



Planning Proposal

**Reclassify Council-Owned
Land (Community Land to
Operational Land)**

**11-13 Chesham Street,
St Marys**

August 2018

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Introduction

Purpose of Planning Proposal

SJB Planning has been engaged by Penrith City Council's Property Development Department (PDD) to prepare this Planning Proposal.

The Planning Proposal seeks to amend the Penrith Local Environmental Plan (LEP) 2010 to reclassify Council-owned land at 11-13 Chesham Street, St Marys ('the site'), from Community Land to Operational land.

The site comprises Lots 1, 2, and 3 in DP 542707. The land is currently vacant, and is situated less than 400m from St Marys Railway Station and town centre.

The site is a narrow, rectangular shape, with an area of approximately 3,920m², bounded by the rail corridor to the north, Glossop Street to the east, Chesham Street to the south, and Lethbridge Street to the west, as indicated in Figure 1 below.



Figure 1 – Aerial photograph of the site and surrounds (Source: SIX Maps)

The land is not a 'public reserve' as defined under the *Local Government Act 1993* and as such, there are no restrictions on the title in relation to this. A copy of the Certificate of Title for Lots 1, 2 and 3 at **Appendix 1**.

The land is zoned R4 High Density Residential under LEP 2010, and has been identified as surplus to Council and the community's needs. The reclassification does not include a proposal to develop or sell the land. This would need to be pursued as a separate process, with opportunity for community input on any Council decision in this regard.

The proposed reclassification will, however, enable Council to consider opportunities for the future use of the land, and this may include options for the development or sale of the site.

Therefore, the proposed reclassification will provide the opportunity to unlock the existing development potential, to stimulate growth and development within the local government area (LGA), in an appropriate location close to St Marys Railway Station and town centre.

Background

Council's PDD has undertaken investigations into Council's community land assets to identify potential opportunities for growth in the Investment Portfolio and Property Reserve. A number of sites were identified as part of this project, as an initiative to develop or dispose of underutilised community land holdings.

The subject site of this Planning Proposal comprises Lots 1, 2, and 3 in DP 542707 (see Figure 2).

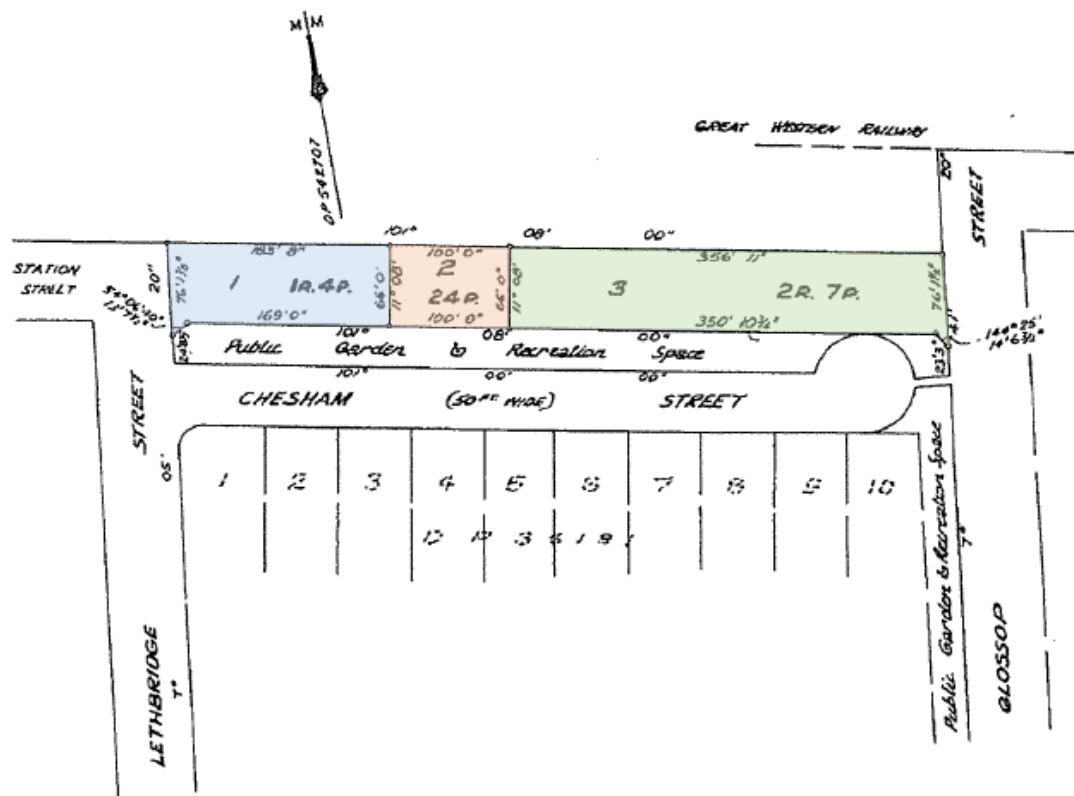


Figure 2 – Site showing Lots 1 (blue), 2 (orange) and 3 (green) in DP542707

Historically, the land to which this Planning Proposal relates comprises a former road known as Station Street. Station Street was closed under the provisions of the *Public Roads Act 1902-1968*. Refer to Deposited Plan 36191, dated 12 July 1946 at **Appendix 2**.

