Department of Planning, Housing and Infrastructure

Our ref: Penrith Stadium Refurbishment (SSD-68292713)

Mr Tom Kennedy
Director
GTK Consulting
c/- Infrastructure NSW
Level 27, 201 Kent Street
Sydney NSW 2000

27 June 2024

Subject: Response to Submissions

Dear Mr Kennedy

The exhibition of the development application and environmental impact statement (EIS) for the Penrith Stadium Refurbishment (SSD-68292713) ended on 25 June 2024.

We have placed all submissions on the NSW Planning Portal at https://www.planningportal.nsw.gov.au/major-projects/projects/penrith-stadium-refurbishment-0.

The Department now requires a written response to issues raised in the submissions, as required under section 59(2) of the Environmental Planning and Assessment Regulation 2021.

The written response must be in the form of a submissions report that has been prepared having regard to the *State Significant Development Guidelines including Appendix C - Preparing a Submissions Report*.

We also require a response to the issues raised by agencies in their advice. This response should be incorporated into the submissions report. Please note the Department is awaiting a response from Crown Lands, which will be sent as separate correspondence upon receipt.

In addition to the submissions received, the Department has undertaken a preliminary assessment of the EIS and requires the matters at **Attachment 1** to be addressed in full.

Please lodge your submissions report by **31 July 2024** via the NSW Planning Portal https://majorprojects.planningportal.nsw.gov.au/.

Note that the time between the date of this letter and the date the Planning Secretary receives your response is not included in the 'assessment period' under section 94(1) of the Environmental Planning and Assessment Regulation 2021.

If you have any questions, please contact Nathan Stringer, on (02) 9995 5531 or via email at nathan.stringer@planning.nsw.gov.au.

Yours sincerely

David Gibson
Team Leader
Social Infrastructure

as delegate for the Planning Secretary

ATTACHMENT 1 – KEY ISSUES / FURTHER INFORMATION REQUIRED

Traffic and transport

The Transport Impact Assessment (TIA) concludes that the construction and operational impacts of the proposed development are negligible. However, the Department considers these conclusions have not been adequately substantiated due to several shortfalls in the assessment methodology used, including:

- reliance on secondary data sources and comparison to current operations which have not been assessed.
- exclusion of traffic volumes on surrounding roads.
- assessment of public transport capacity.
- absence of parking occupancy surveys and analysis.
- limited crash data analysis.
- speculative mode shift assumptions.
- lack of trip distribution analysis.
- absence of traffic modelling to assess appropriate base and proposed development scenarios.

As such, the deficiencies below are to be addressed:

1. The TIA relies on secondary data sources (i.e. Mulgoa Road Upgrade traffic modelling) to inform the traffic impact assessment, and the does not consider the traffic volumes of other roads within the assessment area. Conduct a traffic survey at all relevant roads and intersections to inform the assessment of current operations (base case) and development scenarios (proposed case) including opening year, appropriate design horizon year and during event operations. SCATS data on signalised intersections must also be provided.
2. Undertake appropriate traffic modelling (i.e. SIDRA modelling) to assess both construction and operation impacts, which must:
    a) account for the 30,000 stadium capacity for concert events (worst case scenario).
    b) include rideshare, taxi and drop-off activities.
    c) include an assessment of cumulative impacts from other ongoing or planned developments.
    d) include the impact of construction-related traffic during peak periods on road network performance.
3. Conduct parking surveys to evaluate utilisation rates and demonstrate if parking supply can service proposed parking demand.

4. Detail the current parking arrangements with Venus NSW and Penrith Panthers and demonstrate formalised agreements for the proposed development. Develop a clear coordination plan and specify the agreement's expiry date.
5. Calculated trip generation as outlined in the TIA does not appear to adhere to relevant guidelines, and a trip distribution analysis was not undertaken. Undertake an updated trip generation and distribution analysis following the TfNSW Guide to Traffic Generating Development and TfNSW Modelling Guidelines.
6. The TIA lacks detailed information on train and bus service frequency and available capacity to support stadium operations. Provide additional information on public transport services, including frequency and capacity to support event operations.
7. The mode shift assumptions away from car travel outlined in the TIA are speculative, and are not demonstrated to be achievable based on current assumptions. Explore the use of shuttles, integrated ticketing and micro-mobility solutions (and other measures) and coordinate with services providers to achieve targets transport modal shift for both game and concert events.
8. The crash data analysis including in the TIA is limited to pedestrian crashes, and excludes broader traffic safety issues. Expand the crash analysis to include all types of crashes including vehicles, cyclists and public transport.
9. Clarify the timing of the Mulgoa Road upgrade and assess any cumulative impacts.
10. Should certainty of Mulgoa Road upgrade completion prior to full operation of stadium not be demonstrated, you must provide details of mitigations measures to manage reduced road network capacity.

