 10 accessible car parking spaces. <p>Development also provides 6 x motorbike parking spaces.</p> <p>Residential storage space.</p> <p>Service cupboards.</p> <p>3 x bin room, each with a waste chute system.</p> <p>2 x storage room.</p> <p>Car Park Exhaust Plan.</p> <p>Car Park Supply Plant.</p> <p>Fire Service Room.</p> <p>3 x lift core and stair well.</p> |
| Ground Floor | <p><u>Access</u> Vehicular crossover from Fernandez Lane towards the north western portion of the site to internal driveway. Graded ramp access to the basement level provide from the at-grade car parking area.</p> <p><i>Service Vehicles</i> – Vehicular crossover provided from Radcliffe Place and exit point from Fernandez Lane, with a drive through arrangement providing access to a loading bay, car wash bay and service vehicles.</p> <p><i>Pedestrian</i> – Development provides 3 x direct pedestrian access to the site via 3 x lobby area from Lord Sheffield Circuit with the primary lobby, which is located towards the north-western portion of the site is provided with a reception area, seating area and mailboxes. The lobby area also provides egress from stairwells directly to Lord Sheffield Circuit.</p> <p>The development also provides a secondary graded pedestrian access to the proposed building via Fernandez Lane from the at-grade car parking area. All ground floor units are provided with direct access to the street level.</p> |

| | |
|---------|---|
| | <p><u>Parking</u> The provision of 21 parking spaces including an accessible car parking spaces</p> <p>The development also provides a car wash bay and service vehicle parking bay within the loading bay.</p> <p>A total of 64 bicycle parking spaces provided within the ground floor including 48 spaces within an enclosed bicycle parking area and 16 bicycle parking spaces within the bicycle hub/communal room.</p> <p><u>Service Rooms</u> The service rooms within the ground floor include the following:</p> <ul style="list-style-type: none"> - NBN and MDB rooms; - Substation; - Service cupboards within each lobby area; - Waste collection room; - Bulky waste room; and - 3 x waste bin chute room. <p><u>Residential</u> Each unit is provided with a kitchen, laundry, living area, dining area, and courtyard that is generally accessed from living areas.</p> <p>All 10 ground floor units are provided direct access to the street level.</p> <p>Development provides the unit breakdown within the ground floor:</p> <ul style="list-style-type: none"> - 3 x studio with private open space; and - 7 x 2 bedroom unit with private open space. <p>646m² or 20.9% of the site dedicated as deep soil zones.</p> <p>Bicycle hub/communal room (70m²) which includes siting area, 16 x bicycle parking spaces and a WC.</p> <p>3 x lobby area, each provided with a lift core with an internal east-west running hallway connection all three lobby areas.</p> |
| Level 1 | <p><u>Residential</u> Each unit is provided with a kitchen, laundry, living area, dining area, and balcony that is generally accessed from living areas. Some of the units are provided with a secondary balcony.</p> |

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| | <p>Development provides the unit breakdown within the first floor:</p> <ul style="list-style-type: none"> - 4 x studio with balcony; - 11 x 1 bedroom unit with balcony; and - 6 x 2 bedroom unit with balcony. <p>Storage area (33m²)</p> <p>Planter boxes.</p> <p>The development is split into three distinct core, each with a lobby area comprising of a lift core and stairwell, with a maximum of 8 units per lift core.</p> <p>Each lobby area is also provided with a waste chute room and service cupboards.</p> |
| Levels 2-6 | <p><u>Residential</u></p> <p>Each unit is provided with a kitchen, laundry, living area, dining area, and balcony that is generally accessed from living areas. Some of the units are provided with a secondary balcony.</p> <p>Development provides the unit breakdown between the 2 – 6 levels</p> <ul style="list-style-type: none"> - 4 x studio with balcony per level (total – 20 units) - 12 x 1 bedroom unit with balcony per level (total – 60 units); and - 5 x 2 bedroom unit with balcony (total 25 units); and - 1 x 3 bedroom unit with balcony per level (total – 5 units) <p>The development is split into three distinct core, each with a lobby area comprising of a lift core and stairwell, with a maximum of 8 units per lift core.</p> <p>Each lobby area is also provided with a waste chute room and service cupboards.</p> |
| Level 7 | <p><u>Residential</u></p> <p>Each unit is provided with a kitchen, laundry, living area, dining area, and balcony that is generally accessed from living areas. Some of the units are provided with a secondary balcony.</p> <p>Development provides the unit breakdown within the seventh floor:</p> <ul style="list-style-type: none"> - 4 x studio with balcony; - 6 x 1 bedroom unit with balcony; - 4 x 2 bedroom unit with balcony; and |

| | |
|-----------|---|
| | <p>- 2 x 3 bedroom unit with balcony.</p> |
| | <p>392m² of communal open space.</p> <p>The development is split into three distinct core, each with a lobby area comprising of a lift core and stairwell, with a maximum of 6 units per lift core per level.</p> <p>Internal east-west running hallway connects all three lobby area and also to the 2 x communal open space areas.</p> <p>Each lobby area is also provided with a waste chute room and service cupboards per level.</p> |
| Level 8 | <p><u>Residential</u></p> <p>Each unit is provided with a kitchen, laundry, living area, dining area, and balcony that is generally accessed from living areas. Some of the units are provided with a secondary balcony, with the dual level units provided with internal stairwells.</p> <p>Level 8 includes 15 dual level units (lower level).</p> <p>Development provides the unit breakdown within the eight floor:</p> <ul style="list-style-type: none"> - 2 x 1 bedroom unit with balcony; - 5 x 2 bedroom unit with balcony; and - 9 x 3 bedroom unit with balcony. |
| | <p>460m² of communal open space.</p> <p>The development is split into three distinct core, each with a lobby area comprising of a lift core and stairwell, with a maximum of 6 units per lift core per level.</p> <p>Internal east-west running hallway connects both lobby area and also to the 3 x communal open space areas.</p> <p>Each lobby area is also provided with a waste chute room and service cupboards per level.</p> |
| Mezzanine | <p><u>Residential</u></p> <p>Upper level associated with the 15 dual level units including internal stairwell.</p> |

The proposal also incorporates a number of ancillary elements, including detailed landscape embellishment works and relevant drainage elements as shown on the submitted plans.

