Submissions and Amendment Report

Penrith Stadium Refurbishment

143 Station Street, Penrith

Submitted to the Department of Planning, Housing and Infrastructure on behalf of Infrastructure NSW

SSD-68292713

Ethos Urban

Prepared by Ethos Urban

8 August 2024 | 2220108

'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.

'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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Version No.	**Date of issue**	**Prepared by**	**Approved by**
Final	08/08/2024	MC/EC	MO

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Executive Summary

This Submissions and Amendment Report has been prepared by Ethos Urban on behalf of Infrastructure NSW (the Applicant) to address the matters raised during the public exhibition of the State Significant Development Application for the Penrith Stadium Refurbishment (SSD-68292713) located at 143 Station Street, Penrith.

The State Significant Development Application was publicly exhibited by the NSW Department of Planning, Housing and Infrastructure from 29 May 2024 until 25 June 2024, with the subsequent request for a response to submissions issued by DPHI on 27 June 2024. The SSDA, as exhibited, sought approval for site preparation, demolition of West and East Stands and construction of new stands, refurbished and new stadium entries, revisions to the existing western field, subdivision and lot consolidation, continued recreation use and new concert use.

Overview of Submissions

In relation to the public exhibition of the SSDA, a total of 17 submissions were received. These included submissions made by ten government agencies and organisations, while seven submissions were received from members of the public. In addition, the Department of Planning, Housing and Infrastructure issued a Response to Submissions request letter outlining matters to be addressed in the response.

Specifically, submissions were received from the following agencies:

- Penrith City Council;
- Crown Lands;
- NSW State Emergency Service;
- Fire and Rescue;
- Endeavour Energy;
- Transport for NSW;
- Department of Climate Change, Energy, the Environment and Water (Biodiversity Science and Conservation Group);
- NSW Environment Protection Authority;
- Sydney Water; and
- Heritage NSW.

The submissions related to a range of issues that included, but are not limited to:

- Design Matters;
- Construction;
- Public Domain and Landscaping;
- Community Engagement;
- Traffic, Parking, Access and Transport; and
- Flooding and Emergency Management.

Project Amendments

Minor amendments to the project have been made with respect to the architectural, landscape and public domain design, and the removal of subdivision from the proposed development. The main design changes relate to amendments to the reduced bulk and scale of the East Stand, the increased capacity of the West Stand and design changes to the roof design. The proposed design changes made in response to submissions and as a result of further detailed design development are minor, and will not result in any substantive changes to the project, or any increases in environmental impacts, from those previously assessed and found to be acceptable in the EIS.

Further Assessment and Mitigation Measures

Further assessment of the amended proposed development has been undertaken by the expert project team as required. Revised and addendum technical studies have been prepared where required to respond to matters raised in submissions and/or provide further assessment taking into account the proposed changes to the exhibited project. Where required, this assessment has informed updates to the project Mitigation Measures.

Conclusion

This Submissions and Amendment Report outlines the design changes and amendments that have been made following exhibition of the Environmental Impact Statement and in response to the submissions received. The design amendments are minor in nature and do not give rise to any additional environmental impacts. The amended development remains consistent with the objectives of the exhibited development and is consistent with the project justification, including suitability of the site and the public interest.

1.0 Introduction

This Submissions and Amendment Report has been prepared by Ethos Urban on behalf of Infrastructure NSW (INSW) (the Applicant) to address the matters raised in during the public exhibition of the State Significant Development Application (SSDA) for Penrith Stadium Refurbishment (SSD-68292713) located at 143 Station Street, Penrith.

The SSDA was lodged with the Department of Planning, Housing and Infrastructure (DPHI) and was publicly exhibited for 28 days from 29 May 2024 until 25 June 2024. A subsequent request for a response to submissions was issued on 27 June 2024 by DPHI. A total of 10 submissions were received from government agencies and organisations, while 7 submissions were received from members of the public.

This Submissions and Amendment Report provides an analysis of submissions, actions taken since Public Exhibition, the Applicant's response to submissions and provides an updated justification of the proposed development. It is accompanied by supporting information and technical reports (refer to the Table of Contents).

This Submissions and Amendment Report, as required under section 59(2) of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), has been prepared in accordance with the DPHI's *State Significant Development Guidelines,* including *Appendix C – Preparing a Submissions Report* and *Appendix D-Preparing and Amendment Report*.

1.1 Exhibited Development

The SSDA, as exhibited, sought approval for the design, construction and operation of the refurbishment of Penrith Stadium at 143 Station Street, Penrith. Specifically, the exhibited development sought consent for the following:

- Continued use of the site for recreation facility (major) as well as proposed use for concerts and community events.
- Site preparation works, including site services and infrastructure works, earthworks and the erection of site protection hoardings and fencing.
- Demolition of the existing West and East Stands, merchandise shed, existing video board, venue control box, accessible ramps and disabled seating, and the existing batter, access ramps and stairs to the East Stand.
- Construction of a new West Stand including improved:
  - Player facilities catering for both male and female sporting teams.
  - Amenities for spectators.
  - Food and beverage provision.
  - Grandstand seating.
- Construction of a new East Stand, including:
  - Amenities for spectators.
  - Food and beverage provision.
  - Grandstand seating.
- Refurbished and new stadium entries along the northern and western boundaries.
- Improvements to the northern and southern hills, including regrading of grassed areas to improve access and circulation.
- Revisions to the existing western training field to create:
  - A dedicated player warm-up space.
  - An activation hub at the western entry to the stadium.
  - Additional car parking.
- Subdivision of part Lot 2 DP 1147219 and consolidation with Lot 1 DP 1147219.

2.0 Analysis of Submissions

This section analyses the submissions received by providing a breakdown of the type of submissions received and identifies the issues raised.

2.1 Breakdown of Submissions

In relation to the public exhibition of the SSDA, a total of 17 submissions were received which included submissions made by relevant government agencies, organisations and members from the public. A breakdown of the government agency submissions received is provided in **Table 1** below.

Table 1 Summary of Submissions Received

Submissions Received	Position
Penrith City Council	Comments for consideration.
DPHI – Crown Lands	Comments for consideration.
Department of Climate Change, Energy and the Environment and Water – Biodiversity Science and Conservation (BSC) Group	Comments for consideration.
Heritage NSW	Comments for consideration.
Fire and Rescue	Comments provided, no additional information required.
NSW Environment Protection Authority (EPA)	Comments for consideration.
NSW State Emergency Service (SES)	Comments for consideration.
Transport for NSW (TfNSW)	Comments for consideration.
Sydney Water	Comments for consideration.
Endeavour Energy	Comments for consideration.

Of the 7 public submissions received, 1 partially supported the proposed development, 4 objected and 3 provided comments.

2.2 Categorisation of Issues

A categorical summary of the issues raised in the submissions received is provided in **Table 2** below.

Table 2 Summary of Raised Issues

Category	Issue	Stakeholder
The Project	**Design Matters:** • Built Form design and architectural drawings • Built form stadium seating and design • Detailed signage plans and assessment • Detailed fit-out plans for food premises and if there are any food trucks • Accessibility to stands and public domain • Circulation of the development including egress • Light tower and video board compliance	• DPHI • Penrith City Council • Public submissions: Ward Stubbs, Bruce Giles, Ian Walker, Tomasy Planning on behalf of SHMH, Marie Davies

Category	Issue	Stakeholder
	Hazards, Risks and Contamination: • Hazardous materials should be removed prior to general demolition • Pre-demolition hazardous materials surveys are required • Provide a Detailed Site Investigation • Disturbance of acid sulfate soils • Fire Risk for the site • Flood Risk for the site	• Penrith City Council • EPA • Fire and Rescue • DPHI • NSW SES • Department of Climate Change, Energy and the Environment and Water
	Subdivision: • Subdivision should occur post construction • Maintenance responsibilities	• Penrith City Council
	Public Domain/Landscaping: • Accessibility to public domain spaces • Activation of the public domain during the week and weekend • Identify emergency access arrangements • Planting strategy and canopy cover • Update landscaping documentation • Incorporate public art • Timing of the public domain including the 'boundary strategy' • Tree management in the public domain	• Penrith City Council
Procedural matters	**Community Engagement:** • Ongoing engagement is required • Communication and Engagement Plan	• Penrith City Council • Public submissions: Tomasy Planning on behalf of SHMH
	Associated Uses: • If consent is sought for uses outside of the stadium but within the public domain • Maintenance responsibilities	• DPHI • Penrith City Council
	Regulatory Authority: • The NSW Environment Protection Authority (EPA) is to be the appropriate regulatory authority during construction	• EPA
	Crown Land: • Authority to use, traverse, access or building infrastructure on Crown land is required under the Crown Management Act 2016	• DPHI – Crown Lands
	Mitigation Measures • Ensure mitigation measures are updated in accordance with the SSD Guidelines	• DPHI
Economic, environmental and social impacts	**Amenity:** • Impact of the East Stand on 164 Station Street • Impact on surrounding private properties • Overshadowing impact on 164 Station Street • Stormwater Management	• DPHI • Public submissions: Name Withheld (Penrith, NSW), Tomasy Planning on behalf of SHMH
	Biodiversity: • Clarifying tree removal • Tree management plan • Tree protection plan • No further biodiversity assessment is required	• Penrith City Council • DPHI • Department of Climate Change, Energy and the Environment and Water

Category	Issue	Stakeholder
	Construction: • Traffic during construction • Construction noise • Mitigation measures for construction • Erosion and sediment controls during construction • Appropriate waste materials from construction are deposited appropriately • Air quality impacts must minimise generation and emission and must be documented during construction	• Public submissions: Name withheld, Tomasy Planning on behalf of SHMH • EPA
	Heritage: • Aboriginal archaeological test excavations should be undertaken • Clarification on staging and timing of the recommended test excavations • Justification required should test excavations be proposed post-approval • Update the ARD	• Heritage NSW
	Traffic, Parking, Access and Transport: • Traffic Impact Assessment (TIA) • Traffic modelling • Pedestrian management • Mulgoa Road Upgrade • Construction traffic • Event Traffic and Transport Management Plan • Prepare a Construction Pedestrian and Traffic Management Plan in consultation with TfNSW • Impact of traffic during construction	• DPHI • Penrith City Council • Transport for NSW • Public submissions: Paul Haynes, Name Withheld, Tomasy Planning on behalf of SHMH
	Social Impacts: • Update Social Impact Assessment (SIA) • Likely to be increased social impacts during the construction phase • Implement Communication and Engagement Plan • Refurbishment will have many positive social impacts	• DPHI • Penrith City Council
	Flooding and Emergency Management: • Flood modelling to be updated • Emergency flood planning and an Emergency Management Strategy • The development is unlikely to impact on the ability for the community to evacuate • Flood awareness during and post construction	• DPHI • NSW SES • Department of Climate Change, Energy and the Environment and Water
	Noise: • Update Noise and Vibration Impact Assessment for concert crowd noise • Construction noise assessment with the Interim Construction Noise Guidelines • Mitigation measures provided for noise and vibration impacts	• DPHI • EPA • Public submissions: Name Withheld (Penrith, NSW), Tomasy Planning on behalf of SHMH
	Safety: • The methods of crime prevention are supported	• Penrith City Council

Category	Issue	Stakeholder
	Sydney Water: • Sydney Water are still undergoing investigations • Connection to DN600 • Growth Data Form • DPHI is advised to defer the approval of the SSDA	• Sydney Water

3.0 Assessment undertaken since EIS

Since lodgement of the EIS, additional environmental assessment and stakeholder engagement has been undertaken as outlined throughout this section.

3.1 Community and Stakeholder Engagement

The Applicant is committed to ongoing community consultation through the project lifecycle. The approach to community engagement is informed by the DPHI's *Undertaking Engagement for State Significant Projects* (2024). The project team recognises the need to genuinely consider feedback received as part of the planning and design process.

Following lodgement of the SSDA, the following engagement activities have been carried out:

- Community Pop-up Stall: INSW delivered a community pop-up stall at Penrith Stadium during a NRL game on the 9th of June 2024.
- Project Phone Line and Email Address: A free call community enquiry project phone number and email address were available to stakeholders and the community throughout public exhibition (29th May to 25th June 2024) for feedback and enquiries.
- Email Direct Mailing: During the public exhibition period, two direct emails were issued by INSW. The first email was issued to 467 project subscribers on the 29th of May 2024 and the second to 493 project subscribers on the 19th of June 2024.
- Print and Digital Advertisements: An advertisement was placed in the print edition of the Western Weekender from 6-9 June 2024. A Digital advertising was placed in the Western Weekender website homepage from 2-9 June 2024.
- News Story: A news story was published on the project website which was shared with relevant media and key stakeholders.
- Project Website: The existing project-specific microsite was updated with information about the public exhibition.
- Project Factsheet: A fact sheet was prepared and distributed at pop-ups. The fact-sheet provided an overview of what was heard in the pre-lodgement phase, an overview of the project's key features, project renders and contact details.
- Social Media: INSW posted on its LinkedIn page about the public exhibition and the opportunity to make a submission.
- Key Stakeholder Communications: INSW advised representatives from Penrith City Council, Venues NSW, Penrith Cricket Club and Penrith Panthers that the SSDA was on public exhibition. The applicant also met with representatives of the landowner of 164 Station Street, Penrith.

The Applicant will continue to consult with all relevant stakeholders through the final planning stages and during project delivery.

Consultation with landowner of 164 Station Street, Penrith

Since exhibition of the EIS, the Applicant has consulted directly with the owner of 164 Station Street (SHMH4 Pty Ltd). Representatives of Infrastructure NSW met with landowner's representatives on 10 July 2024 and again on 26 July 2024. During these meetings SHMH4's representatives outlined their key matters of interest in relation to the proposed development, and the Applicant outlined in further details the nature of the relationship between the existing and proposed stadium. Minutes of these meetings are provided at **Appendix G**. Matters raised in the SHMH4 submission are also addressed in **Section 5.0**, and further assessment of the impacts of the Penrith Stadium Refurbishment project on the residential amenity of any future residents of 164 Station Street site is outlined in **Section 6.6**.

3.2 Project Refinements

In response to matters raised in the submissions, and as a consequence of ongoing design development, the Applicant has refined the project for which consent is sought as described in **Section 4.0**.

3.3 Further Assessment

In response to matters raised in the submissions, and as a consequence of the project amendments described in **Section 4.0**, the Applicant has undertaken further environmental assessment of the project as outlined in **Sections 5.0** and **6.0**.

4.0 Description of Project Amendments

This section sets out the amendments made to the project since public exhibition of the EIS, which have been made as a result of ongoing design development and project refinement, and in response to matters raised in submissions.

4.1 Project Amendments Since Exhibition

Pursuant to section 36 of the *Environmental Planning and Assessment Regulation 2021*, an applicant may, at any time before a development application is determined, apply to the consent authority for an amendment to a development application. In order to respond to matters raised in this the submissions received, as well as a result of ongoing design development, a number of amendments to the project are proposed.

The proposed development no longer includes subdivision. The proposed development seeks consent for associated uses which include concerts and sports events and does not include festivals or markets.

The proposed modifications to the development are described below in **Table 3.** These modifications are explained in more detail in the Architectural Design Report prepared by Populous (**Appendix D**). Design changes are illustrated on the Architectural Drawings at **Appendix E**.

Table 3 Summary of Design Changes

Design Change	Explanation
East Stand Amendments	
Bulk, scale and height of east stand has reduced.	The bulk, scale and height of the East Stand is proposed to be reduced on the eastern portion of the site. The height of the East Stand is to be reduced by approximately 1.41m and the roof will be consolidated to reduce the bulk and scale of the Stand. Additionally, the overall capacity will be reduced in the East Stand to approximately 8,800 seats, from 9,000 in the exhibited EIS. This will have the effect of reducing shadowing of the neighbouring site of 164 Station Street. Additionally, the East Stand has been designed with consideration of the height alignment with the West Stand to ensure cohesion across the site.
East stand roof design.	The roof design of the East Stand will be rationalised and simplified, which will ultimately reduce the bulk and scale of the design. The roof design is elegant and simple which uses a cantilevered truss structure that intends to maximises structural efficiency. This will additionally align with budget. The design allows for a sleek and contemporary design that has a self-supporting designed roof. The roof design has been designed to accommodate the capacity of local markets and industries through local procurement and manufacturing.
Raking columns removed from east stand.	The raking columns are to be removed from the East Stand to provide a more simple and vertical under croft. This will reduce the bulk and scale of the built form of the East Stand and will allow for a more seamless and simple design.
East stand capacity and footprint reduced by approximately 5m and by approximately 200 seats	By reducing the capacity of the East Stand to 8,800 seats (from 9,000 seats) and decreasing the height by 1.41m, the bulk and scale of the stand will reduce overshadowing impacts on the neighbouring 164 Station Street site. The footprint of the East Stand is also reduced, with an increased setback from Station Street in some areas of up to approximately 5 metres further to the west.
East pods consolidated from five to three.	The design has been amended to reflect the reduction in retail pods from 5 to 3. These retail spaces will service the Food and Beverages (F&B) requirements of the East Stand. The retail pods will continue to adequately service the patrons in the East Stand as the 5 smaller pods have been consolidated to 3 larger pods.
East stand upper tier pushed closer to the field of play.	The steeper upper tier of the East Stand will improve spectator experience by achieving the project's ambition of providing proximity and connection to the field of play. This is achieved through steeper stands that have better sightlines and contribute to the atmosphere on game day. Additionally, the East Stand has been designed with consideration of the height alignment with the West Stand to ensure cohesion across the site.
East stand pods redesigned	Redesigned with greater articulation including roof scoops to conceal services., creating a more seamless design.