On 9 May 1969 under Section 20 of the *Public Roads Act 1902-1968*, the land known as Deposited Plan 36191 was vested in the Council of the City of Penrith. Refer to Crown Grant Volume 11048 Folio 49 at **Appendix 3**. The land was later subdivided into its current subdivision pattern, this being Lots 1, 2 and 3 in DP542707 (see **Appendix 4**). Title volume 11393 folios 198-200 were issued to the Council of the City of Penrith on 21 August 1970 (see **Appendix 1**). At its meeting of 6 June 1994, Council resolved to classify Lots 1, 2 and 3 in DP 542707 as Community Land. Refer to Council report and minutes at **Appendix 5**.

Adjoining Lots 1 to 3 is a strip of public reserve for garden and recreation space, known as Lot 21 in DP36191. Refer to **Appendix 2**. Lot 21 DP36191 was dedicated as Public Highway by notification in Government Gazette dated 26th January 1962 folio 183 – pursuant to Section 81 of the Public Works Act of 1912. Refer to **Appendix 6**.

Being Council owned road, Lot 21 does not form part of the Planning Proposal for reclassification. Council's PDD intends to undertake a road closure process under the provision of the *Roads Act 1993*. This process is independent to the Planning Proposal and will require

additional public consultation. On closure of road, a Council resolution will be required to classify the lot as Operational Land under the *Local Government Act 1993*.

Historical Site Use

A Girl Guides Hall was constructed on Lot 2 DP 542707 by Guides Australia in the early 1970s as part of a 21-year licence agreement from 1970-1991. Girl Guides Australia entered into another 21-year licence in 1991 but relinquished this agreement in 2007 due to poor membership numbers. Girl Guides vacated the premises in early 2008. On termination of the license, the building was in a state of disrepair and in 2011 Council organised for the demolition of the hall. As such, the site has not been used for community purposes for close to 10 years.

The site has since been identified as surplus to Council's needs, and therefore it is appropriate to consider potential future options in line with the current zoning.

The proposal to reclassify the land aligns with Council's strategic direction to utilise Council's property portfolio to stimulate growth and development opportunities in Penrith City. As well as economic benefits of the project, community benefits may include:

Provision of high quality, diverse housing;

- Provision of public open space improvements and public domain improvements;
- Local employment opportunities and provision of services.

Gateway Process

The preparation of a Planning Proposal is the first step in the NSW Planning and Environment's Gateway Process, the process for making or amending local environmental plans. It has a number of steps, set out in Table 1, that require this document to be revised as it progresses through the Gateway Process. The Planning Proposal is currently at the community consultation stage of the Gateway process.

No.	Step	Explanation
1	Planning Proposal	Council prepares a document explaining the effect of and justification for making or amending a local environmental plan.
2	Gateway Determination	The Greater Sydney Commission, acting as a checkpoint, determines whether a Planning Proposal should proceed.
3	Community Consultation	The Planning Proposal is publicly exhibited.
4	Assessment	Council considers any submissions it receives in response to the public exhibition, changing the Planning Proposal as necessary.
5	Drafting	Parliamentary Counsels Office prepares a draft of the local environmental plan.
6	Decision	The Minister (or delegated plan making authority) approves the local environmental plan, making it law.

Table 1: Gateway Process

All planning proposals reclassifying public land must address matters outlined in NSW Planning and Environment's LEP Practice Note 16-001 *Classification and reclassification of public land through a local environmental plan*. **Appendix 7, 8, 9, 10** provides responses to these matters.

At its Policy Review Committee Meeting of 4 June 2018, Penrith City Council resolved to commence a Gateway process for the consideration of this Planning Proposal relating to 11-13 Chesham Street, St Marys, in accordance with the requirements of the Environmental Planning and Assessment Act 1979. A copy of the Council Report and confirmed minutes relating to this resolution can be found in **Appendix 11**.

Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to amend LEP 2010 to reclassify the site from Community Land to Operational Land, as the property has been identified as underutilised community land that is surplus to Council and the community's needs.

This will enable Council to consider opportunities for the future use of the land.

Part 2 – Explanation of Provisions

The objectives and intended outcomes of the Planning Proposal will be achieved by amending Schedule 4 of LEP 2010, Classification and Reclassification of Public Land, in the following manner:

- To insert the locality and property description under Columns 1 and 2 of Part 1 (Land Classified, or reclassified, as operational land - no interests changed) as shown in Table 2 below:

Insert into Column 1 - Locality	Insert into Column 2 - Description
Chesham Street, St Marys	Lots 1, 2, and 3 of DP 542707

Table 2 - Proposed amendments to Schedule 4 of LEP 2010

The proposal does not involve any change to the existing zone and/or development standards that apply to the subject site. There are no interests in the land that Council is seeking to discharge. The Planning Proposal does not recommend any changes to the maps in LEP 2010.