Design Intent

The design scheme has been influenced by the built form within the southern portion of the site, especially within the immediate locality which has experienced a significant increase in high density development over the past few years. Fernandez Lane separates the site from a terrace development to the north with Lord Sheffield Circuit separating the site from a large 10 storey mix use development and vacant land parcel earmarked for future mix use development to the south and Radcliffe Place separating the site from a vacant lot which is to accommodate a flat building of similar scale and size.

As such the proposal aims to provide an 8 storey flat building that will provide an appropriate transition between an existing canal and a terrace development to the north with a recently constructed 10 storey mix use building to the south, noting that Fernandez Lane provides an appropriate point of transition and variation in height between the terrace development and the proposal.

The development has not only been designed to comply with key planning requirements but will play a positive role in the growth and development of the Thornton Precinct via increasing additional housing stock whilst supporting future commercial development with the provision of a commercial tenancy along the Lord Sheffield Circuit corridor. The proposal is to deliver a high-quality development that will make a positive contribution to the evolving skyline within the southern portion of the new estate.

Design Excellence

The site located within the Penrith City Centre as per the Clause Application Map below.

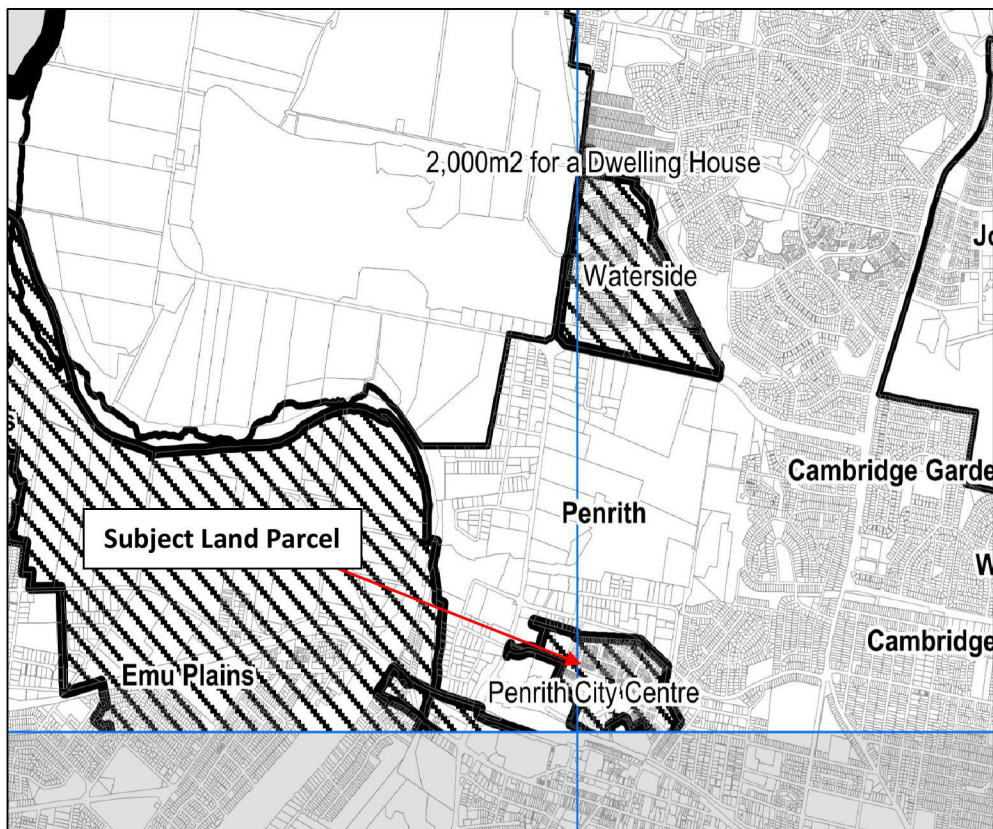


Figure 14: Clause Application Map Sheet CAP_001 Extract (Source: Penrith LEP 2010)

Part 8 of the Penrith LEP relates to Penrith City Centre and Subclause 8.4(3)(a) stipulates that development within the Penrith City Centre that proposes a building greater than 6 storey needs to undertake an architectural design competition. Subclause (4) stipulates that Subclause 3 will not apply if the Director-General certifies in writing that the development is one for which an architectural design competition is not required.

In the current circumstances the Office of the Government Architect, which has been granted delegated authority by the Director-General of Planning, has undertaken an alternative Design Excellence Process through a Design Excellence Panel.

The Panel has confirmed that the proposal has achieved Design Excellence, subject to relevant conditions and additional documentation within the Development Application. Those matters raised in determining Design Excellence have been incorporated into the Development Application submission.

The matters raised by the Design Panel during the Panel and Proponent meeting, and relevant responses are identified in the following Table provided in the following page.

| Design Jury Comment | DA Design Response |
|--|---|
| Solar Access The increase in height through the Design Excellence process is to not create additional overshadowing impacts on the development to the south. | The development to the south receives 2 hour solar access to 168 apartments. The proposal the subject of this development application maintains solar access to 168 apartments. |
| Entry Experience The ground floor design for the apartment entries and corridors are to be improved. | The Development Application provides three lobby/entry points to the building, providing direct connection to lifts and proximity to apartments. The lobbies vary in size and configuration, noting that all lobbies allow for natural light to penetrate into the building at the ground level. The western lobby provides a wider space that incorporates a dedicate mail box area and gathering space. |
| Arts Plan The proposed Indigenous Arts concept is supported and is to be carried through to the DA. | Engagement with an Indigenous Artist has occurred and the application is supported by preliminary concept ideas and sketches. This application seeks to progress the Arts Plan Concepts in collaboration with Councils arts officer(s). |
| Common Open Space / Landscape Greater attention is to be given to the design and quality of the common open space areas. | The application is accompanied by landscape plans prepared in response to the matters raised by the Panel. The design of the towers that punctuate the skyline give rise to the opportunity to provide generous areas for common open space within Levels 7 & 8, that will conveniently serve residents throughout the building. |

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| | The design for each of the spaces is illustrated in the submitted landscape architectural plans. |
| Mezzanine Windows It is recommended that the windows on the upper levels be made capable of overlooking the common open space areas. | This recommendation has been completed in the Development Application package. |

Planning Controls

Statutory Controls

The relevant Statutory Planning Controls include:

- State Environmental Planning Policy (BASIX);
- State Environmental Planning Policy No.55- Remediation of Land;
- State Environmental Planning Policy No.65 –Design Quality of Residential Apartment Development;
- Sydney Regional Environmental Plan No. 20- Hawkesbury Nepean River;
- Penrith Local Environmental Plan 2010.