Design Change	Explanation
West Stand Amendments	
West stand roof design	The design has been rationalised and simplified. The roof design is elegant and simple using a cantilevered truss structure that intends to maximises structural efficiency. The roof has been designed to accommodate the capacity of local markets and industries through local procurement and manufacturing.
West stand footprint and capacity increased by approximately 2.5m and 400 seats.	The West Stand is marginally increased in size in order to offset seats lost in the reduced East Stand. The West Stand's capacity will increase from 7,000 from the exhibited EIS to 7,400 seats, achieved through design refinements including extending the footprint of the West Stand by approximately 2.5m to the west.
West stand roof integrated with main stadium roof	This now becomes the weatherproof line.
Food and Beverage (F&B) removed	The F&B is removed from the south of the West Stand Level 00 and a slight uplift provided in the southern end of the East Stand to accommodate this shortfall. This will ensure adequate F&B continues to service the proposed development.
Grounds and maintenance incorporated into West Stand Level 00.	The grounds and maintenance shed was previously located separately in the southeast corner with clear access to the field of play. The design now includes the grounds and maintenance facilities within the West Stand on the field of play Level 00.
Lift strategy amended	The lift strategy was amended to improve redundancy.
Player's area redesigned on Level 00	The player's area has been redesigned based on feedback from the Operator and Penrith Panthers which allows for gender neutral amenities and facilities to enable NRLW events and encourage women's sport. The location of the player's area ensures that the players can easily access these spaces which have direct access to the plaza.
West Stand Level 01 redesigned	The West Stand Level 01 has been redesigned to maintain view of the field of play from the concourse. The Level 01 West Stand provides F&B amenities to serve approximately 5,100 patrons in the lower west tier. The design allows for the patrons to maintain the view of the field of play to maintain the atmosphere on the concourse and connect fans to the game.
Level 03 lounges replaced with more suites following operator feedback.	The two lounges (with capacity to hold 230 patrons each) have been replaced with suites as a result of operator feedback. This will result in a total of 34 suites or corporate boxes, with the ability for the central suites to be combined into a larger super suite.
Void added to Level 03 slab	A void has been added to the design of the Level 03 slab to improve volume in lounge pre-function space.
Level 04 planning consolidated	Planning consolidation has occurred to bring more plant off west roof stand which includes pumps and hot water pumps and energy plant to provide a sleeker roof on the West Stand.
Façade screens developed	The proposed amendments to the façade design incorporate Connecting with Country co-design inputs. This was developed during the Walk on Country which identified river and waterways as a symbol of place for the community. Therefore, symbols of water have been utilised within the design, as well as connection to the sky and the earth.
Precinct Amendments	
Turnstile building locations amended.	Amended to move off easements and enable better queue zones and continuation of required egress widths. North-east ticket queue zone has also increased from 400 to 600m^2.
Light towers relocated back to the back of hills.	The light towers have been relocated to their original position at the back of the hills as this will reduce the impact on the hills in terms of wear and tear and quality of soil and landscaping.
Kids zone relocated.	The kids zone has been relocated to be outside of the path of egress and away from the road corridor. This will allow for improved safety within the kids zone as well as improving the egress movements within the site to improve accessibility.

Design Change	Explanation
East Stand southern access route design developed.	The southern access route connecting to the East Stand has been developed to provide better access from Mulgoa Road and the Panthers Club. The south-western pathway will better connect the southern entry to the West Stand and provide a tree avenue that provides shade along the pathway.
North-west secure line amended.	The secure line along the north-west of the site has been amended to enable access to the lobby of the West Stand from both within and outside of the fence line.
Seating area provided on eastern face of east stand pods.	Generous seating areas are provided along the eastern face of the East Stand pods to provide accessibility.
Other project amendments	
Subdivision	Subdivision is no longer proposed as part of this DA.

4.2 Revised Proposal Overview

The proposal seek consent under Division 4.7 of the EP&A Act for the continued use and refurbishment of Penrith Stadium for site preparation works, construction of a new West and East Stand, refurbished and new stand entries and revision to the existing western training field.

As a consequence of the project changes outlined in **Section 4.1**, the key project information has been updated as outlined in **Table 4**.

Table 4 Key Project Information

Component	Submitted Project	Proposed Amendments
Project Summary	Refurbishment of Penrith Stadium	No change
Project Address	143 Station Street, Penrith NSW	No change
Proposed Use	Recreational Facility (Major)	No change
Physical Layout and Design	West and East Stands that are approximately 30m in height. They are situated on the eastern portion of the site which surrounds the Penrith Stadium field of play. The stands will include seating, amenities and facilities to service the stadium including food and drink premises.	No change
Site Preparation Activities	Demolition works	Demolition of south and north video board and demolish fit out of toilets on northern boundary
Maximum Height	East Stand: 29.36m West Stand: 30.51m	East Stand: 27.95m West Stand: 30.15m
Stadium Capacity	Approximately 25,500 (plus an additional 5,000 standing during concert mode)	No change
Car parking	40 parking spaces	40 parking spaces – temporary event day parking only
Tree Removal	12 trees	No change
Proposed Tree Planting	182 trees	No change
Landscaped Area	59% of the site area	58.3% of the site area
Deep Soil Area	36.5% of the site area	55.8% of the site area
Jobs	Construction: 460-500 jobs Game Day (operating): 600-650 jobs	No change

Component	Submitted Project	Proposed Amendments
Operational Hours	Sporting events: 8am-11pm Concerts: 10am-11pm Concert rehearsals: 10am-10pm Concert sound checks: 10am-10pm Other outdoor events with sound amplification: 10am-8pm Organised temporary activities on event days in public domain at the site: 8am-11pm	No change
Construction Hours	Monday-Friday: 7am-6pm Saturday: 8am-1pm Sunday and Public Holidays: No works	No change
Subdivision	Subdivision of Lot 2 in DP 1147219 and the consolidation with Lot 1 in DP 1147219.	Subdivision no longer forms part of this application

4.3 Updated Mitigation Measures

As a consequence of the project amendments described in **Section 4.1**, the matters raised in submissions discussed at **Section 5.0**, and the further environmental assessment outlined in **Section 6.0**, the Mitigation Measures for the project have been reviewed and updated. The updated Mitigation Measures are outlined in **Appendix B**.

4.4 Revised Project Description

This Submissions and Amendment Report proposes the following revised Project Description. The change includes the removal of the subdivision from the application (shown in bold, strike-through). No other changes are proposed to the Project Description as a result of this Submissions and Amendment Report.

- Continued use of the site for recreation facility (major) as well as proposed use for concerts and community events.
- Site preparation works, including site services and infrastructure works, earthworks and the erection of site protection hoardings and fencing.
- Demolition of the existing West and East Stands, merchandise shed, existing video board, venue control box, accessible ramps and disabled seating, and the existing batter, access ramps and stairs to the East Stand.
- Construction of a new West Stand including improved:
  - Player facilities catering for both male and female sporting teams.
  - Amenities for spectators.
  - Food and beverage provision.
  - Grandstand seating.
- Construction of a new East Stand, including:
  - Amenities for spectators.
  - Food and beverage provision.
  - Grandstand seating.
- Refurbished and new stadium entries along the northern and western boundaries.
- Improvements to the northern and southern hills, including regrading of grassed areas to improve access and circulation.
- Revisions to the existing western training field to create:
  - A dedicated player warm-up space.
  - An activation hub at the western entry to the stadium.
  - Additional car parking.

~~**Subdivision of part Lot 2 DP 1147219 and consolidation with Lot 1 DP 1147219.**~~

5.0 Response to Submissions

This section provides a detailed summary of the Applicant's response to the matters raised in submissions received. For ease of navigation and to reduce repetition, this section also addresses matters upon which DPHI have requested further information or clarification. The Applicant's responses are provided in the following sections and have been structured as follows:

- The Project:
  - Design Matters (**Table 5**).
  - Hazards, Risks and Contamination (**Table 5**).
  - Construction (**Table 5**).
  - Subdivision (**Table 5**.
  - Public Domain/Landscaping (**Table 5**).
- Procedural Matters:
  - Community Engagement (**Table 6**).
  - Associated Users (**Table 6**).
  - Regulatory Authority (**Table 6**).
  - Crown Land (**Table 6**).
- Economic, Environmental and Social Impacts:
  - Amenity (**Table 7**).
  - Biodiversity (**Table 7**).
  - Heritage (**Table 7**).
  - Traffic, Parking, Access and Transport (**Table 7**).
  - Social Impacts (**Table 7**).
  - Flooding and Emergency Management (**Table 7**).
  - Noise (**Table 7**).
  - Safety (**Table 7**).
  - Sydney Water (**Table 7**).
  - Electricity (**Table 7**).

A response to the public submissions has been summarised and provided at **Table 8**.

5.1 The Project

Table 5 Response to issues related to the Project

Issue	Relevant Submission/ Stakeholder	Response
Design Matters		
Provide amended architectural drawings and/or Design Report (where relevant) to: • confirm the proposed Gross Floor Area (GFA). • 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. • 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. • indicate the height of the proposed light towers. • indicate the existing and proposed ground level on the section drawings. • indicate the section cutting line of drawing AD-03-0002 on the plan drawings. • provide long sections cutting through the site along the north-south axis through the playing field, and the west and east stands. • include a material, colour and finishes schedule and reference the intended materials on the architectural drawings. • provide street elevations along the site's street frontages facing Mulgoa Road, Ransley Street and Station Street, and include: - details of the proposed substation against the Ransley Street boundary, including its dimensions, material, colour and finishes. - details of the proposed fencing, turnstiles or entry gates, and any other permanent structures against all site boundaries. • 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. • clearly indicate the fencing boundaries, arrival spaces and entry gates during event days and non-event days on the overall site plans. 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.	DPHI	• Gross floor area is included at Section 8 of amended Design Report at **Appendix D** to this Submissions and Amendment Report. • Refer to amended Architectural Drawings at **Appendix E** to this Responses to Submissions. • Height of buildings included within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report. • Height of proposed light towers is included on drawing AD-03-0101 within amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report. • Ground level (proposed and existing) is included on plan AD-03-0002 within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report. • Section cutting line included on drawing AD-03-0002 within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report. • Long sections included as drawing AD-03-0101 provided within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report. • Materials and finishes codes are referenced on amended Architectural Drawings at **Appendix E**, with the materials schedule included at section 8 of the amended Design Report at **Appendix D** to this Submissions and Amendment Report. • Elevations including substation, fencing and turnstiles provided at AD-03-0200 within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report. • OSD included on plan AD-02-000 within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report. • Fencing demarcating the areas accessible on event day and non-event day are included in the revised Landscape Drawings at **Appendix H** to this Submissions and Amendment Report. • Kiosk locations are for food trucks only which will be temporary. No permanent structures/ food trucks will be located in these areas.

Issue	Relevant Submission/ Stakeholder	Response
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.	DPHI	Additional perspective renders are provided within Section 10 of the Amended Architectural Design Report at **Appendix D** to this Submissions and Amendment Report.
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).	DPHI	No approval is sought for signage except for signage zones on the building. Signage zones are included on Drawings AD-03-0101 and AD-03-01003 within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report
If approval is sought for signage zones only, indicate the dimension and location of the zones on the architectural drawings.	DPHI	Signage zones are included on Drawings AD-03-0101 and AD-03-01003 within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report.
Update the signage assessment against the State Environmental Planning Policy (Industry and Employment) 2021 if necessary.	DPHI	No signage is sought beyond the signage identified above. No update to the signage assessment against the State Environmental Planning Policy (Industry and Employment) 2021 is required.
Provide an egress diagram in the design report, to better demonstrate how the stands work for egress.	DPHI	Diagrams outlining egress of the stands are included at Section 8 of the amended Design Report at **Appendix D** to this Submissions and Amendment Report.
The Department holds concern that the location of the proposed stairs from the Concourse level of the West 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 West Stand, noting that the testing of a third centrally located stair would significantly increase certainty of generous egress from this level.	DPHI	Diagrams outlining egress paths and travel times as well as confirmation of appropriate egress provision from the building certifier is included at Section 8 and Appendix A of the amended Design Report at **Appendix D** to this Submissions and Amendment Report.
Providing weather protection at the rear of the West 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 East Stand.	DPHI	The provision of weather protection surrounding the stadium is the same as other stadia redevelopments recently undertaken including CommBank Stadium at Parramatta and Allianz Stadium at Moore Park. Weather protection is provided following entry past the turnstiles rather than prior to entry. There is no distinction between weather protection afforded to the eastern and West Stands. Ticketing is undertaken at either the south-west, north-west or north-east corner and weather protection is only provided once the visitor enters the concourse level. The concourse level forms the main circulation path around the stadium from which visitors will navigate to their seat.

Issue	Relevant Submission/ Stakeholder	Response
		Given the nature of Penrith Stadium with two stands separated by open air hills, the provision of weather protection along the external façade of the West Stand is not considered to offer any significant amenity benefit to visitors compared to the provision of the concourses.
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).	DPHI	Evidence of waiting space sufficiency is provided at Section 8 of the amended Architectural Design Report at **Appendix D** to this Submissions and Amendment Report.
Provide evidence to demonstrate that the development would not result in a 'pinch point' between Station Street and the southern corner of the East Stand. If not, consideration should be given to the reconfiguration of ground floor amenity spaces.	DPHI	The amenities in the southeast corner of the East Stand are located on Level 1 (not Ground) and are accessible by the concourse. The path between the building and the fence line is located on ground level. The main points of access to fenced (ticketed) areas of the stadium are located in the south-west, north-west and north-east corners. From these entry points visitors will traverse to the seats, most likely through the concourse level. As such the demand for patrons needed entering the stadium through either the south west or north east gate and travelling to their seat via the external ground floor area is limited. Considering the amenities face inwards to the concourse and are not at the same level as the ground level path, no conflict or pinch point is considered to be present in this location.
Confirm the operation of the proposed light towers and new video board comply with the relevant Australian Standards for sport lighting.	DPHI	There are no Australian Standard in respect to the **operation** of lighting towers or video boards. The **design** of sport lighting will be compliant with AS2560.2:2021 – Sports Lighting, Part 2: Specific Applications, AS4282:2003 Control of the obtrusive effects of outdoor lighting and broadcaster requirements.
While the 'boundary strategy' on the eastern urban edge of the site as discussed on page 35 of Architectural Design Report) is supported, the rationale for the timeline for its implementation (i.e. once residential development at 164 Station Street is realised) to encourage earlier activation of this edge, ideally at the completion of the proposed development.	Penrith City Council	At present there are low volumes of pedestrians along Station Street and the vacant land at 164 Station Street results in low levels of overall activation and passive surveillance. Until such time as a greater worker/ residential population is within proximity of the eastern boundary to the stadium, to provide ongoing passive surveillance of this area, any opening of this fence line is expected to give rise to management issues and potential spaces for anti-social behaviour outside of event days.

Issue	Relevant Submission/ Stakeholder	Response
Detailed fit-out plans for the food and beverage outlets, kitchens/bars and food trucks proposed to operate at the venue are to be provided to assess compliance with the Food Safety Standards and AS 4674-2004 – _Construction and Fit-Out of Food Premises.	Penrith City Council	• As outlined in the EIS, the application does not seek approval for the fit out of any food and beverage outlets. • The fit out of kitchens will be developed during detailed design and plans demonstrating compliance with relevant standards will be provided at this stage. • The operator of the stadium will ensure that any food trucks operating at the venue comply with necessary standards and legislation.
Public Domain and Landscaping		
Council supports the objectives and design principles of the proposed development to deliver a multi-use venue that promotes universal accessibility and safety, activates the precinct (not only on event days but throughout the week) and improves the public domain on and around the site, including improved connections to all three street frontages, additional recreation spaces and retention and expansion of native tree plantings.	Penrith City Council	Noted.
The expansion of uses for the redeveloped stadium, including additional sporting fixtures, concerts, community and cultural events and non-event day activities, is strongly supported subject to appropriate event management, protocols and procedures. This is consistent with one of the objectives of Council's Interim Centres Strategy to expand cultural, community and tourism offerings in the Penrith City Centre.	Penrith City Council	Noted.
While the 'boundary strategy' on the eastern urban edge of the site as discussed on page 35 of Architectural Design Report) is supported, the rationale for the timeline for its implementation (i.e. once residential development at 164 Station Street is realised) to encourage earlier activation of this edge, ideally at the completion of the proposed development.	Penrith City Council	At present there are low volumes of pedestrians along Station Street and the vacant land at 164 Station Street results in low levels of overall activation and passive surveillance. Until such time as a greater worker/ residential population is within proximity of the eastern boundary to the stadium, to provide ongoing passive surveillance of this area, any opening of this fence line is expected to give rise to management issues and potential spaces for anti-social behaviour outside of event days.
The retention and expansion of native plantings is supported to connect and increase tree canopy, to bring cooling and amenity benefits and to 'frame the field with a green backdrop.' This is consistent with actions in Council's Interim Centres Strategy and Green Grid Strategy to increase shade in open spaces and the public domain. The expansion of native plantings along Ransley Street and Station Street and along the site's southern boundary is also consistent with actions to provide green and cool active transport connections to key destinations such as Penrith Stadium.	Penrith City Council	Noted.