Part 3 – Justification

This part of the Planning Proposal outlines the need for the proposed amendments to LEP 2010, the relationship with the strategic planning framework, the environmental, social, and economic impacts of the proposed changes, and State and Commonwealth interests.

Section A – Need for the Planning Proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

Yes. The Glossop Street Precinct Urban Design Study was prepared by consultants in 2008. The study aimed to provide a strategic framework for the redevelopment of the Glossop Street Precinct, St Marys with the aim of delivering greater housing choice and diversity. At the time of this study, the Chesham Street site was zoned 6(a) Public Recreation and Community Uses under Penrith Local Environmental Plan 1998 (Urban Land).

The study identified Chesham Street as a key site for redevelopment due to its proximity to St Marys station. The opportunity to provide public domain upgrades and pedestrian amenity by providing benches, street lights and street planting on this site was also recommended.

The Glossop Street Precinct Urban Design Study informed the Penrith Urban Strategy (developed by Hassell and Penrith City Council in 2008-2009). The Strategy recommended an increase in densities around the St Marys Town Centre, proposing the northern portion of the Glossop Street Precinct (including the Chesham Street site) be zoned for High Density Residential development.

The Strategy set a short-term action to develop planning controls that increase densities within nominated centres such as St Marys. Consequently, the Chesham Street site was identified as an appropriate location for high density development and zoned R4 High Density Residential under Penrith Local Environmental Plan 2010.

The intended use of the subject site was enacted in the Penrith Local Environmental Plan 2010 where the site was rezoned from 6 (a) Public Recreation and Community Uses to R4 High Density Residential.

The Planning Proposal to reclassify land at 11-13 Chesham Street, St Marys is a statutory process required to unlock the potential of the intended R4 zoning, as per the recommendations of the above strategic documents.

Further to the Glossop Street Precinct Urban Design Study and Penrith Urban Strategy, Penrith City Council's PDD have undertaken investigations into Council's community land assets to identify potential opportunities for growth in Council's Investment Portfolio and Property Reserve. Accordingly, the site has been identified as being suitable for consideration of future options in line with the current zoning.

The land is located less than 400m from St Marys Railway Station, bus interchange and town centre. It is located in a residential area that is transitioning from existing, older style, low density housing stock, to higher density townhouses and apartments.

The site is vacant, and has a consolidated area of 3920m². It contains a number of large trees along the rear boundary (adjoining the rail corridor), and in the centre of the site.

The land is not required for public recreation due to the proximity of other public recreation spaces within the locality.

The Planning Proposal does not involve the extinguishment of any interests in the land. There are no easements, covenants and/or restrictions affecting the land.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The site is currently classified as Community land, meaning that Council is not able to develop, sell, exchange, or dispose of community land under the provisions of the *Local Government Act 1993*. The reclassification sought as part of this proposal is the only means available to achieve the objectives and intended outcome of this Planning Proposal, and enable Council to consider opportunities for the future use of the land that reflect the current R4 High Density Residential zoning. It will allow for the effective management of Council assets.

Section B – Relationship to Strategic Planning Framework

Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Planning Proposal is consistent with the applicable plans and/or strategies as detailed below.

A Plan for Growing Sydney

In December 2014, the NSW Government released A Plan for Growing Sydney. The Plan provides a framework to guide land use planning over the next 20 years. It also contains key directions and actions to guide Sydney's productivity, liveability, and environmental management, which includes the delivery of housing, employment, infrastructure, and open space.

The Plan is built around four (4) key goals:

1. A competitive economy with world class services and transport;
2. A city of housing choice with homes that meet our needs and lifestyle;
3. A great place to live with communities that are strong, healthy, and well connected; and
4. A sustainable and resilient city that protects the natural environment, and has a balanced approach to the use of land and resources.

The Planning Proposal would allow for the reclassification of the site, and enable Council to consider future land use options that reflect the current R4 High Density Residential zoning of the land, including the highest and best use.

In this regard, Goal 2 is relevant to the Planning Proposal, as future potential development outcomes are likely to include residential development options that will provide housing choice to meet the needs of the community.

The Plan's focus is on providing more housing, with a greater choice of dwelling types in well serviced locations. Relevant directions include:

- Direction 2.1: Accelerate housing supply across Sydney; and
- Direction 2.2: Accelerate urban renewal across Sydney - providing homes closer to jobs.

The Planning Proposal aligns with the aforementioned directions, and would support the provision of additional housing supply in an area that is well serviced by public transport.

Greater Sydney Region Plan – A Metropolis of Three Cities

In March 2018, the Greater Sydney Commission published the *Greater Sydney Region Plan – A Metropolis of Three Cities*. The Plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters, and, guides the delivery of infrastructure. The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

The Planning Proposal is consistent with the Greater Sydney Region Plan. Relevant directions have been considered below.