Policy Controls

The applicable policy control documents are:

- Penrith Development Control Plan 2014
- The Apartment Design Guide.

Consideration of Planning Controls

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

State Environmental Planning Policy BASIX

The application has been assessed and is accompanied by a complying BASIX certificate demonstrating a commitment to thermal and water efficiency.

State Environmental Planning Policy No. 55- Remediation of Land

Potential contamination has been addressed via previous approvals (Major Project Approval MP10_075).

As such no further contamination studies is required.

SEPP 65 Design Quality of Residential Apartment Development and the Apartment Design Guide

The development application is accompanied by a design verification statement prepared by DKO Architects, verifying that he has directed and designed the proposal, and that the design quality principles set out in Part 2 of the SEPP are achieved for the residential flat development.

A description of compliance with the applicable development controls such as setbacks, building depth, separation, height, etc. is provided in the local planning controls discussion and tables below.

The table below provides a detailed discussion against the relevant provisions of the Apartment Design Guide, noting that a number of these provisions are embodied within the Penrith Local Environmental Plan 2010 and supporting Penrith Development Control Plan 2014.

An assessment against the relevant objectives and design guidelines contained in parts 3 and 4 of the Architectural Design Guide can be found below.

Clause 6A of the amended SEPP states that development control plans cannot be inconsistent with the Apartment Design Guide for the following matters set out in parts 3 and 4 of the guide:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation,
- (h) storage.

The SEPP states that if a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which clause 6A applies, those provisions are of no effect.

| ADG Element | Design Criteria/Design Guideline | Proposed | Compliance |
|--|---|--|------------|
| Part 3 – Siting the Development | | | |
| 3A Site Analysis | Appendix 1 of the ADG | Provided | Yes |
| 3B Orientation | Building to define the street, by facing it and incorporating direct access from the street | The flat building has been designed to address its frontages with direct pedestrian access to the subject buildings provided from multiple frontages. Passive surveillance opportunities are provided from primary living areas and balconies that overlook all streets. | Yes |
| | Where an adjoining building does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by > 20% | Not applicable | N/A |
| | 4 hours of solar access should be retained to solar collectors on neighbouring buildings | Adjoining properties do not contain solar collectors | N/A |
| 3C Public Domain Interface | Terraces, balconies should have direct street entry, where appropriate. | Ground floor units are provided with direct street entry. | Yes |
| | Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided | Appropriate location of mail boxes is provided. Complies. | Yes |
| | Substations, pump rooms, garbage storage rooms and other service rooms should be | The waste collection room is enclosed and incorporated into the overall building and not visible from the street level. | Yes |

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| | located in the basement carpark or out of view | Furthermore, considering that the location of the substation is provided along one of the site's largest frontage (Fernandez Lane), it will have minimal impact on the streetscape. | |
| 3D Communal and Public Open Space | <p><u>Design Criteria:</u></p> <p>Communal open space has a minimum area equal to 25% of the site</p> <p>50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm</p> | <p>The development provides 852m² or 27.6% of communal open space within Level 7 (392m²) and Level 8 (460m²) of the proposed flat building.</p> <p>The communal open space has been designed to maximise solar access .</p> | <p>Yes</p> <p>Yes</p> |
| 3E Deep Soil Zones | <p><u>Design Criteria:</u></p> <p>A deep soil zone equivalent to 7% of the site area must be provided</p> <p>If over 1500m² then min dimensions of 6m</p> <p><u>Design Guidelines:</u></p> <p>On some sites, it may be possible to provide larger deep soil zones:</p> <ul style="list-style-type: none"> • 10% of the site as deep soil on sites with an area of 650m²- 1,500m² • 15% of the site as deep soil on sites greater than 1,500m² | <p>The development provides 646m² or 20.9% of the site as deep soil zones.</p> <p>Complies with Minimum Dimension of 6m.</p> <p>It is noted that the proposal provides 20.9% of the site area for both lots as deep soil zones, which is greater than the >15% of the site area.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| 3F Visual Privacy | <u>Design Criteria:</u> | | |
| Building Separation Up to 4 storeys (up to 12m) | 12m between habitable rooms (6m) | The subject land parcels resides within its own island and as a result does not bound any residential land parcels, therefore the building separation controls does not apply, | N/A |

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| | | <p>noting the boundary to the road networks will provide separation in excess of the minimum requirements.</p> <p>The design scheme of both buildings ensures that all units either are oriented to the north or south to take advantage of the site's frontages to road networks with predominantly blank walls combined with appropriate treatments to relevant balconies to mitigate potential internal privacy impacts to neighbouring properties</p> <p>The proposal has also been designed to comply with prescribed setback controls.</p> | |
| 3G Pedestrian Access and Entries | Building entries should be clearly identifiable and communal entries should be clearly distinguished from private areas | The building provides clearly distinguishable entry points from majority of the site's frontages. | Yes |
| 3H Vehicle Access | <p>Car park access should be integrated with the building's overall façade</p> <p>Car park entry and access should be located on secondary streets or lanes where available</p> | <p>The vehicular access point and has been designed to be integrated with the overall design of the building.</p> <p>Vehicle access is provided from Fernandez Lane.</p> | <p>Yes</p> <p>Yes</p> |
| 3J Carparking | <p><u>Design Criteria:</u> Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of:</p> <p>0.4 spaces per 1 bedroom unit</p> <p>0.7 spaces per 2 bedroom unit</p> | The development site is within 800m of a railway station, however specific parking rates under the Penrith DCP 2010 has been undertaken, noting the DCP rates are higher than that required under the ADG. | N/A |