Issue	Relevant Submission/ Stakeholder	Response
Provide revised landscape plans to demonstrate the proposed substation on the plan.	DPHI	Refer to revised Landscape Drawings at **Appendix E** to this Submissions and Amendment Report.
Urban markers – needs to acknowledge Station Street as an entry to the CBD from the south and an opportunity to mark the southern stadium corner. Urban markers should be integrated with, and extend to, pedestrian wayfinding.	Penrith City Council	• Urban markers are intended to denote the key features of the site as opposed to the surrounding context. This device is utilised on the built form to denote public entry points. • A preliminary wayfinding and signage plan is included within the amended Design Report at **Appendix D** to this Submissions and Amendment Report. This plan denotes potential signage that will assist pedestrian wayfinding to and from the site.
North-eastern entry precinct – shaded character to match entry from the south-west, retaining and protecting existing significant trees.	Penrith City Council	Significant existing trees are retained in the north east corner. These trees provide significant shade, which will be maintained by the proposal. In addition further planting within this area, repositioning of the turnstiles will allow significantly larger shaded gathering points compared to the existing situation.
Circulation/connectivity with surrounding public domain is unclear. Pedestrian access from the south (street parking) and cycle access is not addressed. Disability access and cycle access is not shown.	Penrith City Council	• Access to and from the stadium and access surrounding and within the stadium is outlined in the amended Landscape Report at **Appendix I** to this Submissions and Amendment Report. • Disability access to the stadium is demonstrated at Section 5.3 of the amended Landscape Report at **Appendix I** to this Submissions and Amendment Report. • Cycle access to the stadium is detailed at Section 5.4 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
Streetscape address and visual impact is not acknowledged, including impacts to public domain of built form bulk and scale, back of house, lack of activation, public art and screening potential, signage and advertising and temporary parking areas.	Penrith City Council	• The streetscape address and visual impact has been adequately detailed in documentation accompanying the EIS, including the Visual Impact Assessment (Appendix R), Landscape Report (Appendix I), Landscape Drawings (Appendix H), Architectural Design Report (Appendix G), Architectural Drawings (Appendix B). • Updated details regarding the design of the project is provided within the amended documents as part of this Submissions and Amendment Report, including revised Landscape Report (**Appendix I**), revised Landscape Drawings (**Appendix H**), revised Architectural Design Report (**Appendix D**) and revised Architectural Drawings (**Appendix E**). • The additional overlay of dedicated public artwork is not considered warranted for this project.

Issue	Relevant Submission/ Stakeholder	Response
Accessible parking and drop-off may not be compliant. Pedestrian access is not shown from parking spaces.	Penrith City Council	• There is no visitor parking provided on site. Provision of disabled parking on site for officials/ staff will be managed by the Operator through a pre-booked system. The formalised car parking within the site has been removed, however designed to permit event-day parking, through a permeable paved surface (deco gravel) that can be utilised by community outside of event days (e.g. children learning to ride bikes, informal ball sports). • Disabled drop off is provided in Ransley Street that will be achieved through revisions of the footpath in this location, including widening of the paved footpath. The design will be developed in consultation with Council and a mitigation measure has been included to this effect (**Appendix B**).
It is unclear what the purpose of the 'deep soil under pave' calculation represents and whether it indicates that porous paving or perhaps tree pits will be installed in these locations. Either of these treatments are not recommended within the TPZ of existing trees due to the impacts/root damage caused to existing trees. Where existing hardstand exists, it could be replaced with a new surface provided that soil compaction is not required and construction techniques do not impact existing tree roots.	Penrith City Council	• All works within tree protection zones of existing trees will be undertaken in accordance with methodologies outlined in the Arboricultural Impact Assessment at Appendix W to the EIS. These works will be supervised by the project arborist. • The design has been revised to increase the amount of permeable paving across the site- refer to the revised Landscape Report at **Appendix I** to this Response to Submissions.
Emergency access arrangements need to be detailed. If there is no proposed access, access from Mulgoa Road at the north-western corner should be removed and replaced with planting.	Penrith City Council	• Appropriate emergency access has been provided. Refer to Section 3.4 of the amended Transport Impact Assessment at **Appendix J** to his Submissions and Amendment Report. • The pathway south of the sewer pumping station has been reduced in width and is intended to accommodate pedestrians only. This pathway is considered necessary as it follows a strong desire line for access to and from the stadium to the signalised crossing at Mulgoa Road and Ransley Street.
Green and blue infrastructure strategies need to be explained.	Penrith City Council	This has been addressed at Section 5.5 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
Shared use pavement areas are to be demonstrated in both event and non-event modes.	Penrith City Council	Vehicular access within the site on event days is managed as follows: • Outside Broadcast vehicles will enter the site and set up on the morning of an event. These vehicles will not leave the site until after event visitors have left the site. • Any service or provisioning vehicles will enter and leave the site on the morning of an event.

Issue	Relevant Submission/ Stakeholder	Response
		• Only officials and staff (maximum of 40 vehicles) will be permitted parking on site during an event and access and egress for these vehicles will be managed by the Operator. • Team busses will arrive prior to an event and traverse a dedicated loop to drop off players adjacent to a fan zone. This access and egress will be managed by the Operator. Outside of event days only small numbers of service vehicles will be entering the site. The design has been modified to remove parking within the site outside of event days following consultation with Council. Refer to the amended Landscape Report at **Appendix I** and the amended Landscape Drawings at **Appendix E** to this Submissions and Amendment Report.
In terms of safety, the location of the kid zone located adjacent to the north-eastern entry requires review.	Penrith City Council	The kids zone is a continuation of a current use that has operated successfully at the existing stadium. The revised design outlined in the amended Landscape Drawings at **Appendix H** to this Submissions and Amendment Report relocates the kids zone to the eastern edge, removing it from pedestrian paths of travel. Further the kids zone is within the ticketed area of the stadium, which is fully fenced from surrounding areas/ roads.
The proposal is unclear regarding the eastern edge and access to facilities. Activation of this part of the site may not be viable if amenity is not delivered.	Penrith City Council	At present there are low volumes of pedestrians along Station Street and the vacant land at 164 Station Street results in low levels of overall activation and passive surveillance. Until such time as a greater worker/ residential population is within proximity of the eastern boundary to the stadium, any opening of this fence line is expected to give rise to management issues and potential spaces for anti-social behaviour outside of event days.
Excessive hardscape areas and lack of softscape to support existing canopy trees.	Penrith City Council	• The proposed hardscape areas have been reduced by 2% (or approximately 1,000m^2). Refer to Section 5.17 of the revised Landscape Report at **Appendix I** and Landscape Plans at **Appendix H** to this Submissions and Amendment Report. • Works within existing tree canopies will be undertaken in accordance with methodologies outlined in the Arboricultural Impact Assessment included as Appendix W to the EIS.
Planting strategy – species should be climate resilient and appropriate (over endemic species). Large endemic trees are not supported unless within extensive softscape surrounds capable of supporting mature root zones. Exotics in the urban context are	Penrith City Council	• The planting palette proposed a majority of native and endemic species with exotic (deciduous) species forming key groves at main entries to the stadium.

Issue	Relevant Submission/ Stakeholder	Response
supported, where appropriate. There is a lack of detail regarding existing trees for removal (tree removal is not supported on the grounds of design).		• All works within tree protection zones will be undertaken in accordance with the methodologies outlined in the Arboricultural Impact Assessment that formed Appendix W to the EIS.
Provide metrics to demonstrate proposed canopy cover (there is a lack of new large canopy trees).	Penrith City Council	The methodology for tree canopy calculation is outlined in Section 5.15 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
Shade structures at the community space will support users until canopy cover is established. A diagram showing the extent of permeable areas would assist in understanding the viability of proposed canopy cover. Deep soil and permeability are interdependent and will inform canopy viability.	Penrith City Council	The planting strategy for the site includes tree planting of either 200L or 400L in size which is sufficiently mature to provide partial shading upon opening. Further the retention of the existing mature trees lining Mulgoa Road will mean there is sufficient shade for this area, particularly during the afternoon period.
Perimeter • Continuation of street trees and setback fences from boundaries (Ransley Street) for improved streetscape. • North-eastern corner – significant existing canopy trees will be compromised with extensive hardstand beneath.	Penrith City Council	• Additional street trees are proposed along the Ransley Street frontage - refer to amended Landscape Drawings at **Appendix H** to this Submissions and Amendment Report. • The design of hardstand areas at the north-eastern corner has been modified to permeable unit paving (refer to revised Landscape Drawings at **Appendix H** to this Submissions and Amendment Report). All works within tree protection zones will be undertaken in accordance with the methodologies outlined in the Arboricultural Impact Assessment that formed Appendix W to the EIS.
Station Street • East and west architectural facades should have equal design attention and merit. There appears to be lesser visual amenity for the streetscape and eastern built form seen from the public domain in Station Street. • Lighting design for pedestrian paths along the south of the stadium is to consider CPTED principles and the path is to be more generous.	Penrith City Council	• The West Stand includes back of house and front of house enclosed spaces that wrap the underside of the grandstand seating. These spaces require a façade. The East Stand does not include such built form but instead includes pod structures for food and beverage outlets and amenities beneath the grandstand structure. The inclusion of a façade treatment to the eastern grandstand would increase the cost and embodied carbon of the proposal for no useful purpose to the overall stadium design. Designs that expose the structure are typical of stadia such as Penrith Stadium and suitable precedents include CommBank and Queensland Country Bank Stadiums where the structure of the grandstand remains exposed where habitable space beneath this structure is not provided. • The lighting of the public pathways outside of the stadium fence line will be designed in accordance with AS1158.3.1:2020 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting - Performance and design requirements.

Issue	Relevant Submission/ Stakeholder	Response
Reduction in permeable surfaces is warranted. Excessive hardscape areas will contribute to heat and should be reduced in extent.	Penrith City Council	The proposed hardscape areas have been reduced by 2% (or approximately 1,000m^2). Refer to Section 5.17 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
Limited seating is provided. Seating should be inclusive and provide a minimum of 40% with backs and armrests as well as in-line seating opportunities for those in wheelchairs or with strollers.	Penrith City Council	Proposed street furniture is included at Section 5.11 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
There is a lack of information regarding the community space and kids zone in terms of function, materials, shade, etc.	Penrith City Council	• Further information regarding the function and materials of the community zone is provided at Section 5.14 of the amended Landscape Report at **Appendix I** to this Submissions and Amendment Report. • Shade for the community space will be provided by way of existing and new tree planting. • The kid zone will continue to operate as a family friendly space for children's play during events. Its use will be managed by the operator during event periods only. Further details regarding the ongoing operation of the kids zone within the stadium is included at Section 5.10 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
Locations of signage and advertising boards are not indicated. These will impact the public domain and nearby future residential uses.	Penrith City Council	There is no new advertising or signage proposed as part of the development. Existing signage that will be retained is included within the amended Architectural Drawings at **Appendix E** to this Submissions and Amendment Report.
The plant schedule suggests large trees, however mostly small trees are proposed on the plans. Larger trees will ameliorate the height, bulk and scale of the built form as well as provide better quality and more effective shade.	Penrith City Council	The planting schedule is included within the amended Landscape Plans at **Appendix H** to this Response to Submission (drawing LA-DA-2450). The planting schedule nominates the committed tree sizes that will be planted.
Council encourages the exploration of ways to incorporate public art into the design of the stadium, including ways to highlight connection to community. The use of a local artist is encouraged to deliver any public art.	Penrith City Council	• The project has undertaken an extensive Connecting with Country engagement process that has influenced the design- refer to section 5 of the amended Design Report at **Appendix D** to this Submissions and Amendment Report. • The additional overlay of a dedicated public artwork is not considered warranted for the project. • The Connecting with Country engagement has incorporated a Connecting with Country Façade on the buildings.
Hazards, Risk and Contamination		

Issue	Relevant Submission/ Stakeholder	Response
Hazardous materials have been identified in some of the site structures, although it is noted that not all structures and spaces have been accessed at this stage. Hazardous materials should be removed prior to general demolition works. Additional pre-demolition hazardous materials surveys are required for all structures to be demolished.	Penrith City Council	The Preliminary Construction Environmental Management Plan at Appendix FF to the EIS confirms that further hazardous materials surveys will be undertaken prior to construction. A mitigation to this effect has been included at within the updated Mitigation Measures at **Appendix B** to this Submissions and Amendment Report.
Site contamination must be assessed in accordance with the Consultants Reporting on Contaminated Land: Contaminated Land Guidelines (EPA 2020). If a Preliminary Site Investigation (PSI) identifies that a Detailed Site Investigation (DSI) or other further assessments are required, this additional information should be provided as part of the assessment.	NSW EPA	A Detailed Site Investigation (DSI) has been prepared and was provided at **Appendix L** to the EIS. An assessment of the DSI and contamination and remediation was provided at Section 6.10 of the EIS.
The risk of disturbing acid sulfate soils should be assessed in accordance with the Acid Sulfate Soil Manual (NSW Acid Sulfate Soil Management Advisory Committee 1998).	NSW EPA	A Detailed Site Investigation (DSI) has been prepared and was provided at **Appendix L** to the EIS. An assessment of the DSI and acid sulfate soils was provided at Section 6.11 of the EIS.
It is deemed that the proposal has limited scope and application in regard to special hazards or special problems of firefighting. FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation.	Fire and Rescue NSW	Noted.
While there is currently no requirement for a Fire Safety Study, FRNSW may recommend one be undertaken at a later stage should information be provided such that the development is deemed to pose special problems of firefighting or special hazards exist that require additional fire safety and management measures.	Fire and Rescue NSW	Noted.
Subdivision		
The proposed subdivision seeks in part to utilise the southern edge of an existing concrete path to define the boundary between proposed Lots 101 and 102. This path is required to be widened to accommodate the increase in pedestrian traffic and as such the plan of subdivision should be amended and finalised post construction of all civil works.	Penrith City Council	Subdivision no longer forms part of the application - refer to **Section 4.0** of this Submissions and Amendment Report.
A splay corner is to be dedicated as road reserve at the north-eastern corner of the site, being at the south-western corner of the intersection of Station Street and Ransley Street, to align with the existing site fencing.	Penrith City Council	The subdivision no longer forms part of the application- refer to **Section 4.0** of this Submissions and Amendment Report.

5.2 Procedural Matters

Table 6 Response to issues related to Procedural Matters

Issue	Relevant Submission/ Stakeholder	Response
Community Engagement		
The Consultation Summary Report outlines that consultation undertaken to date has included engagement with the local community, neighbours, key stakeholders and government authorities and agencies to present an overview of the proposed development and to gather feedback during the design of the proposal. Comments received from this consultation (stadium seating; queues and pedestrian flow; amenities; community and regional hub) have been addressed in the Environmental Impact Statement and SIA. Ongoing community engagement is required to ensure that risks to the community are minimised throughout both the construction and operation of the stadium.	Penrith City Council	Noted.
Regular and ongoing communication must be maintained with key stakeholders to notify of upcoming works and changes to access and amenity (e.g. signage to notify of noise, pollution and closures).	Penrith City Council	The development of a construction communication and engagement plan is included as a mitigation measure in Consolidated Mitigation Measures, Appendix D to the EIS.
Associated Uses		
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 I 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).	DPHI	The uses for which approval is sought is outlined at Section 4.0 of the Submissions and Amendment Report. This does not include festivals or markets, which would be the subject of separate assessment approval if these were to be proposed at a future time.
A plan showing proposed areas of maintenance responsibilities shall be provided for all open space and public domain areas, depicting areas that are to be maintained by Venues NSW and areas that are to be maintained by Council.	Penrith City Council	All areas within the DA site boundary will be the responsibility of Venues NSW in terms of maintenance and management.
Regulatory Authority		
Prior to the commencement of any works: • All permit applications and bonds required for the works must be submitted; • Traffic management plans are to be submitted and endorsed by Council; • Dilapidation surveys in relation to any Council assets adjoining the site are to be completed and submitted to Council. Repair of any damage caused to Council's assets will need to be completed by Council's contractors and will be charged to the proponent.	Penrith City Council	Noted, the Applicant raises no objections to conditions of consent in this regard.

Issue	Relevant Submission/ Stakeholder	Response
The information provided indicates that the proposal does not constitute a Scheduled Activity under Schedule 1 of the Protection of the Environment Operations Act 1997 (POEO Act) and therefore will not require an Environment Protection Licence (EPL) under the POEO Act. However, Section 6(2)(c) of the POEO Act states: "A local authority is the appropriate regulatory authority (ARA) for non-scheduled activities in its area, except in relation to … (c) activities carried on by the State or a public authority, whether at premises occupied by the State or a public authority or otherwise …". Infrastructure NSW, a public authority, is the applicant, therefore, the EPA would be the ARA during construction.	NSW EPA	Noted.
Crown Land		
The Department of Planning, Housing and Infrastructure – Crown Lands has reviewed the proposal. Crown Lands notes that Lots 1 and 2 DP 1147219 (Dedication 500420) is Crown land under the care, control and management of Penrith City Council. The proponent is encouraged to consult with Council and Crown Lands regarding the use of, or access to, this Crown land.	Department of Planning, Housing and Infrastructure-Crown Lands	Noted.
Authority to use, traverse, access or build infrastructure on Crown land is required under the *Crown Land Management Act 2016*. It is acknowledged that the proponent has previously been advised that work on Crown land cannot commence without a current tenure from the Department of Planning, Housing and Infrastructure – Crown Lands and Public Spaces authorising such work, irrespective of any development consent or approval given by other public authorities.		The Applicant has received Landowners Consent to the lodgement of this development application. All necessary approvals/ tenure will be sought from the relevant owner/ manager of the site prior to commencement of construction.
It is recommended that the proponent contact Crown Lands as early as possible to discuss and initiate the processes required to progress the proposed boundary subdivision and to authorise the use of, and access to Crown land.		The subdivision no longer forms part of the application - refer to **Section 4.0** of this Submissions and Amendment Report.
As part of the assessment process of any tenure over Crown land, Native Title will need to be considered as part of the process.		Noted
Mitigation Measures		
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.	DPHI	Noted. The updated mitigation measures table is provided at **Appendix B** to the RtS.