- **A city for people**

The Plan provides strategies to deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities.

Consistent. The site is currently vacant, *R4 High Density Residential* zoned land, close to the St Marys town centre and within walking distance to public transport. The Planning Proposal will allow the potential of this underutilised site in close proximity to services and infrastructure to be explored by Council. Reclassification will allow Council to consider opportunities for the future use of the land that may include redevelopment. A high density residential development on the site will prioritise opportunities for more people to live close to and use public transport.

- **Housing the city**

The Plan advocates for ongoing housing supply and a range of housing types in the right locations to create more liveable neighbourhoods and support Greater Sydney's growing population. The Plan advocates for housing that is diverse and affordable. Communities require housing that meets changing demographic needs over time. Limited availability of smaller dwellings to meet the growing proportion of smaller households presents affordability challenges.

Consistent. The Planning Proposal will allow the site to be reclassified to Operational Land and allow Council to consider opportunities that may include redevelopment. Redevelopment of the site will contribute to housing supply and local housing choices within an established locality, in close proximity to public transport and local centres. The Planning Proposal will allow the delivery of high density residential dwellings in a desirable location.

The Plan seeks to increase housing supply, along with the percentage of dwellings located within 30 minutes by public transport of a metropolitan city centre/cluster, and/or a strategic centre. The plan identifies St Marys as a strategic centre, and the Planning Proposal supports the delivery of additional housing supply in a walkable, mixed use area.

Investigation into a new Greater Penrith to St Marys Priority Growth Area is nominated within the Plan. The corridor is a hub of economic activity that links the Penrith City Centre, and the Penrith Health and Education Precinct, to the development opportunities around St Marys.

A Greater Penrith to St Marys corridor growth area would provide for an integration of land use and transport planning to plan for a connected, vibrant Western Parkland City, with more homes, jobs, and services, all with open space opportunities. It will guide redevelopment opportunities, and identify the infrastructure required to support continued growth.

Western City District Plan

In March 2018, the Greater Sydney Commission published the *Western City District Plan* (WCDP). It is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The WCDP informs the assessment of Planning Proposals and provides the link between regional and local planning.

The Planning Proposal is consistent with the Western City District Plan.

A brief description of the relevant actions and the reasons why the proposal is consistent with these actions is provided below.

- A city for people

Planning Priority W4 Fostering healthy, creative, culturally rich and socially connected communities.

Action 11. Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by prioritising opportunities for people to walk, cycle and use public transport.

Consistent. The Planning Proposal seeks to reclassify the land that will allow development options to be considered. The site is zoned R4 High Density Residential. Development of this type will result in high density residential development in close proximity to existing rail infrastructure, creating opportunities for people to use public transport.

- Housing the city

Planning Priority W5 Providing housing supply, choice and affordability, with access to jobs, services and public transport

Action 17. Prepare local or district housing strategies that address the following:

- a. the delivery of five-year housing supply targets for each local government area*
- b. the delivery of 6-10 year (when agreed) housing supply targets for each local government area*
- c. capacity to contribute to the longer term 20-year strategic housing target for the District*
- d. the housing strategy requirements outlined in Objective 10 of the 'A Metropolis of Three cities' that include:*

- i. creating capacity for more housing in the right locations*
- ii. supporting planning and delivery of growth areas and planned precincts as relevant to each local government area*
- iii. supporting investigation of opportunities for alignment with investment in regional and district infrastructure*
- iv. supporting the role of centres.*

Action 18. Prepare Affordable Rental Housing Target Schemes following development of implementation arrangements.

Consistent. The Planning Proposal seeks to reclassify the land to Operational. An Operational land classification will allow Council to consider opportunities to sell or develop the land. Development of the land will allow the potential of the site to be realised including the opportunity to increase residential densities directly next to a railway station and local centre. The reclassification would enable increased residential supply and the delivery of additional housing choice and diversity.

The proposed reclassification aligns with this objective, and will enable Council to consider the future redevelopment of the site which would support the provision of additional housing supply and choice, close to jobs and services. There are five (5) housing market demand areas in the Western City District, with St Marys identified in the North West.

Urban renewal is best investigated in key nodes along transit corridors. The commission proposes locational criteria for urban renewal investigation opportunities and proposes to declare the Greater Penrith to St Marys corridor as a growth area.

- A city of great places

Planning Priority W6 Creating and renewing great places and local centres, and respecting the District's heritage

The District Plan identifies a range of specific matters for consideration in place- based planning for centres. They include increased residential development in, or within a walkable distance of the centre. This is considered to be an important part of a 30-Minute City, which is an aspiration of the Plan.

The 30-Minute City aspiration will guide decision making on locations for transport, housing, jobs, tertiary education, hospitals, and other amenities. The accessibility of local centres with

supermarkets greater than 1,000m² is depicted in Figures 13 of the District Plan. St Marys is identified as a local centre with an 800m walking catchment.