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| | <p>1.2 spaces per 3 bedroom unit</p> <p>1 space per 7 units (visitor parking)</p> <p><u>Design Guidelines:</u> Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas</p> | <p>The proposal provides appropriate undercover and secure residential bicycle parking spaces within the basement levels.</p> | Yes |
| Part 4 – Designing the Building | | | |
| 4A Solar Access | <p><u>Design Criteria:</u></p> <p>Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter</p> <p>A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid-Winter</p> | <p>73% of units achieve the required 2 hours of solar access at mid-winter within the mix use building.</p> <p>Complies (25/173 units or 14%)</p> | <p>Yes</p> <p>Yes</p> |
| 4B Natural Ventilation | <p><u>Design Criteria:</u></p> <p>60% of Units are cross ventilated in a building up to 9 storeys</p> <p>Overall width of a cross over or cross through apartment is < 18m</p> <p><u>Design Guidelines:</u></p> <p>The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths</p> | <p>61% of units are cross ventilated.</p> <p>< 18m</p> <p>Development has a mix of dual aspect apartments, single aspect and corner apartments. See attached architectural plans for detail.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |

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| 4C Ceiling Height | <u>Design Criteria:</u> 2.7m for habitable 2.4m for non-habitable 3.3m | Complies | Yes |
| 4D Unit Sizes | <u>Design Criteria:</u> Studio 35m ² 1 bed 50m ² 2 bed 70m ² 3 bed 90m ² + 5m ² for each unit with more than 1 bathroom. | All units comply with many units exceeding. Where additional bathrooms have been provided unit sizes have been increased by at least 5m ² , | Yes |
| Habitable Room Depths | Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% | Every habitable room is provided with a window. | Yes |
| Bedroom sizes Master Other | <u>Design Guidelines:</u> Limited to 2.5m x Ceiling Height | N/A as open plan layouts provided | N/A |
| Living rooms/dining areas have a minimum width of: 3.6m 4m | 10m ² 9m ² | Comply Comply | Yes Yes |
| Open Plan Layouts that include a living, dining room and kitchen. | Studio/1 br 2br/ 3br | Comply Comply | Yes Yes |
| | 8m to a window | Complies given unit depths and design layouts. | Yes |
| 4E Private Open Space | <u>Design Criteria:</u> | | |
| Balcony Sizes | | | |
| 1 bed | 8m ² & 2m depth | Complies | Yes |
| 2 bed | 10m ² & 2m depth | Complies | Yes |
| 3 bed | 12m ² & 2.4m depth | Complies | Yes |

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| Ground level/ podium apartments | 15m ² & 3m depth | Complies. | Yes |
| 4F Common Circulation and Spaces Common Circulation Units per Plat | <u>Design Criteria:</u> 8 Unit per Plate | The development provides a maximum of 8 units per plate to a lift core. | Yes |
| 4G Storage | <p>1 bed 6m³ 2 bed 8m³ 3 bed 10m³</p> <p>Min 50% of required storage is within the apartment</p> | <p>The proposal provides:</p> <p>1 bed: >6m³ 2 bed: >8m³ 3 bed: >10m³</p> <p>This is provided within the basement/ground floor and within the units themselves, with a minimum of 50% of storage to be provided within each individual unit. The proposed development is considered to offer storage space that aligns with the provisions of the ADG.</p> | Yes |
| 4H Acoustic Privacy | <p>Adequate building separation is provided within the development and from neighboring buildings/adjacent uses</p> <p>Windows and door openings are generally orientated away from noise source</p> <p>Noisy areas within buildings including building enters and corridors should be located next to or above each other and quieter areas next to or above quieter areas.</p> | <p>Existing road network provides adequate separation from neighbor buildings/properties.</p> <p>Where appropriate windows and door openings are orientated away from noise sources.</p> <p>The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy and also take advantage of the lot orientation.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| 4K Apartment Mix | A variety of apartment types is provided | <p>A diversity of apartments is proposed as follows:</p> <ul style="list-style-type: none"> - Studio: 31 units - 1 bedroom: 79 units - 2 bedroom: 47 units - 3 bedroom: 16 units | Yes |

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| | | <p>The proposed unit mix will offer a variety of housing choice.</p> <p>The proposal is designed with a mix of units to provide a variety of housing choices that responds to market demand, noting that the bedroom numbers and size of units are varied that will provide for a range of sizes to meet the needs of occupants and also provide different pricing points for the alternative sizes which will contribute to affordability.</p> | |
| 4M Facades | Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale | <p>The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies and framed elements.</p> <p>Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern RFB within the wider Penrith LGA.</p> | Yes |
| 4O Landscape Design | 1 large tree or 2 medium trees per 80m ² of DSZ | Consistent as per landscaping, noting where appropriate existing trees are to be retained. | Yes |
| 4Q Universal Design 20% of the total apartments | Achieve Liveable House Guidelines silver level universal design features | Meets Penrith DCP of 10% adaptable housing requirement (18 units or 10.4%) | Yes |
| 4U Energy Efficiency | | The future development application will be accompanied by a BASIX certificate indicating energy efficiency for each residential unit provided. | Yes |
| 4V Water Management and Conservation | Reduce mains consumption, and reduce the quantity of storm water runoff. | The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided. | Yes |

| | | | |
|-------------------------|--|--|-----|
| 4W Waste Management | Supply WMP | Provided | Yes |
| | Allocate storage area | Appropriate waste storage areas are provided. | Yes |
| 4X Building Maintenance | To ensure long life and ease of maintenance for the development. | The proposed material is considered durable which may be easily cleaned. | Yes |

Sydney Regional Environmental Plan (SREP) No. 20 Hawkesbury Nepean River

The development proposal incorporates a drainage concept that demonstrates that stormwater can be adequately conveyed to the existing street network.

Appropriate erosion and sediment controls can be implemented throughout construction and it is anticipated that conditions of consent will reinforce this. It is noted that the proposal meets the recently adopted WSUD measures required to achieve appropriate water quality for stormwater discharge.

Penrith Local Environmental Plan 2010

The subject sites are zoned B2 Local Centre under the provisions of the Penrith LEP 2010 as indicated on the zoning extract map provided in the following page, noting Clause 23 (1) Use of certain land at Lord Sheffield Circuit, Penrith) permits '*Residential Flat Building*' with consent within the subject sites.

As such the development proposes an 8 storey residential flat building.