5.3 Economic, Environmental and Social Impacts

Table 7 Response to issues related to Economic, Environmental and Social Impacts

Issue	Relevant Submission/ Stakeholder	Response
Amenity		
Demonstrate that consideration has been given to the potential impact of the East Stand on the development potential of the site at 164 Station Street, particularly in terms of amenity impacts.	DPHI	See **Section 6.6** for further discussion on the impacts of the project on any future residential use of 164 Station Street.
Stormwater drainage for the site must be in accordance with the following: Penrith Development Control Plan 2014; Council's Stormwater Drainage Specification for Building Developments Policy; i) Council's Water Sensitive Urban Design Policy and Technical Guidelines. ii) Council's Stormwater Drainage Specification for Building Developments Policy; Council's Water Sensitive Urban Design Policy and Technical Guidelines.	Penrith City Council	The stormwater concept design presented in the Integrated Water Cycle Management Report (IWCM) at Appendix DD to the EIS has been prepared in accordance with the Penrith Development Control Plan 2014, noting that as a State Significant Development, the DCP does not apply. In addition, the stormwater concept design has been developed in consideration of: • Council's Water Sensitive Urban Design Policy and Technical Guidelines. • Council's Stormwater Drainage Specification for Building Developments Policy; • Council's Water Sensitive Urban Design Policy and Technical Guidelines. The design will continue to be developed during the detailed design stage to further address the requirements of these documents. Based on the IWCM assessment and analysis, the stormwater drainage for the site will comply with the Council's requirements. Further design development will continue to demonstrate compliance with Council's standards.
A detailed survey investigation of the existing stormwater pit and pipe network is required to determine pit and pipe locations, pit invert levels and pipe sizes.	Penrith City Council	A survey of some of the existing pit and pipe network has been undertaken. Section 2.6 of the IWCM (Appendix DD to the EIS) outlines the strategy for onsite detention in accordance with Council's policies. A conservative assumption has been utilised to determine a required OSD tank volume of 515m3. As outlined in the IWCM the final sizing and design of the OSD will be further developed during detailed design. This process will utilise any updated survey information as it is undertaken. There is sufficient space within the site to increase the size of the OSD tank if required, however this outcome is extremely unlikely.

Issue	Relevant Submission/ Stakeholder	Response
		The site currently drains into the existing Council network. The assessment undertaken in the IWCM (Appendix DD to the EIS) accounts for a rise in impervious surfaces and recommends the provision of OSD. The final design of the OSD will ensure that there is no net increase in discharge rates into the Council system as a result of the proposal.
A detailed stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted.	Penrith City Council	The IWCM (Appendix DD to the EIS) provides a conceptual stormwater management sketch and assessment at Sections 2.3-2.6 that demonstrates the development is capable of complying with all relevant Council requirements, including: • Rainwater capture and reuse • Stormwater quality through treatment • Stormwater quantity in terms of volume and flow management This information addresses the SEARs for the project and the concept will be further developed in detailed design in line with the relevant requirements.
A detailed hydraulic study is required to determine the capacity of the existing stormwater receiving systems. A hydraulic grade line analysis will be required of the street systems where the development proposes to discharge to ensure downstream capacity is available.	Penrith City Council	As outlined above within our response to the stormwater concept design from the IWCM (Appendix DD to the EIS) the conceptual DRAINS model undertaken demonstrates that post-development peak flow can be adequately managed through the provision of OSD. As outlined in the IWCM, detailed Hydraulic Grade Line will be undertaken at the detailed design stage to assist in determining the final sizing of the OSD. The system will be designed/sized appropriately for the control of stormwater discharge from the site.
Water Sensitive Urban Design (WSUD) is required to be provided for the site. A WSUD Strategy shall be developed and shall include MUSIC modelling (*.sqz file) demonstrating compliance with WSUD Policy and Technical Guidelines. The WSUD Strategy shall address (but not be limited to) water conservation, water quality, water quantity and operation and maintenance. The WSUD Strategy and MUSIC modelling must also demonstrate compliance with State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6 (Water Catchments), Division 2, Section 6.6 (Water Quality and Quantity).	Penrith City Council	A conceptual MUSIC model has been developed and is presented in Section 2.5.1 of the IWCM (Appendix DD to the EIS), with the results included at Table 2 of that report. The system adopts a treatment train approach and demonstrates compliance with the Council's requirements including the WSUD Policy and Technical Guidelines.
Details of proposed stormwater quality improvement devices are to be provided.	Penrith City Council	The IWCM (Appendix DD to the EIS) illustrates the adoption of a treatment train approach, as depicted in Figure 10 of that report. The potential treatment devices include: • Oceanguard filter baskets or approved similar • PSorb Stormfilter cartridges or approved similar

Issue	Relevant Submission/ Stakeholder	Response
		• Rainwater harvesting This approach demonstrates that the development will comply with Council's water quality requirements. The final design and inclusion of these treatment devices will be further developed during detailed design.
Details of heavy duty vehicular access to maintain any stormwater quality improvement devices are to be provided.	Penrith City Council	Appropriate vehicular access will be provided to all stormwater quality improvement devices within the site. Noting it will be the responsibility of the site owner/ operator to appropriately maintain these devices.
An updated Stormwater Management Strategy should be provided to include additional information on proposed water conservation measures and irrigation uses (e.g. demands, etc). Council's WSUD Policy requires that a minimum of 80% non-potable uses should be met with harvested rainwater.	Penrith City Council	Rainwater capture and reuse is outlined at section 2.4 of the IWCM (Appendix DD to the EIS) and outlines how the proposal is capable of exceeding Council's requirement that a minimum of 80% of non-potable water demand is serviced by harvested rainwater.
Harvested rainwater for non-potable purposes should be maximised and allow for irrigation of all non-potable demands (as much as possible). It is noted that two rainwater tanks have been considered to allow for some reuse, however additional uses for non-potable demands should be considered (e.g. irrigation of landscaping/turf, etc). Tank sizes should be optimised by considering the diminishing rate of return.	Penrith City Council	The project is seeking to achieve a 5-star Green Star Rating, which requires significant reliance on non-potable water sources for appropriate uses within the development. The project seeking to service 100% of pitch irrigation and a minimum of 35% of toilet and urinal flushing being achieved by harvested rainwater.
With respect to the treatment of stormwater and the use of proprietary treatment devices (i.e. storm filters), it is recommended that these should only be used if site constraints prevent other options. As such, it is suggested that their use be reconsidered and the use of vegetated treatment systems (i.e. rain gardens) be incorporated into the design. This should be done with greater consideration to, and use of, harvested rainwater.	Penrith City Council	The IWCM (Appendix DD to the EIS) illustrates the adoption of a treatment train approach, as depicted in Figure 10 of that report. The potential treatment devices include: • Oceanguard filter baskets or approved similar • PSorb Stormfilter cartridges or approved similar • Rainwater harvesting This approach demonstrates that the development will comply with Council's water quality requirements. The final design and inclusion of these treatment devices will be further developed during detailed design.
The use of vegetated solutions to treat stormwater are more in keeping with the intent of Council's WSUD Policy and Cooling the City Strategy, and provide for multiple outcomes such as contributing to urban heat mitigation, etc.	Penrith City Council	The stormwater design as outlined in the IWCM (Appendix DD to the EIS) meets the requirements of Council's WSUD Policy. In respect of the Cooling the City Strategy, the proposal for a significant increase in tree planting will greatly assist in urban heat mitigation.

Issue	Relevant Submission/ Stakeholder	Response
The stormwater treatment measures provided must be maintained in perpetuity and cannot be dedicated to Council. In site-specific operation and maintenance manuals should be provided.	Penrith City Council	All infrastructure on site will be owned and maintained by the site owner.
The proponent must ensure erosion and sediment controls are designed, documented, constructed, operated, and maintained consistent with the principle and practices of industry best practice, including: a) Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition (Landcom, 2004). b) Best Practice Erosion and Sediment Control (IECA 2008). c) Other industry best practice documents if it can demonstrate the guidance will provide improved or equivalent outcomes for the environment.	NSW EPA	Erosion and sediment controls are to be provided during the construction phase in accordance with the best practice principles and site management techniques are described in Landcom's Managing Urban Stormwater series (commonly referred to as the Blue Book) and the preliminary CMP prepared by EY (Appendix FF of the EIS).
All activities during construction must be carried out in a manner that will minimise the generation and emission of air pollution from the site as much to the greatest extent practicable.	NSW EPA	An Air Quality Impact Assessment has been prepared by SoundIN (Appendix NN of the EIS) assessing the proposed likely construction activities on the site to determine potential air quality and dust impacts and identify mitigation and management strategies to minimise these impacts. SoundIN does not identify any odour sources associated with the construction of the development as requiring assessment or management.
All controls that will be used to manage dust emissions during construction must be documented.	NSW EPA	Noted.
Construction		
An assessment of construction noise impacts in accordance with the Interim Construction Noise Guidelines (Department of Environment and Climate Change 2009).	NSW EPA	Noted.
The proponent must minimise noise and vibration impacts at residences and other sensitive land uses. To meet this requirement the proponent must: a) implement the guidance in the Draft Construction Noise Guideline (NSW EPA 2020) and the Assessing Vibration: a technical guideline (DECC, 2006); b) implement all reasonable and feasible measures to minimise noise impacts in accordance with the Draft Construction Noise Guideline (NSW EPA 2020); and c) implement vibration mitigation in accordance with the Assessing Vibration: a Technical Guideline (DECC, 2006). In the above, 'reasonable' and 'feasible', in relation to noise management, have the same meaning as defined in the Draft Construction Noise Guideline (NSW EPA 2020).	NSW EPA	Noted. The Mitigation Measures are provided at **Appendix B**.

Issue	Relevant Submission/ Stakeholder	Response
Any waste materials exposed or created in association with the construction works must be classified in accordance with the EPA's waste classification guidelines and deposited at appropriately approved or licensed waste facilities.	NSW EPA	A Construction & Demolition Waste Management Plan has been prepared by Foresight Environmental and was provided at Appendix JJ to the EIS. This report details the expected waste to be generated as a result of demolition and construction, with onsite and offsite waste systems detailed.
Biodiversity		
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.	DPHI	12 trees are to be removed at the site.
Although the Arboricultural Impact Assessment provides a (limited) methodology for the installation of paving, there is no evidence these considerations have been considered/adopted within the landscape design documentation or that they are viable.	Penrith City Council	• All works within tree protection zones of existing trees will be undertaken in accordance with methodologies outlined in the Arboricultural Impact Assessment at Appendix W to the EIS. These works will be supervised by the project arborist. • The design has been revised to increase the amount of permeable paving across the site- refer to the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
There are trees on the adjacent Howell Oval site likely to be affected by the proposed paving for the entry path from the western side of the site that have not been assessed.	Penrith City Council	The design of the path in this location has been modified to include a concrete path to allow accessibility with a deco gravel path surrounding the existing trees. Works within the tree protection zones have been minimised and there are no works proposed within the structural root zones.
A site-specific Tree Protection Plan (Specification and Drawing) that has been prepared in consultation with all disciplines is required once the final design for the site is completed.	Penrith City Council	The Applicant raises no objection to this forming a condition of consent.
BCS issued a Biodiversity Development Assessment Report (BDAR) waiver for this SSD on 16 May 2024. The EIS is consistent with the description listed in Schedule 1 of the BDAR waiver determination and therefore BCS has no further biodiversity assessment requirements.	Department of Climate Change, Energy, the Environment and Water	Noted.
The kiosks on the eastern boundary will have impacts on the already constrained trees in this location. Existing hardstand would impacts to the existing trees. A design that provided these trees with a greater amount of open porous ground would be desirable. Construction on piers as recommended in the Arboricultural Impact Assessment is not supported as even though this is less impactful than constructing	Penrith City Council	• The revised Architectural Drawings at **Appendix E** to this Submissions and Amendment Report clarify that the 'kiosk' locations are for temporary food trucks only and there will be no built structures in these locations. • There is no increase to the amount of hardstand within the TPZ of these trees.

Issue	Relevant Submission/ Stakeholder	Response
on ground, the kiosks will create a rain shadow that will cover the very limited open porous ground already provided.		• As the food trucks will be a temporary overlay, the impacts of rain shadow would be negligible.
Consideration should be given to retaining all trees south of the existing warm up field. This could be achieved by reconfiguring the car park. In this regard, there is an inconsistency regarding the reasoning for trees to be removed and those to be retained at the southern end of the field where trees are adjacent to each other and impacted by the same work, yet one is proposed to be retained and another removed.	Penrith City Council	• As outlined in the Landscape Report (Appendix I to the EIS), the removal of trees to the south of the existing training field is proposed to open up key sightlines for pedestrians travelling to and from the stadium. This will not only improve amenity for pedestrians utilising this path but also assist in safety in terms of allowing greater opportunities for passive surveillance. • All trees, except for two within this area are not native species and have been assigned a retention value of *consider for removal*. • The proposed planting of 180 new trees is considered an appropriate mitigation for the loss of trees on site.
Heritage		
The Aboriginal Cultural Heritage Assessment Report (ACHAR) concludes that there is a moderate to high potential for Aboriginal objects in a subsurface context due to the location of the study area within an archaeologically sensitive landscape. The ACHAR therefore recommends that Aboriginal archaeological test excavations be undertaken to determine the nature, extent, and significance of any sub-surface Aboriginal objects within the study area.	Heritage NSW	Noted.
As standard practice, Heritage NSW requires the identification of potential archaeological deposits and the subsurface testing of those deposits to establish their archaeological significance prior to project approval. We note that: • As test excavations have not been undertaken as part of the EIS, the impacts to Aboriginal cultural heritage values remain unknown. • As SEARs have been issued for the Project, Heritage NSW cannot consider and/or issue an AHIP in relation to the assessment area. • Testing upfront informs the impact assessment, requirement for future salvage excavation and provides an opportunity to redesign the project to avoid any significant objects or sites. • Without the completion of test excavations and significance yet to be established, all parties, including the Registered Aboriginal Parties, have not had the opportunity to consider the dull extent of impacts from the project. Post approval excavation presents a risk that impact will be approved to a site while the significance is unknown.	Heritage NSW	Noted.

Issue	Relevant Submission/ Stakeholder	Response
Please update the ACHAR and ARD in Appendix C to clarify the staging and timing of the recommended test excavations.	Heritage NSW	Following consultation with Heritage NSW, it has been determined that testing will be conducted following project approval at the earliest available opportunity.
Heritage NSW strongly recommends that, where feasible, test excavations be undertaken prior to project approval. We note that, based on a review of Figure 4-1 in the ARD provided in Appendix C, at least some of the proposed test pits located within High Sensitivity Area appear to be currently accessible (i.e., demolition of existing structures is not required for access) and therefore testing in at least some areas could be undertaken to inform the ACHAR prior to project approval.	Heritage NSW	Test excavations are proposed under the ARD in order to meet the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, which does not provide any distinction between the extent of ground disturbance works and potential impacts (i.e. no distinction is made as to the depth of ground disturbance works that may trigger the need for test excavations). Curio maintains that the ACHAR submitted with the SSD meets the requirements of the SEARs. Curio and INSW have been in discussion with the site operator and have been advised that while the high-performance training field contains no buildings, it is in current regular use by the Penrith Panthers. As such, any test excavation works cannot be undertaken in the field until after the completion of the current football season in the latter months of 2024.
Where any test excavations are proposed post-approval, adequate justification must be provided and provisions for conservation outcomes be considered should test excavations are required to be undertaken post-approval, the following updates to the ARD provided in Appendix C of the ACHAR will also be required.	Heritage NSW	Following consultation with Heritage NSW, it has been determined that testing will be conducted following project approval at the earliest available opportunity.
Update Section 4.6.5 of the ARD to include specific triggers for salvage excavation.	Heritage NSW	Section 4.6.5 (page 131) of the amended ACHAR at **Appendix L** to this Submissions and Amendment Report outlines the proposed triggers for salvage excavation.
Update the methodology to incorporate a hold point following completion of test excavations where appropriate management strategies and methodologies (determined based on test excavation results) will be developed in consultation with the Registered Aboriginal Parties and subject to endorsement by Heritage NSW. This may include requirements to modify or revise design to mitigate harm or the potential for other conservation outcomes.	Heritage NSW	Section 4.6.5 (page 129) of the amended ACHAR at **Appendix L** to this Submissions and Amendment Report outlines the proposed hold points.
Update the methodology to include the requirement to register any Aboriginal objects and/or sites identified during test excavations on the Aboriginal Heritage Information Management System (AHIMS).	Heritage NSW	Section 4.6.5 (page 129) of the amended ACHAR at **Appendix L** to this Submissions and Amendment Report outlines that should any archaeological remains be identified during excavation an AHIMS site card will be prepared and registered.

