

## Attachment 1 – Consideration of Submissions and Recommendations

### Submissions – Public Authorities

Issues	Response
<b>Submission 3 – Roads and Maritime Services</b>	
<p>A. The Planning Proposal should be supported by a Traffic/Transport Study which demonstrates how it complies with S.117 Direction – 3.4 Integrating Land Use and Transport, Objective (c) – <i>Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car.</i></p> <p>B. The Planning Proposal should be supported by a suitable infrastructure funding and delivery mechanism which provides details of any road and transport infrastructure works required to support maximum development yields and identify the timing of infrastructure works.</p> <p>C. Further information is required that demonstrates how the preferred City Park Concept Design is consistent with the proposed zoning changes.</p> <p>D. Any proposed shared zone within the City Park Investigation Site should be in accordance with the criteria outlined within RMS Shared Zone Guidelines TTD2014/003 – <i>“Design and Implementation of shared zones including provision for parking”</i>.</p>	<p>The Planning Proposal complies with Direction 3.4 as it will enable a mixed use development around the City Park that is walking distance to Penrith Station, retail facilities and the commercial core. This will reduce travel demand and minimise unnecessary car travel.</p> <p>Discussion regarding the need for, and proposed timing of, a comprehensive traffic and transport study for the City Centre is provided below in response to the submission by Transport for NSW. The infrastructure identified by a future traffic study will, in part and where appropriate, be negotiated through a VPA to be entered into between Council and the proponents of future development.</p> <p>Notwithstanding the above, Council will continue to advocate strongly for more reliable and frequent public transport and other infrastructure, to encourage modal shift away from car dependency towards more sustainable options</p>
<b>Submission 10 – Endeavour Energy</b>	
<p>A. An application will need to be submitted for connection of load to Endeavour Energy’s Network Connections Branch.</p> <p>B. To facilitate the Planning Proposal, the padmount substations on the site may need to be decommissioned/relocated and a method of supply will need to be determined to service all other existing customers.</p> <p>C. Endeavour Energy must first be contacted if the future proposed development will encroach/affect Endeavour Energy’s easements/electrical infrastructure.</p> <p>D. The construction of any building or structure that is connected to, or is in close proximity to, Endeavour Energy’s electrical network is required to</p>	<p>Endeavour Energy will be consulted during the design stage and prior to any works being undertaken.</p>

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<p>comply with AS/NZS 3000:2007 'Electrical installations' to ensure that there is adequate connection to the earth.</p> <p>E. The relevant restrictions will be applied to the electricity infrastructure for the future development of the site.</p> <p>F. The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Low growing shrubs, ground covers and smaller shrubs with non-invasive root systems are recommended.</p> <p>G. The site is in a location identified or suspected of having asbestos or asbestos containing material (ACM) present in the network. When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person. Demolition work is to be carried out in accordance with AS2601: The demolition of structures.</p>	
<p><b>Submission 14 – Sydney Water</b></p>	
<p>A. The proposed development can be serviced by the water main in Henry Street. Detailed water requirements will be provided at the Section 73 phase.</p> <p>B. The proposed development site is transversed by a number of wastewater mains. Where proposed works are in close proximity to a Sydney Water asset, the developer may be required to carry out additional works to facilitate the development and protect the wastewater main. Detailed wastewater requirements will be provided at the Section 73 application phase.</p>	<p>This matter can be addressed at the DA stage.</p>
<p><b>Submission No. 17 – Transport for NSW</b></p>	
<p>A. A Transport Study should be undertaken to demonstrate the proposal integrates with existing and planned future walking, cycling and transport networks (i.e. buses and rail) and identify transport facilities and measures required to support future developments.</p> <p>B. The Study should consider the cumulative impacts of surrounding development proposals. Appropriate public exhibition of the Transport Study should be undertaken accordingly.</p>	<p>Penrith is transitioning from an urbanised centre into a thriving Regional City, with a vision to make the City Centre an active and vibrant place, providing for inner city living and a 24 hour economy. However, with this vision comes challenges regarding congestion and traffic management. It is recognised that Council's current traffic model needs revision, to ensure an understanding of localised traffic conditions as well as impacts on the broader network.</p> <p>There are two timeframes for Council to consider the preparation of an updated Transport Study – prior to the finalisation of this LEP</p>