The development proposal is also consistent with the prescribed R4 zone objectives that are stipulated as:

- *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.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To provide retail facilities for the local community commensurate with the centre's role in the local and regional retail hierarchy.*
- *To ensure that future housing does not detract from the economic and employment function of a centre.*
- *To ensure that development reflects the desired future character and dwelling density of the area.*

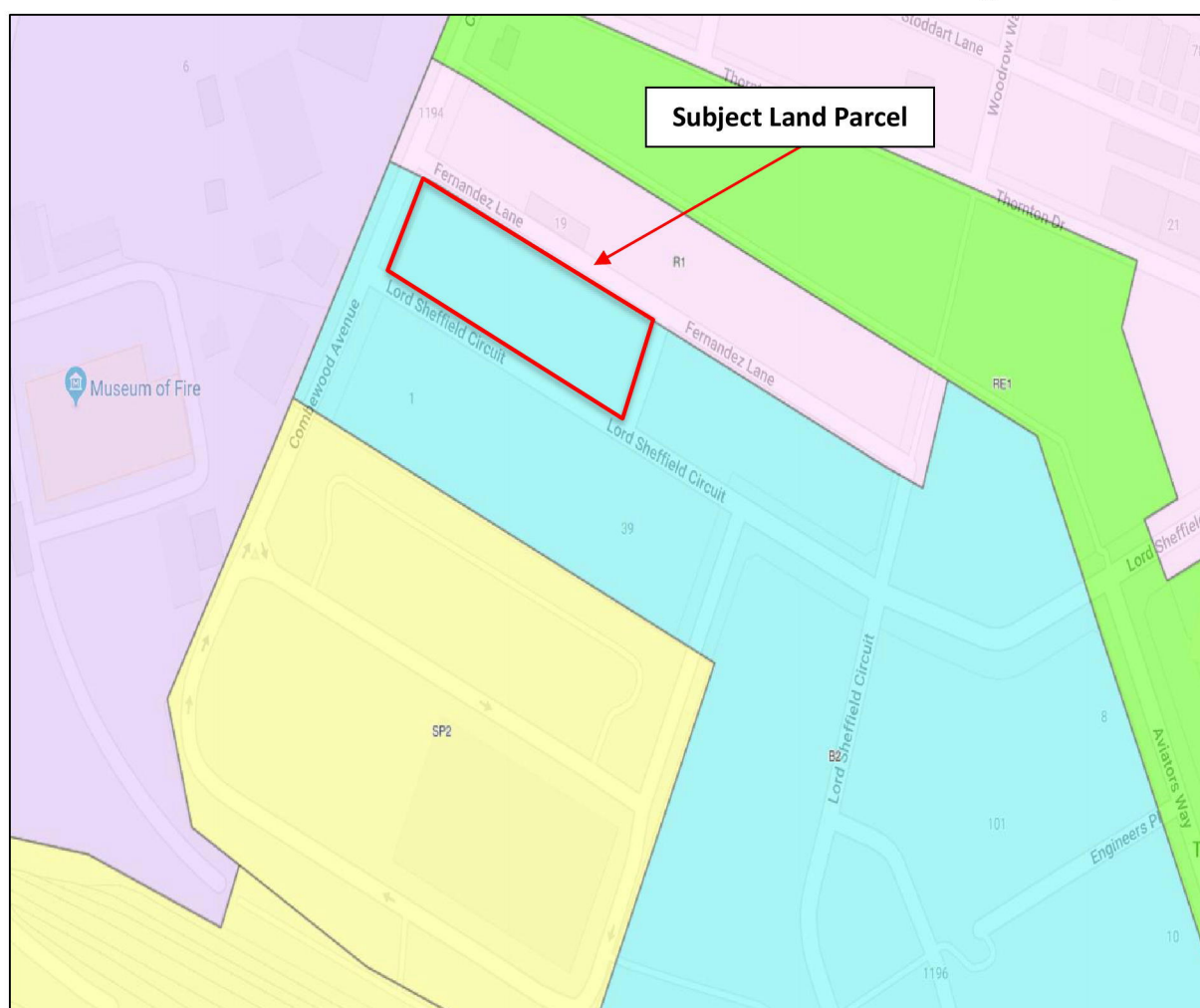


Figure 15: Zoning Map Extract (Source: NSW Planning Portal)

The proposed development will provide a variety of housing types and contribute towards increasing the housing stock of Penrith, while being consistent with the emerging high-density character within the southern portion of the North Penrith Precinct.

The site is well located and provides access to essential services, public transportation, schools, shops and recreation opportunities.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

| Penrith Local Environmental Plan 2010 - Compliance Table | | | |
|--|-------------------|---|----------|
| Relevant Clause | Control | Comment | Complies |
| Zoning | B2 – Local Centre | <p>Clause 23 (1) Use of certain land at Lord Sheffield Circuit, Penrith) permits '<i>Residential Flat Building</i>' with consent within the subject sites.</p> <p>As such the development proposes an eight storey residential flat building.</p> | Yes |

| Part 2 Permitted or Prohibited Development | | | |
|---|-------------------------------------|---|-----|
| 2.3 | Zone Objectives and Land Use Table | <p>The proposal is consistent with the zone objectives of the B2 Zone and will provide additional housing in the catchment of public transport and services whilst contributing to range of housing types to suit the needs of residents, including affordable housing.</p> <p>The proposal will appropriately fulfil the site's zoning potential, provide an attractive built form that will address the public domain and increase housing stock within the locality.</p> | Yes |
| 2.6 | Subdivision – Consent Requirements | No subdivision is proposed. Not applicable. | N/A |
| 2.7 | Demolition Requires Consent | No demolition works is proposed as part of this application. | N/A |
| Part 4 Principal Development Standards | | | |
| 4.3 | Height of Buildings- 32m | <p>Penrith Local Environmental Plan states that the maximum building height within the subject site is 32m</p> <p>No portion of both building encroach 32m in height. Complies.</p> | Yes |
| 4.4 | Floor Space Ratio | No FSR control applies to the subject site. Not relevant. | N/A |
| Part 5 Miscellaneous Provisions | | | |
| 5.9 | Preservation of trees or vegetation | Repealed | N/A |
| 5.10 | Heritage | <p>The site is not identified as a heritage item, it is not located within a heritage conservation area however there are local heritage items within close proximity to the development.</p> <p>Existing road network provides sufficient separation of local heritage items and as such no future heritage studies is deemed necessary.</p> | N/A |
| Part 7 Additional Local Provisions | | | |
| 7.1 | Earthworks | This application seeks Council consent for the excavation of the site as per the attached plans. | Yes |