Issue	Relevant Submission/ Stakeholder	Response
Updated Section 4.6.6 of the ARD to include provision of post excavation reports to Registered Aboriginal Parties.	Heritage NSW	Refer to section 4.6.6 (page 131) of the amended ACHAR at **Appendix L** to this Submissions and Amendment Report, where confirmation is provided that RAPs will be provided the post excavation report.
Traffic, Parking, Access 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.	DPHI	This comment has been addressed in the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report, including with revised modelling at section 4.
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.	DPHI	The results of the traffic survey and predicted impacts of the development utilising this data are included at section 4 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
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.	DPHI	The results of traffic modelling and assessment are included at section 4 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.

Issue	Relevant Submission/ Stakeholder	Response
Conduct parking surveys to evaluate utilisation rates and demonstrate if parking supply can service proposed parking demand.	DPHI	The results of parking surveys and assessment are included at section 3.6 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
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.	DPHI	There is no agreement between Venues NSW and Penrith Panthers for the use of either the Penrith Stadium onsite car park or the use of the Panthers parking. There is no increased reliance on use of the Penrith Panthers parking within the Transport Impact Assessment compared to any other available parking outlined at Section 2.12. The availability of parking within the Penrith Panthers complex is assessed as available in the same way as all other available parking. There is no justification for requiring the proposal to enter into any agreement to reserve parking within the Penrith Panthers complex.
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.	DPHI	Trip generation and distribution analysis is included at Section 4 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
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.	DPHI	Public transport frequency and capacity is discussed at Sections 2.7 and 3.5 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
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.	DPHI	Modelling undertaken and outlined at Section 4 of the revised Transport Impact Assessment, does not rely on mode shift to demonstrate the impact on the surrounding road network. As such, the measures outlined for achieving mode shift are considered appropriate.
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.	DPHI	Further crash data analysis is provided at Section 2.13 and 3.9.2 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report
Clarify the timing of the Mulgoa Road upgrade and assess any cumulative impacts.	DPHI	The Mulgoa Road upgrades are being undertaken by Transport for NSW. The Applicant has sought clarification from TfNSW regarding timing of the upgrade in the vicinity of Penrith Stadium and has had no response. The TfNSW website notes that the section of upgrade near Penrith Stadium as 'planning approved, funded for construction.' In any event, the modelling undertaken and outlined at Section 4 of the revised Transport Impact Assessment at **Appendix J** to this Submissions

Issue	Relevant Submission/ Stakeholder	Response
		and Amendment Report demonstrates the impact of the development without the proposed Mulgoa Road upgrade.
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.	DPHI	The modelling undertaken and outlined at Section 4 of the revised Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report demonstrates the impact of the development without the proposed Mulgoa Road upgrade.
A revised Traffic Impact Assessment is required addressing: Detailed traffic generation forecasting and subsequent road network impacts in accordance with TfNSW Traffic Modelling Guidelines. The traffic generation forecasts in the Traffic Impact Assessment (Table 4 and Table 5) should provide detail as to how the increased traffic generation has been calculated. Additionally, Table 5 should include additional traffic generation in the form of private vehicles dropping off passengers, taxi/ride-share and motorcycles.	Penrith City Council	Further detail to address this comment has been provided in section 4 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
A revised Traffic Impact Assessment is required addressing: Intersection analysis of traffic impacts demonstrated with SIDRA data analysis and Level of Service (LOS) for pre and post development periods relating to: • The intersection of Ransley Street and Station Street; • The intersection of Station Street and Jamison Road.	Penrith City Council	Further detail to address this comment has been provided in Section 4 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
A revised Traffic Impact Assessment is required addressing: Investigation and conclusive statement as to whether any upgrades to the local road network will be required to cater for any additional traffic generated from the development.	Penrith City Council	Further detail to address this comment has been provided in Section 4.8 of the amended Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
A revised Traffic Impact Assessment is required addressing: Independent Road Safety Audit (RSA) of the plans with specific regard to pedestrian and vehicular access.	Penrith City Council	In line with other recent stadia development approvals, should a road safety audit be required, this can be undertaken through a condition of consent prior to construction. This will enable the design to be suitably advanced to undertake the audit.
A revised Traffic Impact Assessment is required addressing: Detailed information regarding heavy vehicle access and servicing needs of the development, and nomination of maximum vehicle size, frequency and inclusion of proposed manoeuvring which avoids any need for reversing into or from the site.	Penrith City Council	Demand for heavy vehicle access to the site is low and principally on the day of events. Swept path analysis demonstrating forward-in and forward-out manoeuvrability for heavy vehicles is contained at Appendix A of the revised Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
A revised Traffic Impact Assessment is required addressing: Detailed Construction Traffic Management Plan (CTMP) with accompanying traffic controls plans (TCPs/TGSs).	Penrith City Council	A preliminary construction traffic management plan is contained at section 5 of the revised Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report. Further development of this

Issue	Relevant Submission/ Stakeholder	Response
		plan and any relevant traffic control plans will be implemented by the Contractor prior to construction.
A revised Traffic Impact Assessment is required addressing: Details of accessible car parking spaces.	Penrith City Council	• There is no visitor parking provided on site. Provision of disabled parking on site for officials/ staff will be managed by the Operator through a pre-booked system. The formalised car parking within the site has been removed, however designed to permit event-day parking, through a permeable paved surface (deco gravel) that can be utilised by community outside of event days (e.g. children learning to ride bikes, informal ball sports). • Disabled drop off is provided in Ransley Street that will be achieved through revisions of the footpath in this location, including widening of the paved footpath. The design will be developed in consultation with Council and a mitigation measure has been included to this effect (**Appendix B**).
A revised Traffic Impact Assessment is required addressing: Details and locations of bus/coach drop-off and pick-up areas.	Penrith City Council	Bus/ coach drop off (noting the only bus/coach requirement for the stadium is player buses) is detailed at Section 5.6 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
A revised Traffic Impact Assessment is required addressing: Details and locations of taxi/ride share drop-off and pick-up areas.	Penrith City Council	Taxi zones (noting there is no ability to create ride share zones on public roads) are nominated within Section 5.7 of the revised Landscape Report at **Appendix I** to this Submissions and Amendment Report.
A revised Traffic Impact Assessment is required addressing: Turn paths for heavy vehicles in accordance with AS 2890.2 clearly demonstrating satisfactory manoeuvring on-site and forward entry and exit to and from the public road network. Turn paths shall include required clearances and shall not encroach over kerbs or garden beds. The turn paths in the Traffic Impact Assessment only show a 12m Heavy Rigid Vehicle entering the site. The turn paths should how the vehicle exits the site.	Penrith City Council	Turning paths are provided at Appendix A of the revised Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.
A revised Traffic Impact Assessment is required addressing: Turn paths are also to be provided for the following: • Heavy Rigid Vehicles and Articulated Vehicles that will be required to transport rigging and scaffolding equipment for the set-up of a stage at the southern end of the playing field for any concert. • Heavy Rigid Vehicles and Articulated Vehicles that are utilised as outside broadcast vehicles during NRL and NRLW matches.	Penrith City Council	Turning paths are provided at Appendix A of the revised Transport Impact Assessment at **Appendix J** to this Submissions and Amendment Report.

Issue	Relevant Submission/ Stakeholder	Response
The Event Management Statement indicates measures to manage the movement of pedestrians across Ransley Street and Station Street will be detailed as part of a future Event Traffic and Transport Management Plan (ETTMP) that is to be developed in consultation with TfNSW prior to the opening of the venue. The ETTMP should be prepared in consultation with Council and be submitted for assessment as part of the SSD application.	Penrith City Council	The ETTMP will be developed in consultation with Council, NSW Police and Transport for NSW prior to occupation. A mitigation measure this this effect is included at **Appendix J** to this Submissions and Amendment Report.
In relation to game days/major events/concerts, the ETTMP should include a risk assessment and detail a proposal for pedestrian protection measures (such as, but not limited to, placement of bollards and/or approved fencing) to prevent internal vehicle manoeuvres by errant/non-compliant drivers attempting to: • Park on adjacent open areas (including paved and open grass areas to the west and south of the stadium); • Park on any pedestrian pathways; • Drive on or over pedestrian pathways to access other areas; Access open areas of Crown land via the Howell Oval car parking areas and driveway, which would compromise pedestrian safety and movement of pedestrians between Mulgoa Road and the stadium.	Penrith City Council	The project incorporates appropriate measures including fencing, bollards and hostile vehicle management to ensure pedestrian protection and manage internal vehicle movement. Any requirements in relation to potential illegal parking outside of the site currently exist and would need to be managed by Council under their legislative responsibilities in relation to parking management.
The ETTMP should include details of management and actions to mitigate any potential hostile vehicle situations (Hostile Vehicle Management – _HVM).	Penrith City Council	Hostile vehicle management (HVM) has been incorporated within the design through provision of bollards, appropriately designed street furniture and existing suitable trees. Zones where HVM will be incorporated is outlined at Section 5.8 of the addendum Landscape Report at **Appendix I** to this Submissions and Amendment Report. For security reasons, the details of HVM design will not be included within the SSDA.
Consideration should be given to the provision of a pedestrian barrier fence along the eastern side of Mulgoa Road within the vicinity of the sewer pump station to ensure pedestrians utilising the path at the southern side of the sewer pump station are directed towards the pedestrian crossing facilities at the signalised intersection of Ransley Street and Mulgoa Road.	Penrith City Council	The Applicant has no objection to the installation of pedestrian fencing being undertaken through a condition of consent with the design to be developed in consultation with Council and TfNSW.
Within Ransley Street (southern side), the development works will need to include the removal of the existing dwarf retaining wall adjoining the northern hill area, removal of the existing footpath, regrading of the verge area, adjustment of utility service lids and provision of new full verge width footpath paving (i.e. back of kerb to property boundary) for the full length along the southern frontage of Ransley Street. The current footpath along Ransley Street is inadequate for the pedestrian volumes	Penrith City Council	Ransley Street will provide passenger and disabled drop for the proposal. This will be achieved through revisions of the footpath in this location, including widening of the paved footpath. The design will be developed in consultation with Council and a mitigation measure has been included to this effect at **Appendix B**.

Issue	Relevant Submission/ Stakeholder	Response
generated on NRL game days as Ransley Street is utilised as the main pedestrian thoroughfare for patrons entering the stadium at the eastern and western gates.		
Within Station Street (western side), the development works will need to include the removal of the existing 1.8m wide footpath and replacement with a new 3m wide (minimum width) footpath for the full length of the property frontage along Station Street.	Penrith City Council	As outlined in the amended TIA, pedestrian access to the site occurs from all directions. Further the main access points are located in the north east, north west and south west corners of the site. The demand for pedestrian travel between the south eastern and north eastern corners is not considered a strong desire line that would warrant footpath widening. Any widening of the footpath in this location would occur within the tree protection zone (TPZ) of street trees and existing trees within the site that are being retained. Given Council's comments regarding reducing hardstand with the TPZ, it is not considered possible to widen the footpath in this location without impacting tree health.
The proposed footpath from the south-western entry gate to Station Street should be widened to a minimum of 3m to accommodate the anticipated pedestrian traffic exiting the site.	Penrith City Council	The proposed path has been widened to a minimum of 2 metres as demonstrated by the revised Landscape Drawings at **Appendix H** to this Submissions and Amendment Report. This pathway whilst important in the overall connectivity, does not form a primary pedestrian route for access to and from the stadium. Only pedestrians arriving from areas south of the stadium to either street parking or the Jameson Park parking utilise this route as an access point to the stadium. As demonstrated in the revised Transport Impact Assessment the majority of arrivals are from the west and north.
TfNSW supports the pedestrian improvements proposed by the development, however notes that portable crowd control barriers are used for crowd management at Ransley Street/Station Street stadium gate. To increase pedestrian safety, TfNSW suggest that rather than the portable barriers being used, consideration be given to the installation of pedestrian fencing along the Ransley Street frontage. This would require the removal of on street parking along the southern side of Ransley Street.	TfNSW	The proposal relocates the existing gates from directly adjacent to the Ransley Street footpath further back within the site at the corner of Ransley and Station Streets. This provides greater capacity for crowd queuing in this location. INSW will liaise further with TfNSW to determine the appropriateness of pedestrian fencing along Ransley Street as part of the Event Traffic and Transport Management Plan (ETTMP). A revised Mitigation Measure (**Appendix B**) is included to this effect.
TfNSW notes that Figure 22 of the Transport Impact Assessment shows many pedestrians crossing Mulgoa Road to access the stadium. To improve pedestrian safety and the risk of pedestrians crossing at mid-block locations, TfNSW recommends the installation of pedestrian fencing along Mulgoa Road between Ransley Street and Panthers Access Road and Panthers Access Road and Jamison Road to direct pedestrians to the signalised pedestrian crossings.	TfNSW	The Applicant has no objection to the installation of pedestrian fencing on Mulgoa Road being undertaken through a condition of consent with the design to be developed in consultation with Council and TfNSW.

Issue	Relevant Submission/ Stakeholder	Response
TfNSW supports the preparation of an Event Traffic and Traffic Management Plan for large events.to manage traffic and pedestrian flows when events are held at the stadium. This plan should be developed in consultation with TfNSW and Council that is endorsed prior to each large event.	TfNSW	Noted.
As part of the Mulgoa Road upgrade, TfNSW is planning to widen Mulgoa Road between Glenmore Parkway and Union Road. Works are currently underway between Jeanette Street and Blakie Road. As the roadworks are likely to coincide with construction activities associated with the Penrith Stadium Refurbishment, the cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and bus operations within the area, as well as the safety of pedestrians and cyclists particularly during commuter peak periods. TfNSW recommends that prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the applicant prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW.	TfNSW	Noted.
Social Impacts		
Update SIA to demonstrate evidence of engagement (and result of engagement) with the landowners of 164 Station Street to the east of the site.	DPHI	An updated SIA is contained at **Appendix M** to this Submissions and Amendment Report detailing the engagement and results of engagement with the landowners of 164 Station Street.
The construction phase is likely to produce short-term negative social impacts associated with noise, traffic and visual impacts over the 18 month construction period.	Penrith City Council	Noted.
The refurbished stadium is unlikely to have negative social impacts during operation, noting however that some existing users have raised concerns with changes to their use of the stadium. Council supports the development and implementation of a Communication and Engagement Plan.	Penrith City Council	Noted.
Overall, the refurbishment of the stadium will have a number of positive social impacts. While the construction phase will disrupt community use of the facility, there is overall a number of positive social impacts as outlined in the Social Impact Assessment (SIA).	Penrith City Council	Noted.
The SIA outlines appropriate mitigation measures (Table 19) with regard to identified impacts. Council supports the outlined monitoring and management framework to ensure that positive social impacts are recognised, and negative social impacts are minimised.	Penrith City Council	Noted.

Issue	Relevant Submission/ Stakeholder	Response
Council supports the consideration of developing and implementing social procurement and employment practices to involve marginalised groups, as well as developing workplace management plans that encourage and support diversity.	Penrith City Council	Noted.
Flooding and Emergency management		
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.	DPHI	Clarification regarding the applicability and availability of the results of the Draft Peach Tree and Lower Surveyors Creek Floodplain Risk Management Study & Plan is provided within the Addendum Flooding Statement at **Appendix C** to this Submissions and Amendment Report. Penrith Council was contacted to obtain the updated flood study. Council advised that the study was still in draft and currently undergoing a review and update following the release of the Hawkesbury-Nepean Flood Study. However, preliminary flood levels were provided, which indicated that no changes from the 2020 study is expected on the subject site.
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.	DPHI	Clarification on the appropriateness of proxy flood planning levels is provided at **Appendix C** in the Addendum Flooding Statement to this Submissions and Amendment Report.
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).	DPHI	The venue is an existing development and function that the NSW SES are historically aware of. A Mitigation Measure (**Appendix B**) will be included to prepare a Flood Emergency Response Plan (FERP) prior to occupation of the stadium to specifically include flooding in its risk assessment and emergency response protocols. Management of evacuation in a flood event will be captured. This process will incorporate consultation with the NSW SES. For more detail, see **Appendix C** for the Addendum Flooding Statement.
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.	DPHI	Structural analysis considering live loads and flood forces up to the PMF event will be undertaken as part of the design stage. This will be captured under a proposed management measure.