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	<p>amendment, or as part of a broader review of the planning controls for the City Centre.</p> <p>Preparing an updated Transport Study prior to the finalisation of the LEP amendment will ensure the cumulative impacts of the Planning Proposal are known, and the types of infrastructure improvements and mitigation measures required (if appropriate). However, as there are other Planning Proposals being considered within the City Centre that offer development incentives through floor space bonus, the revised Transport Study will not reflect the cumulative impacts of these developments.</p> <p>In addition, it may be considered more appropriate to provide an updated Transport Study in line with the imminent review of the existing planning controls for the City Centre. This broad scale review (which will be substantially commenced before the end of 2016) will analyse the City Centre's current zones, heights and FSRs which is likely to result in further amendments to the Penrith LEP 2010 and have greater implications for traffic management. The review is likely to consider nominations for further Key Sites, a comprehensive retail analysis and the need for additional laneways and street networks as a result of any proposed changes to zones or building heights and densities.</p> <p>In considering both timeframes as outlined above, it is recommended that Council proceed with the second option to ensure that an analysis of transport and traffic impacts is undertaken during more comprehensive review of the City Centre. This will allow the Planning Proposal to proceed, development applications to be assessed on their merits (with traffic studies in response to site-specific development proposals), and avoid duplication of costs and funding for two separate studies, instead preparing one comprehensive analysis in line with broader changes to the City Centre.</p>

Issues	Response
	<p>The infrastructure identified by the traffic study will, in part and where appropriate, be negotiated through a future VPA to be entered into between Council and the proponents of future development</p> <p>Notwithstanding the above, Council will continue to advocate strongly for more reliable and frequent public transport and other infrastructure, to encourage modal shift away from car dependency towards more sustainable options.</p>

## Submissions – Community

Issues	Response
<b>Traffic and Parking (Submission No. 2, 4, 5, 6, 8, 12 and 16)</b>	
<p>A. The submissions requested Council to clarify its plans to replace or offset the lost car parking space and what will happen to the existing businesses within the City Park Precinct. In particular, the Planning Proposal should address the existing off-street public car parking spaces available in Allen Place.</p> <p>B. A park should not be built at the expense of car parking. There is already the Memory Park and also plenty of open space near the River.</p> <p>C. The lack of parking can result in loss of business as vehicular is a major consideration for both businesses and shoppers. Businesses are concerned about the loss of more car parking, especially if future new areas are not identified and built.</p> <p>D. Council's decision to close the access ramps to the adjacent Trade Secret building has resulted in a loss of 85 car parking spots and has seen a 20% decline in business turnover. Three businesses in this close vicinity have closed, others have moved.</p> <p>E. There are issues for loading docks for existing businesses to be considered during construction and once completed.</p> <p>F. Elderly and disabled people would find it more difficult to access High Street and Henry Street.</p>	<p>A. In November 2015, Council sought Expressions of Interest for the Reserve Street and Union Road carparks to facilitate seniors living, mixed use development and public parking. Through this process, the aim is that the development of the Union Road Car Park site deliver an additional 1,000 public parking spaces in a deck to offset the loss of parking. This decked car park will go some way in offsetting the car parking spaces lost in the Allen Place Car Park. The Union Road site is within walking distance to the City Park Precinct, so the impact on businesses and customers is likely to be minimal.</p> <p>B. As a separate process, Council will also be investigating opportunities to build decked car parks in the periphery of the City Centre and sited on existing Council-owned car park land in accordance with its adopted Penrith City Centre Car Parking Strategy (2011). Under this strategy the decks are to replace the surface level parking in the City Centre.</p> <p>C. In relation to infrastructure provision, the City Park Precinct is located within walking distance to Penrith Station, Westfield and the future adjacent mixed use development, the development will contribute to a more walkable City Centre. The additional infrastructure required will</p>