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| | | <p>It is considered that the proposed excavation will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p> | |
| 7.2 | Flood planning | The site is not identified as being flood prone by Council's flood planning land map sheet FLD_005. | N/A |
| 7.3 | Development on Natural Resources Sensitivity Land | The site is not identified on the Natural Resources Sensitive Map. Not applicable. | N/A |
| 7.4 | Sustainable Development | <p>The proposal satisfies the LEP in that:</p> <p><i>(a) conserving energy and reducing carbon dioxide emissions,</i> <i>(b) embodied energy in materials and building processes,</i></p> <p>Proposal incorporates a BASIX certificate relating to energy efficiency.</p> <p><i>(c) building design and orientation,</i> <i>(d) passive solar design and day lighting,</i> <i>(e) natural ventilation,</i></p> <p>The majority of units receive good solar access and natural ventilation.</p> | Yes |

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| | | <p><i>(f) energy efficiency and conservation,</i> <i>(g) water conservation and water reuse,</i></p> <p>Proposal incorporates a BASIX certificate relating to energy/water efficiency.</p> <p><i>(h) waste minimisation and recycling,</i></p> <p>Waste management and recycling is addressed through the attached waste management plan.</p> <p><i>(i) reduction of vehicle dependence,</i></p> <p>Proposal is located within a walking distance to bus stops and Penrith Train Station that gives alternative means of transport.</p> <p><i>(j) potential for adaptive reuse.</i></p> <p>Given the zoning of the site as B2 there is limited adaptive re-use potential on the site.</p> | |
| 7.5 | Protection of Scenic Character and Landscape Values | <p>Portion of the site has been identified on the Land with Scenic and Landscape Values Map. (SLV_013).</p> <p>It is noted that the site is cleared of all vegetation as per Major Project Approval MP10_075, which has addressed and identified potential areas that is to be protected for scenic values.</p> | N/A |
| 7.6 | Salinity | <p>Due to the nature and location of the site it is not likely to be affected by Saline Soils.</p> <p>Not applicable.</p> | N/A |
| 7.7 | Servicing | The development site is well serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on site. | Yes |
| Part 8 Local Provision – Penrith City Centre | | | |
| 8.1 | Application of Part | Clause Application Map has identified that the development site is located within the Penrith City Centre. | Yes |

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| 8.2 | Sun Access | <p>The development is not located within the vicinity of Allen Place, Memory Park, Judges Park and to High Street between Station Street and Lawson Street and as such will not result in the overshadowing of identified protected public space.</p> <p>The development complies with the prescribed maximum building height under the DCP</p> | Yes |
| 8.3 | Minimum Building Street Frontage | Not relevant, the development site is zoned B2 – Local Centres, however it is noted that the site does contain at least 1 frontage >20m. | N/A |
| 8.4 | Design Excellence | <p>The development site is not land identified as “Area 4” on the Height of Building Map nor has it been identified on the Key Sites Map.</p> <p>However, the development proposes a building with 8 storeys and as per Subclause 8.4(3)(a) – an architectural design competition is required to be undertaken.</p> <p>As discussed previously in this report, an alternative design excellence pathway was agreed with the Office of the Government Architect, Penrith City and the applicant. The Design Excellence Panel convened for this project has confirmed that the proposal exhibits design excellence.</p> <p>Clause 8.4 is satisfied.</p> | Yes |
| 8.5 | Building Separation | The development site sits within its own island and as such will be sufficiently separated from neighbouring buildings on adjacent lots. | Yes |
| 8.7 | Community Infrastructure on Certain Key Sites | Development site is not identified as a key site on the Key Sites Map. | N/A |

Penrith Development Control Plan 2014

The key DCP controls are contained in the table below.

| Penrith Development Control Plan 2014 – Compliance Table | | | |
|--|-------------------|---|----------|
| Clause | Controls | Comment | Complies |
| C1 Site Planning and Design Principles | | | |
| 1.1 | Site Planning | <u>1.1.1 Site Analysis</u> A Site Analysis has been prepared and is attached as part of this application. | Yes |
| | | The site analysis identifies the relevant considerations required by Council and acknowledges the unique opportunities and constraints of the site that have informed the design of the development proposal. | |
| | | <u>1.1.2 Key Areas with Scenic and Landscape Values</u> Portion of the site has been identified on the Land with Scenic and Landscape Values Map. (SLV_013). It is noted that the site is cleared of all vegetation as per Major Project Approval MP10_075, which has addressed and identified potential areas that is to be protected for scenic values. | N/A |
| 1.2 | Design Principles | <u>1.2.2 Built Form – Energy Efficiency and Conservation</u> The proposed development maximise solar access to units and is designed in a manner that achieves natural light and ventilation, noting compliance to solar access and natural ventilation provision under the ADG. | Yes |
| | | A BASIX certificate is attached to this statement. | |
| | | <u>1.2.3 Building Form – Height, Bulk and Scale</u> It is considered that the proposal will result in an appropriate outcome on site that responds to the unique characteristics of the site. Compliance to height provision under the LEP. | Yes |

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| | | <p><u>1.2.4 Responding to the Site's Topography and Landform</u></p> <p>The subject sites which experience gentle falls will not impact on the site's ability to accommodate the proposed developments.</p> <p><u>1.2.5 Safety and Security (Principles of Crime Prevention through Environmental Design)</u></p> <p>The proposed development incorporates active façades that will permit casual surveillance to all frontages as well as the common areas of the proposal.</p> <p>The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area.</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders.</p> <p>The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p> <p><u>1.2.6 Maximising Access and Adaptability</u></p> <p>Proposal has been designed to provide access to and from the site for people with mobility issues.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| C2 Vegetation Management | | | |
| 2.1 | Preservation of Trees and Vegetation | <p>The site is extensively cleared and subject to earthwork as per Major Project Approval MP10_075.</p> <p>The site is not identified as being located within the Natural Resources Sensitive Map under Penrith LEP 2010.</p> <p>Proposed extensive landscape treatment seek to soften the built form and integrate with the development and</p> | Yes |