Q4. Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?

Yes, the Planning Proposal is consistent with the following Council strategic planning framework.

Council's strategic planning framework consists of the following documents:

- Community Plan;
- Community Engagement Strategy;
- Delivery Program and Operational Plan;
- Resourcing Strategy;
- City Strategy; and
- Other - Cooling the City Strategy.

The document of most relevance to this Planning Proposal is the Community Plan, which identifies the community's long term aspirations for Penrith City, with outcomes and strategies to achieve this.

A relevant outcome identified within the plan is Outcome 2 - Planning for future growth. Strategy 2.1 seeks to facilitate development in the City that considers the current and future needs of the community.

The Planning Proposal is consistent with the Community Plan, and aligns with the intended outcomes and strategies to accommodate future growth and facilitate development to meet the needs of the community. The proposed reclassification will support this outcome.

The Penrith City Strategy seeks to help build a sustainable future for the Penrith community. It does this by summarising the key issues facing the LGA over the next 10-20 years, and outlining how Council will respond. The issues and policy responses in the Penrith City Strategy inform the Community Plan and Council's 4-year Delivery Program.

Notably, the proposal will assist in achieving the delivery of Council's policy response for housing which seeks to plan for housing that meets the community needs with regards to supply, choice, design quality, sustainability and affordability. This policy response aligns with the current R4 High Density zone applying to the site.

Council's strategic planning framework, including the Community Plan, Delivery Program and Operational Plan, outlines how revenue is raised and how funds are used. Table 3 below outlines this strategic framework and details the relevant components of these documents that demonstrates how Council will achieve this.

Outcome	We have confidence in our council	Community Plan 2017 - Outcome 7
Strategy	Manage our money and our assets to be sustainable now and into the future	Community Plan 2017 - Strategy 7.2
Service Activity	Manage Council's property portfolio to reduce reliance on rate income	Delivery Program Activity 7.2.4

Table 3 - Council strategic framework for revenue raising and use of funds

In 2015, Penrith City Council was one of seven (7) metropolitan Councils deemed 'Fit for the Future' by the Independent Pricing and Regulatory Tribunal (IPART). This assessment was

based on a set of criteria around sustainability, effective infrastructure and service management, efficiency, and scale and capacity.

In order to meet the criteria, set by IPART in 5 years, Council has committed to a number of strategies to deliver ongoing productivity improvements. One of these strategies is to grow our own source revenue through growth of the property portfolio and property reserve holdings.

Should the site be divested or developed in future, all proceedings will be retained in the property reserve. Growth in the property reserve is an initiative to be less dependent on rate income, building financial strength that is not a burden on the community.

Council's long term financial plan is to pay an annual dividend out of the property reserve into general revenue to be used on operational activities and key community projects. Council's long term financial plan indicates payment of a \$1.8M dividend from the property reserve into general revenue by FY21/22.

In summary, the proposal has strategic merit. It is consistent with the strategic planning framework that applies to the site. The proposal has site specific merit, and there is sufficient infrastructure and services in place to enable the site to be developed in the future.

The site is currently zoned R4 High Density Residential under LEP 2010, as shown in Figure 3. Residential flat buildings are permitted in the zone.