Issue	Relevant Submission/ Stakeholder	Response
Any proposed Emergency Management Strategy for an area should be compatible with the evacuation strategies identified in the relevant local or state flood plan or by the NSW SES. As per the NSW State Flood Plan and the Penrith City Local Flood Emergency Sub Plan, evacuation is the primary emergency management strategy for people impacted by flooding.	NSW SES	The primary emergency management strategy will be evacuation. Shelter-in-place is a reserve option in the FERP only where evacuation is not possible. For more detail, see **Appendix C** for the Addendum Flooding Statement.
In accordance with this strategy the Flood Study states that evacuation will be the primary strategy for continued operation of this site and that operators will "cancel events pre-emptively if there was flooding predicted that would present as a risk to life."	NSW SES	The primary emergency management strategy will be evacuation. Shelter-in-place is a reserve option in the FERP only where evacuation is not possible. For more detail, see **Appendix C** for the Addendum Flooding Statement.
It is emphasised that a shelter in place strategy should not be adopted to manage the potential riverine flood risk. However, if the roads were cut by local flooding, the occupants could temporarily remain on site until it was safe to leave.	NSW SES	The primary emergency management strategy will be evacuation. Shelter-in-place is a reserve option in the FERP only where evacuation is not possible. Comments on shelter-in-place were to propose a backup option should evacuation fail, despite the best planning, under unforeseen extreme circumstances, or where evacuation is not practical as noted in the SES submission. For more detail, see **Appendix C** for the Addendum Flooding Statement.
Decisions relating to future development should be risk-based and ensure Emergency Management risks to the community of the full range of floods are effectively understood and managed.	NSW SES	Noted. For more detail, see **Appendix C** for the Addendum Flooding Statement.
The site is affected by both riverine flooding from the Nepean River as well as local overland flooding. As noted in the Environmental Impact Statement for riverine flooding, "The site has been reviewed against available flood modelling for the area and it is identified that the site is not inundated with the 1% and 0.5% Annual Exceedance Probability (AEP) events, however, the site is partially inundated in the 0.2% AEP and completely in the probable maximum flood (PMF) event". During a 0.2% AEP event parts of the site including the proposed training fields and 'public edges' become inundated to depths of up to 2 metres, while during a PMF event the entire site becomes inundated with a flood depth of up to 5 metres.	NSW SES	With respect to the adoption of the 0.2% AEP event as the flood planning level, the latest finished floor levels are approximately 40mm higher than the predicted 0.2% AEP flood level of 28.61 mAHD. This indicates that the building would be subject to a low risk of impact under potential future climate increases with no freeboard. For more detail, see **Appendix C** for the Addendum Flooding Statement.
The site is also noted as being minorly impacted by overland flooding during a 0.2% AEP event, although this study did not include assessment of the existing field drainage infrastructure which would likely further reduce impacts.	NSW SES	Noted. The 0.2% AEP event was considered. The latest finished floor levels are approximately 40mm higher than the predicted 0.2% AEP flood level of 28.61 mAHD. This indicates that the building would be subject to a low risk of impact under potential future climate increases with no freeboard. For more detail, see **Appendix C** for the Addendum Flooding Statement.

Issue	Relevant Submission/ Stakeholder	Response
We recommend, where possible, pursuing site design and additional drainage opportunities which would further reduce the impacts of overland flooding in this precinct, particularly in the more heavily affected public edges of the site. Any improvements which can be made to reduce flood impacts would benefit the community.	NSW SES	Noted. As outlined in the IWCM (Appendix DD to the EIS), on site detention will be provided that will assist with drainage of the site from overland flow. All mitigation measures (Appendix D of the EIS) will be implemented to reduce the impacts of flooding on the community, with the conclusion being that considering the low risk, and the fact that the development is not considered critical infrastructure, the project would be willing to accept the future climate risk and continue to adopt the 1% AEP +0.5m freeboard. For more detail, see **Appendix C** for the Addendum Flooding Statement.
The Flood Study states "The playing field is a valuable asset therefore would be highly unlikely to be allowed to flood, which would cause damage to the playing surface." While this specifically refers to overland flow, with a regional riverine PMF flood event resulting in inundation of up to 5 metres in depth, NSW SES recommends this approach is further applied to the resilience of stadium fixtures and infrastructure. This may be achieved by considering washable or removable fixtures, such as seating, in the lower levels of the stadium which are likely to be flooding in a PMF event and locating power outlets and similar fixtures above the PMF level.	NSW SES	Noted. Structural analysis, stadium fixtures and infrastructure, considering live loads and flood forces up to the PMF event will be undertaken as part of the design stage. This will be captured under a proposed management measure. For more detail, see **Appendix C** for the Addendum Flooding Statement.
The proposed refurbishment is unlikely to impact on the ability of the community to evacuate.	NSW SES	Noted.
The proposed refurbishment is unlikely to increase the risk to life from flooding.	NSW SES	Noted.
Any Emergency Management strategy needs to consider people visiting the area or using a development. We recommend that any emergency management plan for the site is updated to consider the flood risk.	NSW SES	Noted. For more detail, see **Appendix C** for the Addendum Flooding Statement.
NSW SES utilises the Australian Warning System which is a nationally consistent, three-tiered approach to issue clear warnings and lead people to take action ahead of severe weather events. The three warning tiers consist of Advice, Watch and Act and Emergency Warning. These warnings can be viewed on the SES website and the HazardWatch website and app.	NSW SES	Noted.
The flood risk at the site and actions taken to reduce risk to life should be communicated to all site users (includes increasing risk awareness, community connections, preparedness actions, appropriate signage and emergency drills) during and after the construction phase.	NSW SES	Noted.

Issue	Relevant Submission/ Stakeholder	Response
The flood modelling and mapping used to inform the flood report provided with the EIS is now superseded by the Draft Peach Tree and Lower Surveyors Creek FRMS&P 2024. BCS recommends that prior to determination, the flood study should be updated to show the mapping provided in the FRMS&P 2024 for local catchment events. Please contact Penrith Council for access to this mapping.	Department of Climate Change, Energy, the Environment and Water	Penrith Council was contacted to obtain the updated flood study. Council advised that the study was still in draft and currently undergoing a review and update following the release of the Hawkesbury-Nepean Flood Study. However, preliminary flood levels were provided, which indicated that no changes from the 2020 study is expected on the subject site. For further detail, see the Addendum Flooding Statement at **Appendix C.**
BCS recommends that prior to determination, the recommended flood planning levels be updated to include the latest flood model information. The flood planning levels should consider changed tailwater levels in the Nepean River for local catchment conditions. In addition, given the degree of investment proposed, consideration should be given to adopting a flood planning level based on the 0.2% event rather than the current 1% event to account for the impacts of climate change on flood immunity of the development.	Department of Climate Change, Energy, the Environment and Water	A review of the latest flood modelling results from the Hawkesbury-Nepean Flood Study indicates no changes in levels compared to what was presented in the Flood Study lodged with the EIS. The Hawkesbury-Nepean Flood Study will inform the flood planning levels and has considered suitable tailwater configurations in the context of flood risk planning. The local Council flood study captures the local flood risk for planning purposes and also considered appropriate tailwater level configurations in accordance with Council planning objectives. For further detail, see the Addendum Flooding Statement at **Appendix C.**
BCS notes that the flood study shows that no changes are proposed to the existing emergency management plans for the facility. However, no copy of the existing plans has been provided. While upgrading the stadium does not significantly change the number of persons who may be present, the types of events to be hosted at the facility is likely to change as is the economic impact of cancelling/postponing an event. The flood study provides limited advice on emergency management for the facility, and it is recommended that the NSW State Emergency Service (SES) be consulted regarding evacuation of the facility.	Department of Climate Change, Energy, the Environment and Water	As a point of clarification, the existing Penrith Stadium emergency management plan does not directly address flood risk. Reference to the NSW SES is made as the designated flood combat agency and that they provide assistance during flood and storm operations. To bolster the response to flood emergencies, a Mitigation Measure is included (**Appendix B**) to prepare a FERP prior to occupation of the stadium. This process will incorporate consultation with the NSW SES. See the Addendum Flooding Statement at **Appendix C**.
BCS notes that maps which show hazard on roadways serving the facility during a local flood event have not been provided. Therefore, the safety of evacuation routes has not been addressed by the EIS. The maps are limited to the site and its joining roads. It is noted that the main evacuation strategy is evacuation via M4 or the highway, however the EIS indicates that only 50 car parking spaces will be provided and most visitors to the site will come by public transport. It is considered unlikely that evacuation for either a local or regional flood event can be facilitated for 25,000 visitors during a flood event.	Department of Climate Change, Energy, the Environment and Water	No local flood hazard data from the 2020 study was supplied by Council. However, hazard was presented in the FRMS&P report mapping (Volume 2, Map 22- Peak Flood Hazard 1% AEP Event). The mapping indicates that hazard along roads is limited to mostly road kerbs and classified as either H1 or H2 in the 1% AEP event. Mulgoa Road, which would be a primary egress route, is not predicted to be at risk of local flooding based on the supplied data. It can be reasonably concluded that the local flooding is not critical for safe egress. For further detail, see the Addendum Flooding Statement at **Appendix C.**
The flood study indicates that effective warning will be available for regional events and pre-emptive cancellation would be appropriate. BCS recommend that this advice is strengthened rather than being provided as an option. The flood study also	Department of Climate Change, Energy, the	A Mitigation Measure is included (**Appendix B**) to prepare a FERP prior to occupation of the stadium, which will address protocols for event cancellation. This process will incorporate consultation with the NSW

Issue	Relevant Submission/ Stakeholder	Response
mentions the ability to shelter in place on higher levels in the stadium for local flood events. If shelter in place is to be considered more information would be required to determine residual risks of such a strategy and the types and duration of flooding it should be considered for. BCS note that evacuation remains the preferred strategy for the SES and the SES should be consulted regarding emergency management.	Environment and Water	SES. The venue operators will be updated with advice from NSW SES via the Australian Warning System. Decisions on whether to cancel events will be made in accordance with prescribed protocols as early as possible by the Venue operators. The primary emergency management strategy will be evacuation. Shelter-in-place is an option in the EMP. However, comments on shelter-in-place were to propose a backup option should evacuation fail, despite the best planning, under unforeseen extreme circumstances. See the Addendum Flooding Statement at **Appendix C**.
Noise		
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.	DPHI	Clarification regarding the assessment of crowd noise is contained in the Noise Statement at **Appendix F** of this Submissions and Amendment Report.
Safety		
Section 6.1 of the Crime Prevention Through Environmental Design Report includes a detailed series of recommendations to improve safety and security for the site and these are supported for implementation. These recommendations cover key principles of surveillance, lighting and CCTV, territorial reinforcement, environmental maintenance, activity and space management and access control.	Penrith City Council	Noted.
Sydney Water		
Our system shows that the proponent had lodged an Adjustment and Deviation case under CN 213174, where they have supplied proposed deviation designs and plans for Sydney Water to make reviews on. At present, Sydney Water is still carrying out their investigations on the feasibility of the proposed sewer deviation. Until this is concluded, we cannot confirm our position on this risk or suitability of solution.	Sydney Water	An application for these works is in final stages of approval with Sydney Water. It is expected that these works will be approved imminently and well ahead of any determination of this SSD.
Maintenance structures like maintenance holes will need to be protected/access maintained.	Sydney Water	Noted.
Sydney Water's preliminary assessment notes the redeveloped stadium can't connect directly to the DN600. Connections for water services would only be possible if they construct a Sydney Water main branching off the DN600.	Sydney Water	Noted.
Further information and requirements would be provided at the S73 stage.	Sydney Water	Noted.

Issue	Relevant Submission/ Stakeholder	Response
Our preliminary assessment indicates that water and wastewater servicing should be available for the proposed development. Amplifications, adjustments, deviations and/or minor extensions may be required. Detailed requirements will be provided at the S73 application stage.	Sydney Water	Noted.
It is advised that the proponent and their WSC reached out to Sydney Water via the existing CN 213174 regarding their deviation works against our assets and any updated information on it.	Sydney Water	An application for these works is in final stages of approval with Sydney Water. It is expected that these works will be approved imminently and well ahead of any determination of this SSD.
The DPHI is advised to defer the approval of this SSDA and re-refer this application to Sydney for review once the wastewater deviation design plans for the development have been approved from Sydney Water's side.	Sydney Water	An application for these works is in final stages of approval with Sydney Water. It is expected that these works will be approved imminently and well ahead of any determination of this SSD.
The proponent should complete and return the enclosed Growth Data Form as part of their existing application submission.	Sydney Water	An application for these works is in final stages of approval with Sydney Water. It is expected that these works will be approved imminently and well ahead of any determination of this SSD.
Endeavour Energy		
Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.	Endeavour Energy	Noted.
Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.	Endeavour Energy	Noted.
Applicants should not assume adequate supply is immediately available to facilitate their proposed development.	Endeavour Energy	Noted.
Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.	Endeavour Energy	Noted.
Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.	Endeavour Energy	Noted.
Risk needs to be managed to maintain the safety of customers and the communities served by the network.	Endeavour Energy	Noted.
Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.	Endeavour Energy	Noted.
Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.	Endeavour Energy	Noted.

Issue	Relevant Submission/ Stakeholder	Response
All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.	Endeavour Energy	Noted.
If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.	Endeavour Energy	Noted.
For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.	Endeavour Energy	Noted.
The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.	Endeavour Energy	Noted.
Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.	Endeavour Energy	Noted.
No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.	Endeavour Energy	Noted.
The incorporation of easements into to multiple / privately owned lots is generally not supported.	Endeavour Energy	Noted.
Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.	Endeavour Energy	Noted.
The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.	Endeavour Energy	Noted.
Electricity infrastructure should not be subject to flood inundation or stormwater runoff.	Endeavour Energy	Noted.
Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.	Endeavour Energy	Noted.
Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.	Endeavour Energy	Noted.
Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.	Endeavour Energy	Noted.
Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.	Endeavour Energy	Noted.
Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.	Endeavour Energy	Noted.
Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.	Endeavour Energy	Noted.

Issue	Relevant Submission/ Stakeholder	Response
Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).	Endeavour Energy	Noted.
Development should avert the possible risk to health from exposure to emissions form electricity infrastructure such as electric and magnetic fields (EMF) and noise.	Endeavour Energy	Noted.
Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.	Endeavour Energy	Noted.
Permission is required to remove service / metering and must be performed by an Accredited Service Provider.	Endeavour Energy	Noted.
Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.	Endeavour Energy	Noted.
Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.	Endeavour Energy	Noted.
Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.	Endeavour Energy	Noted.
The performance of the generation system and its effects on the network and other connected customers needs to be assessed.	Endeavour Energy	Noted.
Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.	Endeavour Energy	Noted.
Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.	Endeavour Energy	Noted.
Whenever water and electricity are in close proximity, extra care and awareness is required.	Endeavour Energy	Noted.
Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.	Endeavour Energy	Noted.
Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.	Endeavour Energy	Noted.

5.4 Public Submissions

Table 8 Response to Public Submissions

Issue	Relevant Submission	Response
Built Form and Design		
Concerns for the East Stand • Concerned with the removal of amenities in the East Stand. • The East Stand's built form is too steep and prevents equitable access.	Ward Stubbs (South Penrith, NSW)	The East Stand continues to provide amenities on the concourse level of the East Stand. The amenities will sufficiently serve the East Stand with the concourse design maintaining the atmosphere to connect the patrons to the field of play. See the Architectural Design Report at **Appendix D** for further details. The East Stand has been designed to improve spectator experience and connect fans at the top of the East Stand to the field and game.
Concerns with the Southern Area • Why are there no updates to the southern area of the site including toilets and shops.	Ward Stubbs (South Penrith, NSW)	Whilst the southern amenities and food and beverage outlets are proposed to be retained, improvements have been made to aid circulation. The path of circulation for the southern stand has been moved to behind the amenities building ensuring better accessibility between the east and west stands. The buildings housing the amenities and food and beverage outlets, whilst retained will be renovated as part of the proposal.
Concerns with Accessibility • New design prevents equitable access to the East Stand. • Installation of purpose built centre railings within the stands.	• Ward Stubbs (South Penrith, NSW) • Marie Davies (Penrith, NSW)	The steeper stands have been designed to have a better connection to the field of play. Accessibility measures such as purpose built centre railings will be considered in the detailed design of the stadium. The West Stand provides opportunities for accessibility and equitable access.
Concerns with the 'hill' • The 'hill' should be replaced with a stand with seating. • The 'hill' is not usable once crowds increase.	• Bruce Giles (Cambridge Park, NSW)	As a result of community consultation undertaken for the project a significant portion of the community expressed a desire to retain the hills as part of the character of Penrith Stadium. Further the hills were cited as provided significant amenity in terms of family-friendly space for events at Penrith Stadium.
North and South Stand • The 'hill' should be replaced with a stand with seating. • North and South stands to increase capacity.	• Bruce Giles (Cambridge Park, NSW) • Ian Walker (Leonay, NSW)	25,000 seats is considered the optimum capacity for Penrith Stadium. This is based on historic average attendances as well as forecast future attendance and the role of Penrith Stadium in the overall NSW stadia network. The site is constrained in being able to offer a significantly larger capacity, which could only be achieved through development of another grandstand in place of the southern hill. The design has been developed to allow

Issue	Relevant Submission	Response
		expansion through construction of a southern grandstand in the future should it be desired at a future stage.
West Stand • Support for West Stand changes.	• Ward Stubbs (South Penrith, NSW)	Noted. The West Stand has been designed to have improved amenities and facilities, as well as meeting NRL minimum guidelines for media provisions and improved player spaces.
Concerns with Stadium Design • Questions around why this is only a refurbishment and a new stadium is not proposed. • Stadium design should be more like Parramatta Stadium with a capacity of approximately 28,000.	• Bruce Giles (Cambridge Park, NSW)	The works proposed for the new East and West Stands will significantly improve the spectator experience and provide new and more amenities and food and beverage outlets. Whilst some elements of the existing stadium will be retained such as the north and south hills, the proposal includes a significant amount of new buildings and landscaping that will improve the overall visitor experience. 25,000 seats is considered the optimum capacity for Penrith Stadium. This is based on historic average attendances as well as forecast future attendance and the role of Penrith Stadium in the overall NSW stadia network. The site is constrained in being able to offer a significantly larger capacity, which could only be achieved through development of another grandstand in place of the southern hill. The design has been developed to allow expansion through construction of a southern grandstand in the future should it be desired at a future stage.
Concerns with impacts on private properties • Impact of construction of property and tenants. Concerns regarding whether construction will impact tenants residential amenity and their willingness to pay rent. • Impact on property prices and rental prices.	• Name Withheld (Penrith, NSW)	Noted. The construction may result in short term impacts, however, mitigation measures are in place which are detailed in the Mitigation Measures at **Appendix B**.
Location of the Stadium • The site should be relocated to the 'Carpenter' Site as it is larger, would allow for larger stands, increased capacity and is closer to Penrith Train Station. • If the Stadium was relocated to the 'Carpenter' Site, this would allow construction to occur while the Penrith Stadium remains active and utilised.	• Ian Walker (Leonay, NSW)	Noted. The current stadium site meets the project objectives by refurbishing the existing Penrith Stadium to provide a better event day experience in a stadium that services the broader Penrith Area. The existing site will also allow for activation of the public domain precinct that operates throughout the week.
Parking The design should include tiered parking under East Stands dead space (similar to Melbourne Dockland Arena).	• Ian Walker (Leonay, NSW)	Noted. This is not a viable option as this would remove the concourse of the East Stand. This would remove the amenities, F&B and remove the circulation within and surrounding the East Stand.