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| | | <p>the site's context within mixed commercial context.</p> <p>It is highlighted that no significant vegetation is to be impacted as part of the proposal.</p> <p>Landscaping of the site is to be undertaken in accordance with the attached Landscape Plan.</p> | |
| 2.2 | Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non-Urban Areas | The subject site is not identified as being within a Natural Resource Sensitive Land under Penrith LEP 2010. Not applicable. | N/A |
| 2.3 | Bushfire Management | Subject site is not identified as being within a Bushfire Prone Land under Penrith LEP 2010. Not applicable. | N/A |
| C3 Water Management | | | |
| 3.1 | Water Conservation | The development application is accompanied by a complying BASIX certificate that outlines how water usage will be minimised. | Yes |
| 3.2 | Catchment Management and Water Quality | <p>Appropriate management of the site during the demolition and construction phases will contribute towards protecting the catchments natural water systems.</p> <p>A Stormwater Management Plan has been prepared and is attached as part of this application.</p> | Yes |
| 3.3 | Watercourses, Wetlands and Riparian Corridors | Subject site is not located within proximity to a watercourse, wetland or riparian corridor. Not applicable. | N/A |
| 3.4 | Groundwater | <p>Development proposes a residential flat building.</p> <p>Although the proposal contains 3 basement levels, it is not considered that the proposal will impede existing ground water flows. It is considered that the risk of site contamination occurring during construction and future use of the site is low. Not applicable.</p> | N/A |

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| 3.5 | Flood Planning | The subject site is not identified as being flood prone. Not applicable. | N/A |
| 3.6 | Stormwater Management and Drainage | <p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area. The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.</p> <p>A Stormwater Management Plan has been prepared and is attached as part of this application.</p> | Yes |
| C4 Land Management | | | |
| 4.1 | Site Stability and Earthworks | <p>This application seeks Council consent for the excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation, will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p> | Yes |

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| 4.3 | Erosion and Sedimentation | <p>This application seeks Council consent for the excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation, will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>An Erosion and Sediment Control Plan is attached as part of this application.</p> | Yes |
| 4.4 | Contaminated Lands | <p>Potential contamination has been addressed via previous approvals (Major Project Approval MP10_075).</p> <p>As such no further contamination studies is required.</p> | N/A |
| 4.5 | Salinity | Potential salinity has been addressed via previous approvals (Major Project Approval MP10_075). | N/A |
| C5 Waste Management | | | |
| | A bin chute is to be provide to all RFBs over 3 storeys in height. | <p>A Waste Management Plan is attached as part of this application.</p> <p>Notwithstanding this it is noted that waste is to be appropriately managed during the construction stages of the development.</p> <p>A communal bin area is located within the ground floor level.</p> <p>A chute system is provided with waste area provided in every habitable level that allow the disposal of waste for both buildings. There is also a bulk waste storage room at the ground level.</p> <p>Loading bay has been designed to permit a truck to enter and exit the site in a forward direction. Refer to attached architectural plans for detail.</p> | Yes |

| C6 Landscape Design | | | |
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| | | A landscape concept plan, accompanies this development application. The concept plan details the landscape embellishment works proposed and these works will substantially improve the streetscape presentation of the site as well as softening the proposed built form. | Yes |
| C7 Culture and Heritage | | | |
| 7.1 | European Heritage | <p>The site is not identified as a heritage item, it is not located within a heritage conservation area however there are local heritage items within close proximity to the development.</p> <p>Existing road network provides sufficient separation of local heritage items and as such no future heritage studies is deemed necessary.</p> | N/A |
| 7.3 | Significant Trees and Gardens | The subject site does not contain any trees or gardens that is considered to be of cultural, historical, scientific or aesthetic significance. Not relevant. | N/A |
| C10 Transport, Access and Parking | | | |
| 10.2 | Traffic Management and Safety | <p>It is considered that the vehicular access and exit points to the proposed building are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and for entering and exiting the site.</p> <p>The proposed parking area and ancillary driveways will not contribute to the creation of traffic hazards.</p> <p>The proposal provides for the safe and efficient movement of pedestrian and vehicular traffic within the site and both entering and exiting the site. Vehicle and pedestrian routes are clearly indicated and accessible.</p> | Yes |
| 10.3 | Key Transport Corridors | The subject site is not located with a key transport corridor. Not relevant. | N/A |
| 10.5 | Parking, Access and Driveways | Site specific parking rates apply. Refer to discussion against the Penrith North Precinct for detail. | - |

| E11 Penrith – Part B North Penrith | | | |
|---|---|--|-----------|
| 11.8.3.1 Residential Development | | | |
| 11.8.3.1 | <p>Housing Density and Diversity</p> <p>Sub-Precinct A1 – A4: 128 – 142</p> | <p>The objectives of Subclause 11.8.3.12 aims 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.</p> <p>The DCP prescribes a dwelling target of between 128 – 142 persons within Sub-Precinct A1 – A4.</p> <p>The development exceeds the residential densities, with a residential density equivalent to 561 dwelling per hectare.</p> <p>As per the vision of the North Penrith Precinct, the development will positively contribute towards not only increasing the housing stock but providing a variety of one, two and three bedroom dwellings, including affordable housing. The proposal is ideally located and the underlying planning driver for the rezoning of the area is the delivery of transit oriented development. In this regard the density is proposed in the most appropriate location given the excellent access to public transport, employment, services, retailing, dining, and other amenities that the Penrith City Centre provide.</p> <p>Despite non-compliance to the density controls, it is noted that the proposal is consistent with the density precinct set by the approve of surrounding developments including:</p> <ul style="list-style-type: none"> - Sites A5 – DA1500026 approved a mix use building with an yield of 302 dwelling on a site area of 6,370m² which is equivalent to 470 dwelling per hectare which also exceeds the density requirement for the site. - Site A6 – part of a large site consisting of several DAs | Variation |