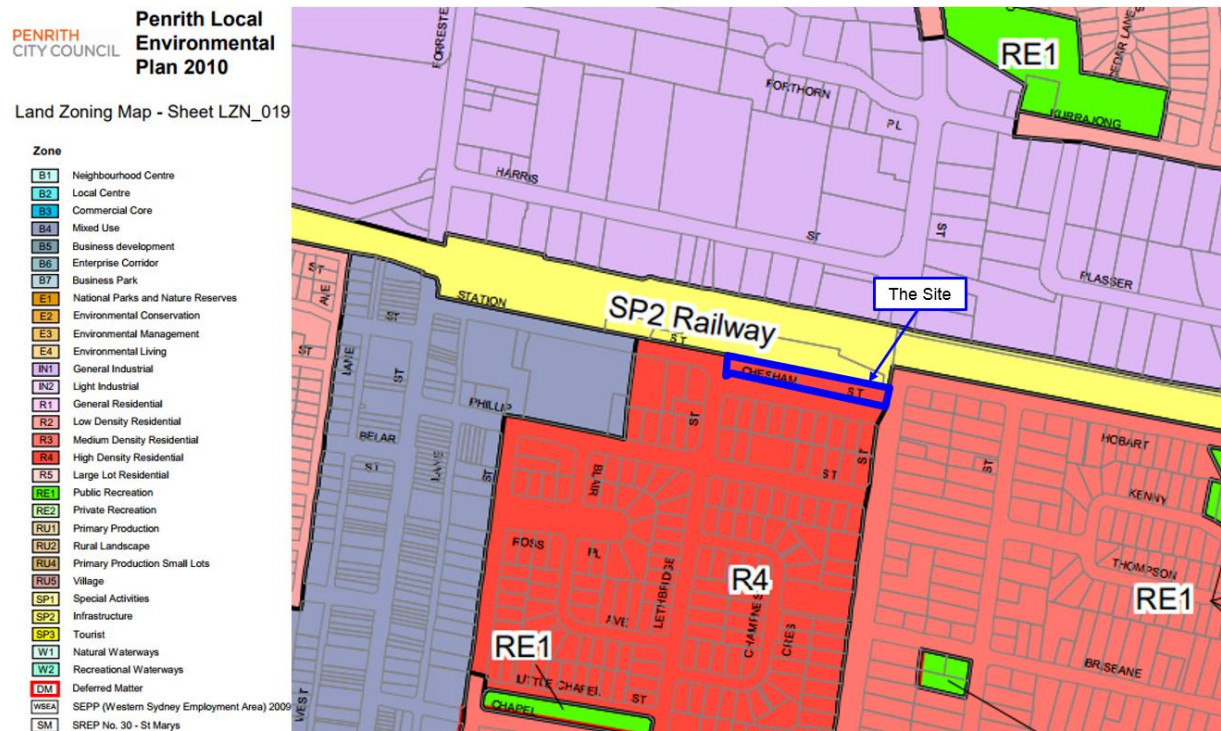


Figure 3 – Extract from PLEP 2010 Land Zoning Map

The site has a maximum building height requirement of 15m, as shown in Figure 4 below.

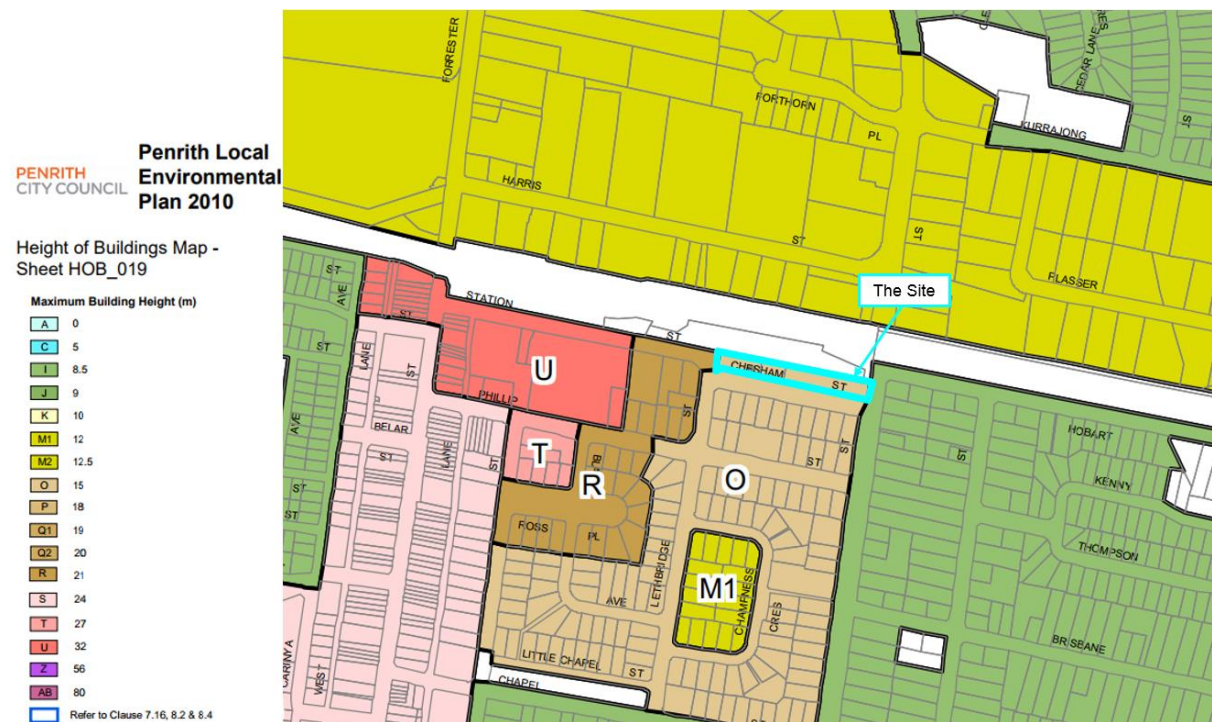


Figure 4 – Extract from PLEP 2010 Height of Buildings Map

There is no minimum lot size requirement applicable to the site. Furthermore, there is no maximum Floor Space Ratio (FSR) requirement that applies to the land.

The site is located in proximity to St Marys Railway Station, which is listed as a heritage item in both Schedule 5 of LEP 2010, and also on the State Heritage Register.