Built form

11. Provide amended architectural drawings and/or Design Report (where relevant) to:
    a) confirm the proposed Gross Floor Area (GFA).
    b) ensure all drawings contain a scale bar, and correct existing scale bars on AD-02-0000, AD-02-0200, AD-02-0300, AD-02-0400, AD-02-0500 and AD-02-0600.
    c) clearly indicate the height of the proposed buildings on all section and elevation drawings, including the food and beverage kiosks positioned in the eastern plaza and presented as separate buildings, and indicate the Reduced Levels (RLs) at roof levels.
    d) indicate the height of the proposed light towers.
    e) indicate the existing and proposed ground level on the section drawings.

f) indicate the section cutting line of drawing AD-03-0002 on the plan drawings.

g) provide long sections cutting through the site along the north-south axis through the playing field, and the west and east stands.

h) include a material, colour and finishes schedule and reference the intended materials on the architectural drawings.

i) provide street elevations along the site's street frontages facing Mulgoa Road, Ransley Street and Station Street, and include:

   i. details of the proposed substation against the Ransley Street boundary, including its dimensions, material, colour and finishes.

   ii. details of the proposed fencing, turnstiles or entry gates, and any other permanent structures against all site boundaries.

j) provide the indicative size and location of the on-site detention (OSD) tank and treatment chamber on the plan, as proposed in Appendix DD Integrated Water Management Report.

k) clearly indicate the fencing boundaries, arrival spaces and entry gates during event days and non-event days on the overall site plans.

l) clarify if any of the food trucks along the Station Street frontage are permanent structures, noting that the Landscape plan indicates the two kiosks along this frontage.

12. Provide additional perspective rendering images of the proposed development. All views are to be clear, taken from an eye-level perspective from the footpaths opposite the site, and accurately represent existing and proposed buildings (particularly the rear of the proposed stands) and vegetation. Indicative locations of the views on a site plan are also to be provided.

Signage

13. Numerous types of signage are proposed across the site:

a) if approval is sought for the detailed signage, provide further details regarding each of the proposed signage, including the dimensions, locations, materials, finishes, and any illumination and operating hours of signs (if applicable).

b) if approval is sought for signage zones only, indicate the dimension and location of the zones on the architectural drawings.

c) update the signage assessment against the State Environmental Planning Policy (Industry and Employment) 2021 if necessary.

Circulation

14. Provide an egress diagram in the design report, to better demonstrate how the stands work for egress.
15. The Department holds concern that the location of the proposed stairs from the Concourse level of the western stand may generate congestion points as users from lower and upper levels converge at these two points. Further substantiate the number of egress points (stairs) from the Concourse level of the western stand, noting that the testing of a third centrally located stair would significantly increase certainty of generous egress from this level.
16. Providing weather protection at the rear of the western stand would improve the user experience in public areas. Protection for the length of the stand (between the two entry/egress stairs) would significantly improve the comfort for groups moving between entries/exit points, therefore making the user experience equitable with the eastern stand.
17. Provide evidence to demonstrate that the waiting spaces adjacent to lifts would be sufficiently generous for large groups (i.e. waiting and disembarking from lifts).
18. Provide evidence to demonstrate that the development would not result in a 'pinch point' between Station Street and the southern corner of the eastern stand. If not, consideration should be given to the reconfiguration of ground floor amenity spaces.

Flood report

19. Flood modelling and mapping used to inform the EIS has been superseded by the Draft Peach Tree and Lower Surveyors Creek Floodplain Risk Management Study & Plan (FRMS&P) 2024. Update the flood study to show the mapping provided in the FRMS&P for local catchment events. Contact Penrith City Council to access this mapping.
20. The change in rainfall intensity between the 1, 0.5 and 0.2 per cent Annual Exceedance Probability (AEP) flood events must be estimated based on data from the ARR Data Hub, both for local overland flow flooding and broader mainstream flooding. The updated report must confirm that the modelled 0.2 and 0.5 per cent events are reasonable proxy events for the sensitivity testing of future climate change scenarios. In this case, the assessment need only consider climate change impacts up to the end of the design life of the facility, however the assessment should assess the consequences of adopting one of these proxy events as the bases for flood planning level at the site, noting that climate change should not be considered as managed by the 0.5m freeboard applied in deriving the flood planning level.

21. With regard to managing a flood emergency, it is unclear whether there remains capacity on the roads out of the precinct to the nearest evacuation centre in accordance with the SES Regional Flood Plan and Council's Local Flood Plan and/or whether evacuation may need to be staggered to minimise congestion. Lead times should be based on the fastest rates of rise possible during a PMF event, which may be significantly faster than the 0.2 per cent AEP event, contrary to what is stated in the flood report (page 13).
22. Should the grandstands be used for shelter in place as a backup emergency management strategy, it is essential to demonstrate that structural design considers the forces that will act on the structures during a PMF event, while at 30,000 capacity.

Landscape and tree management

23. Table 4 the EIS (key project details) advises 11 trees are proposed for removal – clarify, noting that tree management plan demonstrates 12 trees are to be removed.
24. Provide revised landscape plans to demonstrate the proposed substation on the plan.

Noise

25. Section 5.2.2 of the Noise and Vibration Impact Assessment (NVIA) advises that crowd noise emissions are discussed as part of the sporting event noise assessment in Section 4.2. However, the report does not model or predict crowd noise levels for concerts (30,000 capacity). Provide details of the predicted crowd noise levels for the 30,000 capacity event.

Amenity

26. Demonstrate that consideration has been given to the potential impact of the eastern stand on the development potential of the site at 164 Station Street, particularly in terms of amenity impacts.

Associated uses

27. The Design Report states that the open spaces around the stadium would allow for the extension of uses from inside the stadium out into the park, including for festivals and markets. Confirm if consent is sought for such uses to be held separately from / in addition to sporting and concert events (i.e. non-event day). If so, provide management details (including an assessment of acoustic and traffic impacts).

Social Impact Assessment

28. Update SIA to demonstrate evidence of engagement (and result of engagement) with the landowners of 164 Station Street to the east of the site.

Outdoor lighting

29. Confirm the operation of the proposed light towers and new video board comply with the relevant Australian Standards for sport lighting.

Mitigation Measures

30. Any new or updated mitigation measures relied upon for managing construction or operation impacts must be incorporated and detailed into an updated mitigations table attached to the RtS in accordance with the State Significant Development Guidelines.