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| | | <p>with a total residential yield of 586 dwelling which is equivalent to a dwelling density of 530 dwelling per hectare.</p> <p>As such and considering the density precinct established via neighbouring land parcels via the approval process indicates that higher densities within transit oriented precincts is more appropriate.</p> <p>Therefore the current dwelling density is considered appropriate within the North Penrith Precinct and worth of Council support.</p> | |
| 11.8.3.3 | Building Envelopes | <p>Figure 11.37 – Maximum building height plan (storeys) identifies that the site is subject to a maximum of 6 storeys.</p> <p>Subclause 8.4(3)(a) under the Penrith LEP 2010 stipulates that development within the Penrith City Centre that proposes a building greater than 6 storey needs to undertake an architectural design competition. The proposal has been awarded Design Excellence.</p> <p>Accordingly, the development has been designed to comply with the statutory 32m height control prescribed under the Penrith LEP 2010.</p> <p>It is noted that the shadow cast by the proposed development is comparable to that of the approved 6 storey building to an approved large mix use building south of the development site, noting the same percentage of units to the existing mix use building continue to receive a minimum of 2 hours of solar access at mid-winter. Refer to attached plans for detail.</p> | Yes- LEP overrides the DCP |
| 11.8.3.4 | Building Design and Articulation | The development proposes an attractive mix use building and a residential flat building that incorporates physical articulation of the built form and mixed palette of building materials and finishes. | Yes |

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| | | <p>The proposed materials and finishes will be consistent with the evolving high density character along the southern side of the precinct whilst also being contemporary in character.</p> <p>The range of materials will significantly contribute to the building's articulation and helps to visually reduce the overall bulk and mass of the building. See attached plans for detail.</p> | |
| 11.8.3.5 | Private Open Space and Landscaping | <p>The development provides private open space and communal open space in accordance with the ADG.</p> <p>Appropriate landscaping is provided within a commercial context.</p> | Yes |
| 11.8.3.6 | Fencing | Appropriate fencing is to be provide in accordance with the DCP. | Yes |
| 11.8.3.7 | Garages, Site Access and Parking | <p>Development provides integrated vehicle access point to the sites via Fernandez Lane.</p> <p>Parking and driveway access is in accordance with AS 2890.1 – 2004.</p> | Yes |
| 11.8.3.8 | Visual and Acoustic Amenity | <p>Considering that the subject land parcel resides within its own island, it is sufficiently separate from other residential land parcels.</p> <p>Development provides appropriate measures to mitigate potential privacy impacts with units oriented predominantly to the north or south with blank walls and minimal windows located to the eastern and western elevations.</p> | Yes |
| 11.8.3.9 | Specific Provisions – Key Sites | <p>Development site located within the Opportunity Site as per Figure E11.43 Specific Provision for key sites.</p> <p>The development will positively contribute to the key sites via an increase of residential units and retail opportunity.</p> | Yes |

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| | | <p>The development has been designed to comply with the prescribed building height control under the LEP.</p> <p>The development will increase patronage that will support the commercial premises within the precinct.</p> | |
| 11.8.3.10 | Specific Provision – Residential Flat Buildings | <p>1) Development has been designed to comply with key requirements under the ADG. Refer to discussion against the ADG previously within this report.</p> <p>2) Parking:</p> <p>Site specific parking rates apply to the proposal. Refer to discussion against subclause 11.8.4.2 below for detail.</p> <p>Blocks A1 – A6</p> <p>1) Both building have been designed to address its frontages.</p> <p>2) The increase in patronage will support future commercial developments within the precinct.</p> <p>6) Parking is predominantly to be provided with a basement level.</p> | <p>Yes</p> <p>-</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| 11.8.4 The Village Centre | | | |
| 11.8.4.1 | Built Form Controls | <p>The development will contribute towards supporting the village centre vibrancy whilst increasing housing stock and retail premises within the North Penrith Precinct.</p> <p>1) Figure E11.47 – Village Centre location of preferred land uses identifies that the subject site is to accommodate medium density developments, however considering that the B2 zone and the LEP via Schedule 1 – Additional Permitted Uses Clause 23 (1) (Use of certain land at Lord Sheffield Circuit, Penrith) permits ‘Residential Flat Building’ within the B2 zone and prescribed 32m height control, the proposal is to provide an appropriate 8 storey residential flat building.</p> | <p>Yes</p> |

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| | | <p>3) The DCP prescribes a minimum floor to ceiling height of 3.2.7m for residential development.</p> <p>Development provides complying floor to ceiling heights.</p> <p>4) The development site is only subject to a 3m setback to its southern boundary as per Figure E11.48 – Village Centre build to lines.</p> <p>The development provides a minimum setback of 3m from the primary building line to the site's southern boundary. Complies.</p> <p>As per Figure 11.51 – Village Centre active frontage plan, the development site does not need to active its frontage.</p> <p>7) Main entry points to the flat building has been designed so that they are clearly visible and identifiable from the street level.</p> <p>10) Development has been designed to ensure equitable access for persons with a disability including the provision of accessible car parking spaces within the basement levels and at grade.</p> <p>12) Where appropriate, lift overruns are to be recessed to ensure that it is not visible from the public domain.</p> <p>13) No signage is proposed at this stage.</p> <p>15) The application has been assessed and is accompanied by a complying BASIX certificate demonstrating a commitment to thermal and water efficiency.</p> | <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> |
| 11.8.4.2 | <p>Access, Parking and Servicing</p> <p>Parking Rates</p> <p><u>Residential</u></p> | <p>The proposed residential flat building proposes the following unit mix:</p> <ul style="list-style-type: none"> - Studio: 31 units (0.5 x 31 = 15.5 spaces) | Yes |

| | | | |
|--|---|--|---|
| | <p>0.5 spaces per dwelling per studio</p> <p>1 space per 1 or 2 bedrooms</p> <p>2 spaces per 3 or more bedrooms</p> <p>1 space per 40 units for service vehicles</p> <p>Visitor parking – on-street only</p> <p>1 space for car wash for every 50 units</p> | <ul style="list-style-type: none"> - 1 bed: 79 units (1 x 79 = 78 spaces) - 2 bed: 47 units (1 x 47 = 47 spaces) - 3 bed: 16 units (2 x 16 = 32 spaces) - Total: 172.5 (173) spaces <p>The development provides a total of 192 parking spaces.</p> <p>The development also provides a car wash bay.</p> <p>3) Development provides accessible car parking spaces in accordance with the Access to Premises Standards, Building Code of Australia and AS2890.</p> <p>Furthermore, appropriate bicycle parking spaces is provided.</p> <p>4) Appropriate landscaping is proposed to screen the at-grade parking area of both development to minimise its impact to the streetscape.</p> <p>The at-grade parking area is also designed to ensure safe and direct access to the buildings entry points.</p> <p>5) Basement area is to be appropriate ventilated.</p> <p>6) All parking areas have been designed to comply with AS2890.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> |
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Conclusion

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.