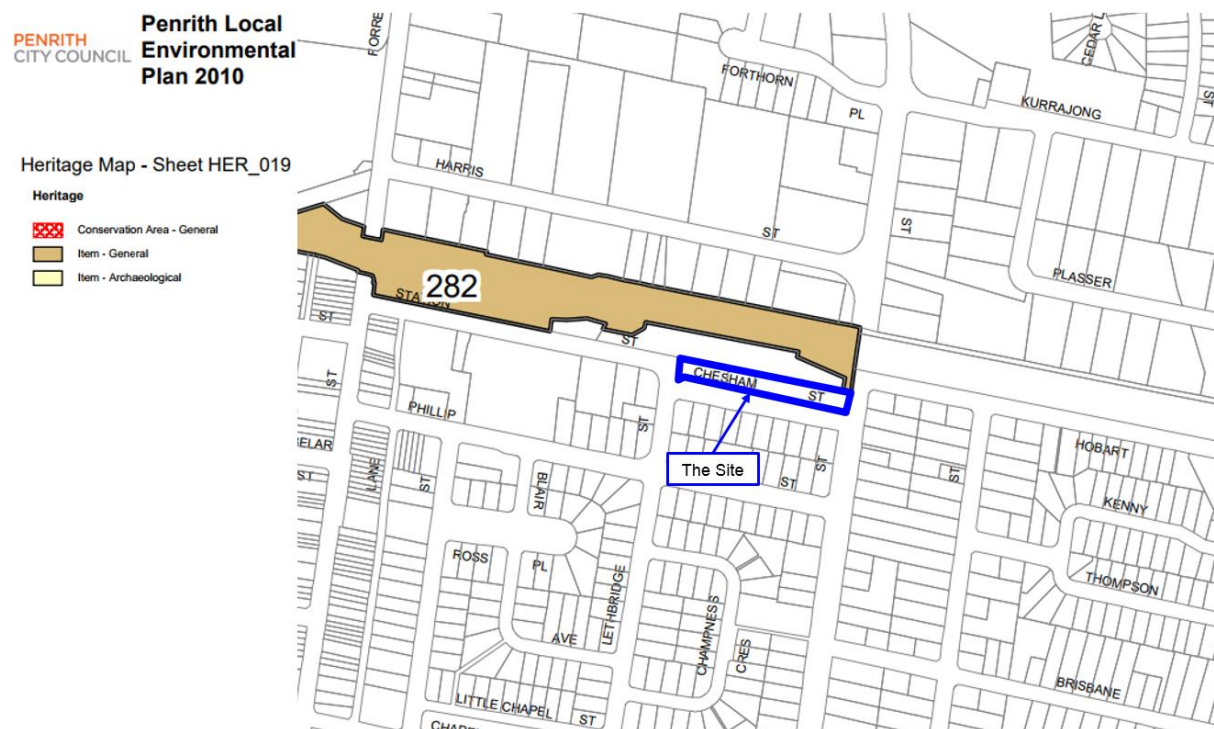


Figure 5 – Extract from LEP 2010 Heritage Map

The site adjoins land with Scenic and Landscape Values, as shown in Figure 6 below.



Figure 6 – Extract from LEP 2010 Scenic and Landscape Values Map

The Planning Proposal does not seek to vary any of the existing controls outlined above.

Penrith Development Control Plan (PDCP) 2014

PDCP 2014 applies to the area proposed to be amended by this Planning Proposal. Some of the changes proposed are intended to provide consistency between the PDCP 2014 and LEP 2010 planning controls.

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs), as demonstrated in the table provided at **Appendix 12**.

Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The Planning Proposal is consistent with the applicable Ministerial Directions (issued under Section 9.1 of the *Environmental Planning and Assessment (EP&A) Act 1979*), as demonstrated in the table provided at **Appendix 13**.

Section C – Environmental, Social and Economic Impacts

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats.

In addition, this Planning Proposal does not recommend changing the application or intent of the provisions in Penrith LEP 2010 that require new development to identify and manage its environmental impacts, such as the preservation of trees and vegetation and the management of stormwater. These provisions will continue to apply to the Land.

Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The proposed reclassification does not result in any direct environmental impacts. It will, however, enable development of the land in accordance the current R4 High Density Residential zoning. Any environmental impacts likely to arise as a result of any future development proposal will be assessed as part of the Development Application (DA) process.

This Planning Proposal does not seek to amend any of the provisions in LEP 2010 that require new development to identify and manage its environmental impacts, such as the preservation of trees and vegetation, as well as the management of stormwater. These provisions will continue to apply to the subject land.

The site is located within one (1) of the five (5) areas already identified as a priority for heat migration. Council's Cooling the City Strategy was developed to respond to the issue of heat with an adopted goal to "increase green cover, shade and landscaping to 'cool down' Penrith". As such, any future development proposal will need to demonstrate consistency with the abovementioned strategy.

Any future redevelopment undertaken in line with the current zoning will need to incorporate measures to address the impacts of urban heat (i.e. include reflective surfaces, porous pavements, Water Sensitive Urban Design, open/green space, etc.).

