



26 August 2024

REF: WTJ23-199

Penrith City Council  
601 High Street,  
Penrith NSW 2750

**Attention: Wendy Connell**

**PROPERTY AT 45 ORTH STREET, KINGSWOOD (LOT 186 DP 14333)**

Dear Wendy,

This letter seeks to provide a response to Chapter 3 of *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP). Chapter 3 of the Sustainable Buildings SEPP applies as the proposed development seeks the erection of a new building with an estimated development cost of more than \$5 million.

Clause 3.2 of the Sustainable Buildings SEPP states as follows:

- (1) *In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—*
  - (a) *the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*
  - (b) *a reduction in peak demand for electricity, including through the use of energy efficient technology,*
  - (c) *a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*
  - (d) *the generation and storage of renewable energy,*
  - (e) *the metering and monitoring of energy consumption,*
  - (f) *the minimisation of the consumption of potable water.*
- (2) *Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.*

The proposed development satisfies Clause 3.2(1) of the Sustainable Buildings SEPP in that:

- Waste associated with demolition and construction will be minimised, recycled and reused where possible as detailed in Demolition and Construction Waste Management Plan submitted with the Development Application (DA) (**Appendix 13**). Due to the nature and age of the demolition materials generated from development it is not anticipated they could be

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repurposed for reuse on-site, and it is anticipated that only a limited amount of excavation materials will be suitable for reuse;

- Energy efficient fixtures, such as lighting, heating and cooling, will be employed throughout the proposed development and these will be incorporated during detailed design. The inclusion of such may be confirmed by a condition of consent if required;
- Appropriate ductwork/piping and glazing will be employed throughout to reduce the reliance on artificial lighting and mechanical heating/cooling. The inclusion of such may be confirmed by a condition of consent if required;
- Given the limited roof space available, there is insufficient area on the Subject Site to accommodate any renewable energy generation/storage;
- All electrical boards will be provided with energy metering pursuant to the National Construction Code to ensure the consumption of energy is appropriately monitored; and
- Water efficient fixtures will be employed throughout which may be confirmed by a condition of consent if required. A rainwater tank has been provided within the car park to minimise the use of local portable water.

An Embodied Emissions Form has been provided which satisfies Clause 3.2(2) of the Sustainable Buildings SEPP.

Should you have any further queries in relation to the responses provided within this letter or further information is required, please contact Cameron Gray on 0477 003 429 or [cgray@willowtp.com.au](mailto:cgray@willowtp.com.au).

Your sincerely,



Cameron Gray  
Senior Associate  
Willowtree Planning Pty Ltd