Issue	Relevant Submission	Response
Traffic and Transport		
Mulgoa Road Upgrade • The Federal funding has been withdrawn for the further stages of the Mulgoa Road Upgrade (Stages 5a and 5b). • The Mulgoa Road completion is anticipated to be at least 10 years delayed and will have no benefit to the project until then.	• Paul Haynes (North Rocks, NSW)	Transport for NSW website indicates that the upgrade to the section of Mulgoa Road in the vicinity of the stadium is 'planning approved, funded for construction.'
Accuracy of the Transport Impact Assessment (TIA) • The accuracy of the TIA is questioned as the TIA was written after the Federal funding was withdrawn.	• Paul Haynes (North Rocks, NSW)	Transport for NSW website indicates that the upgrade to the section of Mulgoa Road in the vicinity of the stadium is 'planning approved, funded for construction.' The amended TIA at **Appendix J** to this Submissions and Amendment Report includes an assessment of the impacts of the project in the event that the Mulgoa Road upgrades are not undertaken.
Property Impacts		
Impacts of project on proposed development of 164 Station Street.	• Tomasy Planning on behalf of SHMH	Refer to **Section 6.6.**
Future Site Interfaces and Amenity Impacts		
Impacts of operational noise and plant equipment on amenity of future residents of 164 Station Street.	• Tomasy Planning on behalf of SHMH	Refer to **Section 6.6**.
Impacts of overshadowing from the East Stand on amenity of future residents of 164 Station Street.	• Tomasy Planning on behalf of SHMH	The amended Architectural Plans (**Appendix E**) and the Design Report (**Appendix D**) show that the built form and bulk and scale of the East Stand has been reduced, which has the effect of reducing overshadowing to the adjacent property at 164 Station Street. Refer to **Section 6.6** for assessment.
Impacts of construction noise and traffic on future residents of 164 Station Street.	• Tomasy Planning on behalf of SHMH	Construction of the Penrith Stadium Refurbishment would be completed prior to the occupation of any potential residential dwellings at 164 Station Street, noting that there are currently no Development Consent or Development Application/s made to construct residential dwellings on that site.

Issue	Relevant Submission	Response
Construction Impacts		
Traffic Impact during Construction • Tenants and residents will be impacted by traffic during construction which will decrease their rights to quiet enjoyment.	• Name Withheld (Penrith, NSW)	The impact of construction traffic is outlined at section 5 of the amended TIA at **Appendix J** to this Submissions and Amendment Report. It is noted that during construction the stadium will not be operational, resulting in a decrease in traffic caused by the operation of the stadium. Construction would be completed prior to any residential development receiving planning approval and completing construction on the 164 Station Street site.
Construction Noise Impacts of construction noise on residential amenity.	• Name Withheld (Penrith, NSW)	Construction noise has been assessed at Section 3 of the Noise and Vibration Impact Assessment at Appendix T of the EIS. Whilst exceedances of noise management levels are predicted, no residential areas are classified as highly noise effected and appropriate mitigation measures will be implemented (Appendix D of the EIS).
Stakeholder Engagement and Procedure		
The owners of 164 Station Street state that they were never consulted as part of engagement for the project.	• Tomasy Planning on behalf of SHMH	All landowners were afforded numerous opportunities for engagement during the community consultation activities outlined in the Consultation Summary Report provided at Appendix E of the EIS, along with the public exhibition period conducted by DPHI during which this submission was received. Infrastructure NSW has since met with representatives of the landowner to discuss the project further.
Matters relating to the engagement of consultants in respect of the EIS documentation by INSW.	• Tomasy Planning on behalf of SHMH	This is not a relevant planning consideration. All documentation has been prepared in accordance with the requirements of the EP&A Regulation and the DPHI *State Significant Development Guidelines*.
Mitigation Measures		
Mitigation Measures in Place What mitigation measures are in place for construction noise and traffic impacts.	• Name Withheld (Penrith, NSW)	The mitigation measures are listed in the Consolidated Mitigation Measures at Appendix D of the EIS.

6.0 Further Assessment of Amended Project

The following section provides further environmental assessment undertaken in respect of the project, including as a result of the project amendments outlined in **Section 4.0** and the submissions discussed in **Section 5.0**.

6.1 Strategic and Statutory Context

Since SSDA lodgement, there have been no relevant changes to the strategic or statutory context that would affect the site or the proposed development. For completeness, the project's key statutory assessment is outlined in Appendix C of the EIS in the Statutory Compliance Table.

6.2 Built Form

Section 4.1 outlines the changes to the architectural design changes made to the proposed development, including the reasons for these changes. A revised Architectural Design Report is provided at **Appendix D** that summarises the amendments made to the design and provides additional built form assessment where required.

The proposed design amendments are refinements of the built form that was previously assessed and found to be acceptable within the publicly exhibited EIS. Where changes to the built form are proposed, these either do not alter the previous assessment, or reduce the environmental impacts/enhance the project benefits of the proposed development.

In particular, the revisions to the East Stand will result in a reduction in overshadowing of adjoining land compared to the project as exhibited. As a consequence, overshadowing of adjoining land is similar to that caused by the existing Penrith Stadium, and will not result in any significant adverse impacts. Further discussion of overshadowing as it relates to future adjoining residential solar access is discussed at **Section 6.6**.

6.3 Public Domain and Landscape

The Landscape Plans (as amended) and Landscape Design Report (as amended) have been provided by Tyrrell Studios and are provided at **Appendix I** and **Appendix H** respectively. The assessment includes developed and more detailed design and assessment of the landscaping and public domain at the site.

As a result of the amendments proposed, the green cover has decreased from 59% to 58.3% of the site area of the amended design. This decrease is minor as it is less than 1% and is considered negligible as the proposed tree canopy and deep soil area has increased between the exhibited proposed development and the new amended development. The green cover includes the proposed turf, planting and tree canopy. The amended design includes a detailed planting schedule and outlines the amended proposed tree canopy cover increase to 26.1% from 23.6% in the exhibited EIS development. The additional tree planting between the exhibited EIS and the amended development creates urban tree canopy that connects the Mulgoa Road and Station Street tree corridors to increase shade along these pathways. See the Amended Landscape Report at **Appendix I** for further detail.

As a result of the amendments proposed, the deep soil area has increased from 36.5% in the proposed design to 55.8% of the site area of the amended design. The deep soil includes areas of proposed deep soil under planting and turf (47.1%) and proposed deep soil areas for trees under permeable paving (8.87%). The large increase is largely related to the playing field now being included in the calculation of deep soil area, which was erroneously omitted from previous calculations. See the Amended Landscape Report at **Appendix I** for further detail.

6.4 Transport Management

JMT Consulting have considered the feedback provided by DPHI, Transport for NSW, Penrith City Council and other submissions and prepared a revised Traffic Impact Assessment (TIA) which is provided at **Appendix J**. The TIA (as amended) outlines the transport strategy for Penrith Stadium during both the construction and operational phases. The assessment includes a review of changes proposed to the design of the traffic and access arrangements. Key matters arising from the updates to this assessment are discussed below.

6.4.1 Traffic Network

JMT have undertaken additional modelling of the local road network having regard to the traffic impacts of 25,000 person crowds for sporting events and 30,000 person crowds for concert events. This modelling considers background growth assumptions consistent with TfNSW's assessment for the proposed Mulgoa Road upgrades that TfNSW advise are 'planning approved, funded for construction'. Modelling has been undertaken utilising the SIDRA Network modelling package approved by TfNSW.

For a 25,000 person sporting event all intersections in the vicinity of Penrith Stadium, for both a pre-event and post-event peak period, will continue to operate at an acceptable level. Intersections are generally forecast to maintain their existing level of service, demonstrating that no additional traffic management measures are required to support traffic movements during sporting events when compared with current conditions.

For a 30,000 person concert event traffic modelling indicates that a number of intersections would operate at a reduced level of service, with the additional traffic demands exceeding the carrying capacity of many intersections in the area. This analysis is considered to be conservative, noting that the vast majority of concerts would not reach the maximum capacity and would be unlikely to exceed the 25,000 person capacity of sporting events discussed above. The modelling also assumes the modal split and condensed arrival and departure periods would be the same as for a sporting event, whereas operational data from the Sydney Football Stadium at Moore Park indicates that there would likely be a lower of private vehicle usage and more dispersed arrival and departure periods. It is noted that the proposed development seeks approval for concert events which will be limited to a maximum of 10 concerts per year at Penrith Stadium.

On the basis of this assessment, it is proposed to implement event-specific traffic management measures for concerts with attendance of more than 25,000 persons. The event-specific Traffic Management Plan (TMP) would be prepared in consultation with TfNSW and may include measures such as scheduling concerts outside of busy periods within the local road network, temporary road closures, encouraging park-and-ride from Penrith Station, promoting public transport use and use of traffic guidance schemes.

Noting the acceptable impacts of sporting events on road network operation, and the very infrequent nature of more significant impacts associated with larger concert events, and the capacity to implement suitable mitigation strategies as outlined in the Revised Mitigation Measures at **Appendix B**, the impacts of the proposed development on the local road network are considered to be acceptable.

6.4.2 Temporary car parking strategy

On-site car parking has been amended to provide parking only on event days which will accommodate approximately 40 car spaces for players, officials and other VIPs. Consultation with Penrith Council has determined that it will not be a formal car park and the area will be managed by Venues NSW on event days with access to authorised persons only. Therefore, there will be no dedicated accessible parking spaces within the site and Venues NSW will manage access to this area for persons with accessibility needs.

Figure 1 Proposed temporary car park location

Figure 2 Proposed visualisation of the temporary parking arrangement with cars

6.4.3 Pedestrian Fencing

TfNSW has requested that pedestrian fencing be provided along Mulgoa Road between Ransley Street and Panthers Access Road and between Panthers Access Road and Jamison Road, and that a pedestrian barrier fence be provided along the eastern side of Mulgoa Road within the vicinity of the sewer pump station. This fencing able to be delivered in conjunction with the project. TfNSW has also requested that consideration be given to the installation of pedestrian fencing along the Ransley Street frontage, noting that this would require the removal of parking along the southern side of Ransley Street. The Applicant will review the suitability of fencing in this location further in conjunction with TfNSW, with any change being subject to any necessary approvals from TfNSW and/or Council. Updated Mitigation Measures to this effect are included at **Appendix B**.

6.5 Acoustic Impact

Arup has prepared an Acoustic Statement (**Appendix F**), to be read in conjunction with Noise and Vibration Impact Assessment (NVIA) exhibited with the EIS. This letter responds to the assessment of crowd noise associated with concerts, which have a larger crowd capacity than sporting events at 30,000. Arup's statement clarifies that the NVIA is in line with the assessment of comparable major stadia projects, including the Sydney Football Stadium Redevelopment and Parramatta Stadium, which utilised predictive assessment and operational limits for concert events that exclude crowd noise, with assessment being undertaken on the basis of amplified sound only in order to establish suitable noise criteria/limits for amplified concert noise. Crowd noise was, however, assessed in the NVIA for the increased capacity of 30,000 people. The predicted increase in noise of 1 to 2 dB from the change in crowd capacity is considered negligible and unlikely to be noticeable at receiver locations.

6.6 Future Residential Amenity

As outlined in **Section 5.0**, one public submission and DPHI requested further consideration of potential amenity impacts arising from the project on the property opposite the site across Station Street, being 164 Station Street, Penrith.

164 Station Street is zoned R4 High Density Residential under the Penrith Local Environmental Plan 2010 (Penrith LEP), and is subject to site-specific provisions set out in Part E11(C) of the Penrith Development Control Plan 2014 (Penrith DCP). The site is largely vacant, with the former Panasonic Factory previously located on the site having been demolished in 2018.

Whilst 164 Station Street benefits from planning controls that would permit a future residential or mixed use development of the site, there is no active Development Application or Development Consent that would permit such development. Development Application DA19/0574 was approved by Penrith City Council in September 2020 for 'Stage 1' works including subdivision and civil engineering works, however, this consent does not permit any residential development or use. At the time of writing the subdivision does not appear to have been registered with NSW Land Registry Services. Unless commenced, the consent would lapse in September 2025.

Any future proposal for residential development of the 164 Station Street site would require the preparation and submission of a Development Application that seeks consent for the design, construction and use of the land for these purposes. Any such Development Application for the 164 Station Street site would be required to consider the site conditions as they exist, including the relationship with existing and proposed surrounding development including the existing and ongoing operation of the Penrith Stadium. That DA would be subject to, and assessed having regard to, the relevant provisions of the applicable planning framework, including the Penrith LEP, the Penrith DCP, and State Environmental Planning Policies such as Chapter 4 of State Environmental Planning Policy (Housing) 2021.

Consultation with representatives of the landowner of 164 Station Street has been undertaken since public exhibition as outlined at **Section 3.1**. This consultation has assisted in confirming the planning status of future proposed development on the 164 Station Street site. The Applicant has considered the feedback from the landowner and this has helped to shape the design amendments proposed in this Submissions and Amendment Report.

The following sections provide an assessment of the capacity of a future residential development of the 164 Station Street site to achieve sufficient residential amenity, should the Penrith Stadium Refurbishment be approved and constructed.

In assessing the impact of the Penrith Stadium Refurbishment on the potential future development of 164 Station Street, it is appropriate to have regard to the 'planning principles' established by the NSW Land and

Environment Court in respect of the impact of development on neighbouring properties (*Davies v Penrith City Council* [2013] NSWLEC 1141 at [116]), whilst noting that this principle is typically applied to the existing characteristics of neighbouring properties rather than potential future development:

> *The following questions are relevant to the assessment of impacts on neighbouring properties:*
>
> - *How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?*
> - *How reasonable is the proposal causing the impact?*
> - *How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?*
> - *Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?*
> - *Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal?*

These questions are addressed at a high level as follows, and in further detail in the following sections:

- The proposal does not substantively change the amenity of the affected property, which is largely vacant at the present time. The project is a refurbishment of an existing stadium that has been in operation on the subject site for many years, well before any potential residential development of the neighbouring site at 164 Station Street was contemplated in Council's controls. The environmental impacts of the proposed development are similar to those of the existing stadium, with solar access addressed in further detail in **Section 6.6.1**. The affected property continues to be capable of being developed for residential uses that achieve a very high level of residential amenity.
- The Penrith Stadium Refurbishment project involves the enhancement of an existing stadium to facilitate the continued operation of events of regional and national significance. Penrith Stadium has been renewed, expanded and refurbished on a number of occasions over its history, and it is entirely reasonable to expect that this will continue to occur over the future. The proposal is compliant with all applicable planning controls and policies, and does not hinder future development of the neighbouring site from doing the same.
- The neighbouring property at 164 Station Street is not at all vulnerable to the impacts arising from the project. This is not only because the impacts of the project are largely consistent with those of the existing stadium, but also because the future design and construction of any residential or other buildings on the 164 Station Street site will be capable of foreseeing and responding to any latent impacts. The 164 Station Street site is not particularly constrained, and there is ample opportunity to ensure that buildings and dwellings are designed to achieve a very high level of residential amenity. Moreover, any future occupant of a residential dwelling on the 164 Station Street site will be fully aware of the presence of both the existing stadium and this current proposal.
- The proposed impacts, to the extent that they occur, do not result out of poor design. With respect to the potential overshadowing impacts discussed in further detail in **Section 6.6.1**, these arise due to the core operational requirement to position the grandstands in relation to the playing field. The proposal demonstrates a high standard of design to deliver a high-quality spectator and operational experience that meets the standards expected of a modern stadium. Reducing overshadowing would require either a compromise of the core operational objectives for the stadium, or the relocation of the playing field which would reduce public open space within the precinct and incur significant additional project costs. As outlined in **Section 6.6.1**, the overshadowing impacts are acceptable as proposed, and there is no justification for any further design amendments beyond those outlined in **Section 4.0**.
- The proposal complies with all applicable planning controls, and does not in any way inhibit the capacity of future development on the 164 Station Street site to comply with the applicable planning controls.

On this basis, it is clear that the impacts of the Penrith Stadium Refurbishment are acceptable in the circumstances. Further detail is set out in the following sections.

6.6.1 Solar Access

Assessment Framework

Any future proposal for residential development would be required to demonstrate an appropriate level of residential amenity, having regard to the existing planning framework, and in particular:

- Requirement to demonstrate design excellence pursuant to Clause 8.4 of the Penrith LEP, including at sub-clause (2)(a) whether a high standard of architectural design is achieved, at sub-clause (2)(e)(iv) the

relationship of the proposed development with other buildings on neighbouring sites in terms of amenity, and at sub-clause (2)(e(vii) the environmental impacts of the development such as overshadowing.

- Requirement to consider the design principles for residential apartment development under Schedule 9 of the Housing SEPP, including Principle 6 which requires that good design include access to sunlight.
- Requirement to consider the Apartment Design Guide (ADG), including Objective 4A-1 that seeks to *"optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space"*. Under the ADG, consistency with this objective may be practically achieved through assessment against Design Criteria (1) that requires that *"living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter in the Sydney Metropolitan Area"*.