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

The reclassification has the potential to have positive social and economic benefits for the community, in that it enables Council to consider the potential future development of land for uses consistent with the R4 High Density Residential zoning under LEP 2010 (i.e. opportunity for additional housing supply to meet the needs of the community close to services and transport).

Development enabled by this Planning Proposal may assist in the delivery of residential accommodation (likely the highest and best use), contributing to the provision of diverse housing stock to cater to a range of demographic needs. The proposal has the potential to provide new housing, closer to jobs and transport, improving the prospect of reducing commute times, with consequent social benefits.

The Planning Proposal provides an opportunity for Council to consider the redevelopment of an underutilised site, integrating permissible land uses to improve economic and social vitality of the area, and strengthen the economic performance of the St Marys town centre. The Planning Proposal will unlock the development potential of the site, and enable Council to consider the provision of not only high quality housing stock, but open space and public domain improvements. In doing so, the Planning Proposal presents opportunities for local employment and provision of services. As such, the Planning Proposal, and resultant development opportunity created, aligns with Council's strategic direction to utilise Council's property portfolio to stimulate growth and development opportunities within the Penrith LGA.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the Planning Proposal?

The proposed reclassification allows Council to consider the redevelopment of the site, which may result in a minor increase in demand for services in an existing urban area.

Council has commissioned GTA consultants to undertake a preliminary traffic and parking assessment based on a concept R4 development outcome. Refer to **Appendix 14** Traffic Impact Assessment.

The report indicates there is adequate capacity in the surrounding road network to cater for the traffic generated by a R4 development proposal, including the intersection of Glossop Street/Phillip Street, which provides the main connection to the surrounding arterial network. The report highlights the site is well serviced by public transport networks including rail and several bus routes. Pedestrian and cyclist infrastructure provide a good level of connectivity to the surrounding area.

It is recommended to provide site access from the south of the site via Chesham Street. This is likely to result in the loss of some existing on-street parking spaces on the northern side of Chesham Street to accommodate the driveway. Chesham Street is a low traffic volume, local street with a cul-de-sac at its eastern end and a carriageway width of approximately 7.5 metres. If emergency and waste vehicles are unable to turn right out of any future development due to vehicles being parked on the southern kerbside of Chesham Street and the existing narrow carriageway, the cul-de-sac may potentially be used by the larger vehicles to perform a U-turn movement to access Lethbridge Street. Access, including required vehicle turning paths will be addressed at detailed design stage to minimise the impact on existing on street parking and to meet the requirements of Council Planning Controls. Pedestrian activity around the proposed access will also be addressed. Council may consider road upgrades if required, at detailed design stage.

Further, public infrastructure requirements associated with any future development on the land would be assessed in detail as part of any development application(s) submitted for the site.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with State and Commonwealth agencies will be undertaken in accordance with Part 5 of this Planning Proposal.

Part 4 – Mapping

This Planning Proposal does not recommend any changes to the maps in LEP 2010. Copies of the current LEP 2010 maps are provided at **Appendix 15**. Alternatively, the maps can be viewed online on the NSW Legislation website: www.legislation.nsw.gov.au.

Part 5 – Community Consultation

It is recommended that this Planning Proposal be publicly exhibited for a minimum of 28 days in accordance with the Gateway Determination (Appendix 16) and the Department of Planning and Environment's (DP&E's) A Guide to Preparing Local Environmental Plans, and Practice Note PN16-001.

Exhibition material will be available at Penrith Council Civic Centre, Penrith Library, Council's St Marys Office, St Marys Library, and on Council's community engagement website, yoursaypenrith.com.au

Notice of the public exhibition will be given in the local newspaper, and on Council's website. Notification will also be provided by a letter to land owners and occupiers of adjoining and affected properties.

The Gateway Determination does not require consultation with public authorities/organisations.

An independently chaired public hearing will be held (as required under the *Local Government Act 1993*) approximately three (3) weeks after the close of the public exhibition. Notice of the public hearing will be given in local papers and on Council's website. Notification letters will also be sent to any person or organisation who makes a submission in response to the public exhibition.

Condition 2 of the Gateway determination states that no consultation is required with public authorities / organisation under the Act.

Part 6 – Project Timeline

Key steps in the plan making process are outlined in the project timeline, as shown in Table 4 below.

Milestone	Timeframe
Council's sponsor of the Planning Proposal	June 2018
Submission to NSW Planning and Environment	June 2018
Gateway Determination issued	July - August 2018
Public hearing (21 days public notice), public exhibition (28 days) and public authority consultation	September – October 2018
Consideration of submissions	November 2018
Reporting of the Planning Proposal to Council	November - December 2018
Submission to NSW Planning and Environment	December 2018 - February 2019
Publication of LEP amendment	February - March 2019

Table 4 - Project timeline

The project timeline will be assessed by the DP&E and may be amended by the Gateway to provide the necessary level of confidence that the LEP will be finalised within a reasonable time.