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<p>G. Parking is becoming a big problem within the Penrith CBD. Parking around Penrith Station is beyond capacity already.</p> <p>H. Infrastructure should be provided concurrently with the high density residential developments.</p> <p>I. A multi-storey car park could be built adjacent to the City Park site to provide parking for local business and the community.</p> <p>J. Requested to be included in the community consultation process to assist the local businesses with this transition to change.</p>	<p>be funded through a future Voluntary Planning Agreement (VPA) for the site.</p>
<b>Inconsistency with Section 117 Directions (Submission No. 7)</b>	
<p>A. The Planning Proposal is inconsistent with Direction 3.4: Integrating Land Use and Transport. The Proposal does not improve access to services, reduces the transport choices and is forcing people to reduce the number of trips, without providing suitable alternatives for people who have no other options due to inadequate public transport options.</p> <p>B. The Planning Proposal is inconsistent with Section 6.2: Reserving Land for Public Purposes. The proposal to rezone the Allen Place Car Park is not acceptable and therefore contravenes the direction. All existing car parking spaces must be included in the design for the site and cannot be left for the development stage.</p>	<p>A. The Planning Proposal complies with Direction 3.4: Integrating Land Use and Transport. The Planning Proposal will see the City Park developed into a mixed use development adjacent to the City Park. The site is also within walking distance to Penrith Station which will contribute to a walkable centre to minimise unnecessary car travel.</p> <p>B. The development of a City Park will provide adjoining residents and business owners with a public park. When delivered, the City Park will represent a significant infrastructure investment by Council for the benefit of the Penrith community.</p>
<b>Urban Design comments (Submission No. 11)</b>	
<p>A. The submission seeks to clarify whether the objectives for the City Park are those in the Hames Sharley Review or if they are encompassed in the Penrith Progression. The objectives should be clarified upfront and continued through each stage to ensure each planning and design process is aiming for the same deliverable.</p> <p>B. There is too much emphasis on development and economics. More emphasis required about the relevance and importance of public open space to the various communities involved.</p> <p>C. The language around the intent for the proposed City Park should reflect qualities such as it being the 'heart of the city' and the importance of</p>	<p>A. The objectives for the Penrith City Park are embedded across a number of documents including those mentioned (the Hames Sharley Review and the Penrith Progression) as well as the Penrith City Centre Strategy (2006), Penrith City Centre Vision (2007) and the Penrith Civic Improvement Plan (2008).</p> <p>B. Noted. However, the emphasis on development and housing was made to reflect the need to enable the types of land uses needed to stimulate economic activity around the City Park.</p> <p>C. Noted. The Planning Proposal, as a document that explains the proposed LEP amendment, would not be the right document to</p>

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<p>'place making' and landmark landscape amenity. Words such as 'leisure' and 'creativity' have little meaning.</p> <p>D. The proposal should clarify the extent of deep soils which will be critical to achieve amenity and provide more greening in the city centre. There are depth limits for basement car parking due to sub-surface water level of the river. Expectations to keep parking onsite and any miscalculation for onsite capacity should not compromise the extent of deep soil areas. There are a number of very mature fig trees that should be carefully considered for retention.</p> <p>E. The City Park site has a relatively low height limit (4-6 storeys) when compared to the Incentives Clause Planning Proposal. The submission suggested the City Park development be included as a key site in the Key Sites Planning Proposal.</p> <p>F. The overshadowing can be managed through a stepped design. The proposed amendment to sun access is supported, but any testing of the built form overshadowing is not provided to back up the Hames Sharley options.</p> <p>G. The commercial opportunities that could exist could be emphasised more, e.g. a permanent market hall, kiosk, cafes, that will help activate the park rather than the typical activation of edges.</p>	<p>include these. As a separate project, Council is working with urban designers to develop an urban design strategy for the City Park which would reflect the Park's qualities.</p> <p>D. Noted. See Point C above – the Planning Proposal only seeks to facilitate an LEP amendment. The Urban Design work would incorporate the extent of deep soils. The limitations for basement car parking and the retention of mature trees would be addressed at the detailed design stage.</p> <p>E. The key sites in the City Centre were identified by the Cities Taskforce in 2007. They were identified as having potential to accommodate additional floor space subject to the proposed development exhibits design excellence. In work undertaken for the City Park so far, an increased building height was not identified as a potential option.</p> <p>F. 'Testing' of the built form overshadowing can be undertaken at the detailed design phase either through the EOI process for the City Park and/or at the Development Application stage.</p> <p>G. The potential for the site to be used for commercial opportunities can be determined at the detailed design phase.</p>
<b>General Comments (Submission No. 1, 9, 13, 15)</b>	
<p>A. The City Park could benefit from a picnic table that allows a person in a wheelchair to eat at the table that could be useful for the City Park (photograph included).</p> <p>B. Supports the proposed introduction of residential into the site which will encourage development of the City Centre and promote a vibrant mix of uses. It is agreed that the remaining commercial core area is sufficient to cater for the future growth of the Penrith Commercial Core.</p> <p>C. Both Memory Park and the Pop up Park are currently underutilised. Observing usage for these parks would determine whether or not a City park is necessary.</p>	<p>A. Noted. This can be considered as part of the detailed design phase for the City Park Precinct.</p> <p>B. Noted.</p> <p>C. The City Park will serve a different purpose to the Memory Park and Pop up Park. The City Park is in a central location, given its location close to Penrith Station, Westfield and the existing commercial core. The park will also be surrounded by a mix of housing and specialist retail opportunities that the other parks do not provide.</p> <p>D. The Penrith City Park is a priority Penrith Progression Project.</p>

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<p>D. The proposed park was an early stage in the Penrith Progression, which now appears to be disbanded as Council now has plans with the Incentives Clause Planning Proposal. There will be no land available for jobs and the Penrith Progression will never eventuate.</p> <p>E. The Planning Proposal should be modified to include the land proposed to be zoned RE1 Public Recreation. The current proposal isolates the park from the area for rezoning to B4 Mixed Use and predetermines the park's size and location.</p> <p>F. The objectives for the Park and Precinct can be achieved through a master planned approach for the whole precinct. This approach should also include infrastructure planning for the Precinct, including overall site grading, overland stormwater and flood management, access for vehicle driveways, pedestrian connections, etc.</p> <p>G. The Hames Sharley review predates the proposed B4 Mixed Use zoning and does not optimise the location of the facility in the context of the proposed B4 Mixed Use zone. The urban design specifications for the City Park needs to be compatible with the rest of the open space.</p> <p>H. There is still a large demand for residential unit development in key locations close to transport nodes. This Precinct presents an opportunity to capture the benefits and should not be constrained by height and scale limitations.</p> <p>I. The Park's requirements, funding and its delivery can be readily addressed in the Section 94 process or by developer agreement. The separate planning and delivery of the park requires an upfront expenditure by Council to deliver the Park.</p> <p>J. The private stakeholders of properties within the proposed B4 Mixed Use have not been actively engaged in the stakeholder process. The submitter is seeking Council's engagement in the negotiations for the "Invest in the New West – Invitation to Partner Central Park Village".</p>	<p>E. Noted. The proposed RE1 Public Recreation would guarantee the use of that land for recreation purposes and would ensure the land is in public ownership. The B4 Mixed Use zoning for the entire site would open up the entire Precinct for redevelopment.</p> <p>F. The overall site grading, overland stormwater and flood management could also be addressed at the detailed design stage. Part funding for the City Park is included in the Penrith City Centre Civic Improvement Plan (CIP). The balance of funding for the City Park will be provided through a future EOI process or possibly as a public benefit through the application of incentives clause on the key sites. The infrastructure needed for this site will be negotiated through a future VPA to be entered into between Council and the proponents of future development</p> <p>G. The B4 Mixed Use zone responds to the principles outlined in the Hames Sharley City Park Review by permitting mixed use development to occur around the City Park. This will deliver housing densities that will activate the Park. No changes to the current height limit (20m) are proposed as a greater building height could adversely impact on sun access to the Park.</p> <p>H. Noted. Council will continue to engage with stakeholders in the development of the City Park.</p>