This framework will apply to the assessment of any development application(s) made for the purpose of residential accommodation on the 164 Station Street site.

Site Characteristics and Access to Sunlight

Station Street is oriented at approximately 45 degrees from north, with the 164 Station Street site benefitting from a nearly 500m-long street frontage. This means that at mid-winter, any building developed along the 164 Station Street site that is oriented parallel to Station Street would receive direct sunlight to the street façade at all times between 9am and 3pm at the winter solstice (being the worst-case assessment period). There is no significant overshadowing of the 164 Station Street site from the eastern or northern boundaries.

The overshadowing diagrams which accompanied the exhibited EIS demonstrate that there would be no overshadowing of any buildings on the 164 Station Street site until nearly 1pm at mid-winter. Additional shadow diagrams that provide greater clarity of the existing, exhibited and proposed shadows have been prepared by Populous inclusive of further detailed information to allow scaled measurement which are provided at **Appendix N**. This means that any street-facing apartments would be capable of achieving at least 3 hours of sunlight, in excess of the 2 hours required by the ADG design criteria. Further detailed assessment to verify this has been undertaken as outlined below.

Additional Shadow Diagrams

Following exhibition, DPHI requested further assessment be undertaken to demonstrate that future development of the 164 Station Street site is capable of achieving appropriate sunlight access to future residential dwellings following Penrith Stadium Refurbishment. As outlined in **Section 6.6**, no development consent has been issued for the design or construction of residential buildings for the 164 Station Street site. DPHI requested that shadow diagrams overlaid on Figure 2 from Chapter E11(C) of the Penrith DCP, being the landscape masterplan. It is necessary to note that the landscape masterplan and other diagrams contained within the Chapter E11(C) of the Penrith DCP are indicative, and any future Development Applications would have the capacity to significantly depart from the indicated layouts of buildings and open space in accordance with the development assessment framework in respect of the role of DCPs as set out by Sections 3.42 and 4.15(3A) of the EP&A Act. If future development of the site is SSD under State Environmental Planning Policy (Planning Systems) 2021, then the Penrith DCP would not apply at all.

Notwithstanding, the requested diagrams have been prepared by Populous and are provided at **Appendix O**. In two dimensions, these diagrams do not accurately represent the true nature of overshadowing of the 164 Station Street site when assessing shadows on the facades of future buildings, nor the shadows cast within the 164 Station Street site by any future buildings developed on that land. For the purposes of this assessment, Populous have also prepared overshadowing diagrams that utilise the indicative building footprints identified in Chapter E11(C) of the DCP, extruding these footprints to a height of 24 metres in accordance with the mapped building height limit under the Penrith LEP, noting that the LEP also provides opportunities for this standard to be exceeded. These three-dimensional diagrams are also provided at **Appendix O**. Extracts from both sets of diagrams are included at **Figure 3** as referenced in the following assessment.

Following exhibition, DPHI also requested that additional overshadowing plans be prepared overlaying the shadow diagrams onto the plan of subdivision for the 164 Station Street site approved under DA19/0574. These diagrams have been prepared and are provided at **Appendix O**. It is noted that DA19/0574 does not approve any residential development or use of the land. Accordingly, the impacts of shadows cast by the Penrith Stadium Refurbishment on the subdivision are the same impacts as those on the existing site as outlined in the EIS. The lots created by the subdivision, if registered, are generally in accordance with the site layout illustrated in Chapter E11(C) of the Penrith DCP, and therefore any impacts on future development of these lots would be expected to be generally consistent with the impacts assessed below.

It is noted that, consistent with the assessment approach outlined in the Apartment Design Guide, shadows cast by trees have not been included in any assessment.

Assessment

Figure 3 demonstrates overshadowing arising from the Penrith Stadium Refurbishment at the winter solstice (i.e. worst case) commencing from 12pm, with more detailed versions of these images and diagrams for the period prior to 12pm (when no overshadowing of potential buildings would occur) provided at **Appendix O**. The two-dimensional diagrams also illustrate shadows cast by the existing stadium, and shadows cast by the proposal as exhibited. The effect of the design changes to the East Stand outlined in **Section 4.0** is that overshadowing is reduced in comparison to the exhibited design.

The following assessment outlines the effect of overshadowing at hourly intervals:

9am: There is no overshadowing of any part of the 164 Station Street site. All potential building facades oriented towards Station Street would have full access to sunlight notwithstanding the Penrith Stadium Refurbishment.

10am: There is no overshadowing of any part of the 164 Station Street site. All potential building facades oriented towards Station Street would have full access to sunlight notwithstanding the Penrith Stadium Refurbishment.

11am: There is no overshadowing of any part of the 164 Station Street site. All potential building facades oriented towards Station Street would have full access to sunlight notwithstanding the Penrith Stadium Refurbishment.

Noon: There would be no overshadowing of any building on the 164 Station Street site. This means that every dwelling along this façade would achieve at least 3 hours of sunlight, being at least 50% more than what the NSW Department of Planning, Housing and Infrastructure's Apartment Design Guide deems to be an appropriate duration of direct sunlight access. Shadows cast by the East Stand are confined to the roadway and landscaped street setback to Station Street.

1pm: A very small fraction of the southern building envelope modelled is overshadowed by the refurbished East Stand. Due to the very small extent of overshadowing of this façade, it is expected that at most 1-2 apartments would be affected, and that through standard design processes those apartments would still be capable of achieving direct sunlight at 1pm. It is also noted that there may be potential for ground-level retail or partially above-ground basements in this potential building (subject to design by landowner, and assessment of any DA) in which case there would be no impact on any residential dwellings. On this basis it is reasonably anticipated that every dwelling along this façade would be capable of achieving direct sunlight at this time, meaning that all dwellings would achieve at least 4 hours of sunlight, being a duration that is 100% longer than the 2 hours deemed appropriate by the ADG. A small area of the linear landscaped area to the south of the southern building modelled is also overshadowed, with the majority of this area remaining in sun.

2pm: There would be some additional overshadowing of the potential southern building modelled compared with 1pm, confined to the lower levels of this building. In this potential southern building, some apartments would already be subject to overshadowing from the existing East Stand. In this potential southern building, all affected apartments would continue to achieve at least 3-4 hours of sunlight as outlined above. More than 50% of the façade of this potential southern building would continue to achieve full sunlight at 2pm, with all apartments in sun receiving more than 5 hours of direct sunlight. In the northern building modelled, only a small part of the south-western corner of this building would be subject to shadow. Due to the very small extent of overshadowing of this façade, it is expected that at most 1 apartment would be affected, and that through standard design processes this apartment would still be capable of achieving direct sunlight at this time. This means that all potential apartments within this potential northern building would be capable of achieving more than 5 hours of direct sunlight. Shadows cast to the linear landscaped area to the south of the southern building modelled are generally consistent with those at 1pm, where the majority of this area remains in sunlight. There is also some overshadowing of the internal roadway and landscaped curtilage located between the southern and northern buildings modelled, however, this does not extend as far as the central turf lawn indicated in the illustrative DCP landscape masterplan.

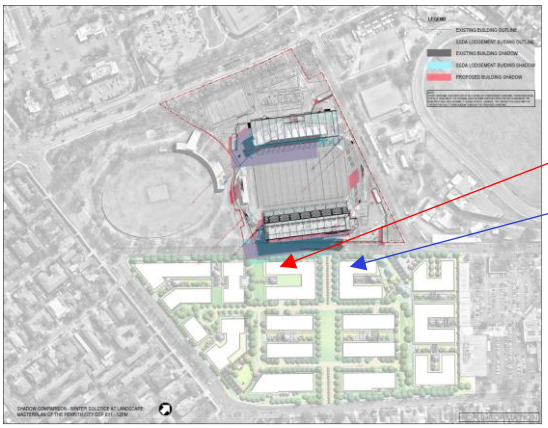
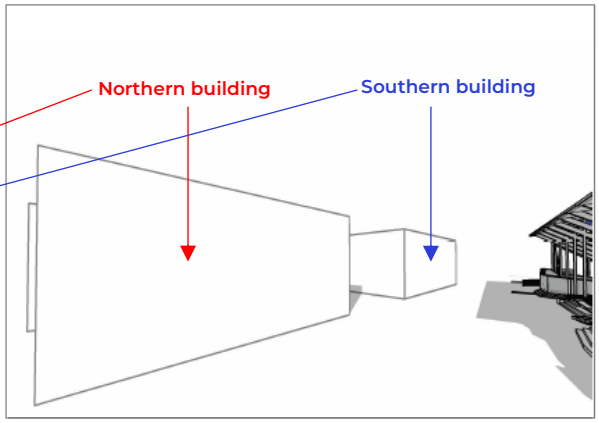
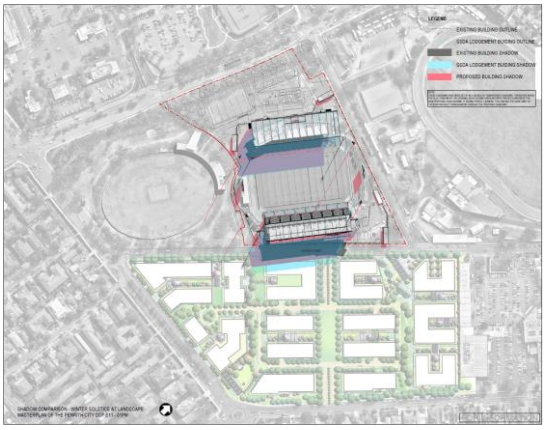
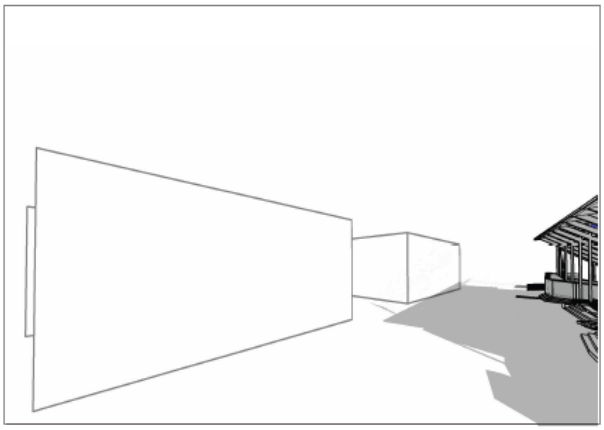
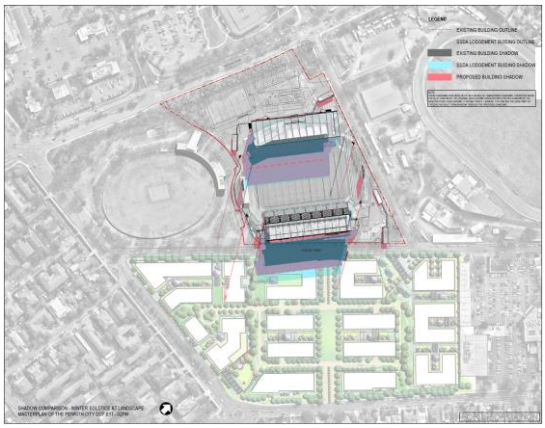
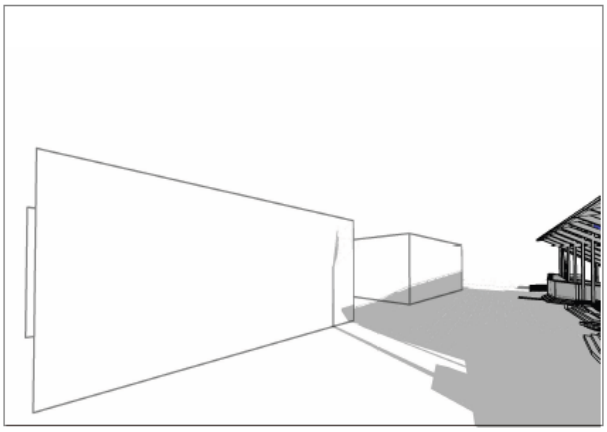
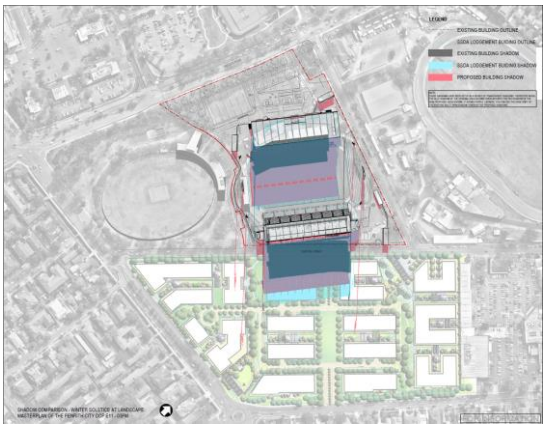
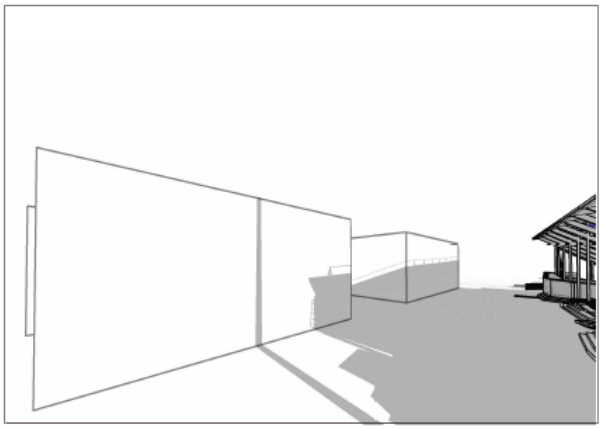
3pm: There would be some additional overshadowing of the potential southern and potential northern buildings compared with 2pm. At this time, both buildings would be affected by overshadowing from the existing East Stand to a lesser extent. Most of the potential northern building, and the upper levels of the potential southern building, would continue to receive direct sunlight at 3pm, meaning that potential apartments in these buildings would receive full sunlight access from 9am-3pm at the winter solstice. All potential apartments within these buildings would achieve direct sunlight well in excess of the 2 hours deemed appropriate by the ADG. Shadows to internal landscaped areas are generally the same as those described in respect of 2pm.

Accordingly, future development of the 164 Station Street can be expected to achieve a very high level of solar access, well in excess of the design criteria and objectives of the NSW Department of Planning, Housing and Infrastructure's Apartment Design Guide.

Conclusion

As outlined in the preceding sections, any residential apartments developed on the 164 Station Street site facing Station Street, whether in accordance with the Penrith DCP or otherwise, is capable of achieving direct sunlight well in excess of the applicable standards prescribed by the NSW Department of Planning, Housing and Infrastructure's Apartment Design Guide, which would be a mandatory matter for consideration in any future Development Application(s) pursuant to State Environmental Planning Policy (Housing) 2021. The Penrith Stadium Refurbishment therefore has no impact on the capacity for future development of the 164 Station Street site of the nature contemplated by the Penrith LEP and DCP.

Figure 3 Overshadowing diagrams illustrating potential buildings identified in Chapter E11 of Penrith Development Control Plan at winter solstice

Time	2D Shadow Diagram (shadows cast by stadia only)	3D Shadow Diagram
Noon		
1pm		
2pm		
3pm		

Source: Populous, annotated by Ethos Urban

6.6.2 Acoustic/Noise Impacts

Penrith Stadium has been hosting major sporting and community events on an unrestricted basis for many decades. Irrespective of the Penrith Stadium Refurbishment project. The Noise and Vibration Impact Assessment (NVIA) (Appendix T of EIS) concluded that there would be only a negligible increase of 1dB predicted as a result of the increase in crowd size, which is not expected to be noticeable by the relevant noise receptors. Furthermore, the Penrith Stadium Refurbishment project proposes to introduce a noise management framework for the stadium that includes specified hours and acoustic criteria that do not currently apply, which would mitigate noise impacts to all residents (existing and future) within the surrounding locality.

Any future Development Application for the design, construction and use of residential dwellings within the 164 Station Street site would be required to consider existing environmental noise, including from the ongoing use of the stadium. This will require demonstration of appropriate levels of internal acoustic privacy.

The NVIA includes standard and appropriate mitigation measures to manage noise emissions from building plant equipment within the East Stand, in order to ensure that ongoing plant noise does not impact on residential amenity.

6.6.3 Construction Management

As no Development Application has been lodged yet for any residential development, there is no construction impact anticipated for the site as construction of Penrith Stadium will be completed before any residential dwellings at 164 Station Street are assessed, approved, sold and constructed. Accordingly the construction of the Penrith Stadium Refurbishment project would have no impact on the amenity of future residents of the 164 Station Street site.

Should 164 Station Street begin 'Stage 1' works inclusive of road works at their site during construction at Penrith Stadium, the Applicant will consult with 164 Station Street to ensure that there are no further impacts on either sites, or the surrounding properties and community. A mitigation measure is included at **Appendix B**.

6.7 Social Impact Assessment

The Social Impact Assessment Review (SIA) has been updated by Aurecon following the completion of the public exhibition period, and is provided at **Appendix M**. The assessment includes updates to consider the cumulative impacts. The SIA specifically considered the impact of the proposed development in relation to 164 Station Street and the consultation that since exhibition has been undertaken. The updates to the SIA do not alter the primary conclusions of this study from the exhibited document that accompanied the EIS, being that the development has a medium impact (both positive and negative) during the construction phase, which will be temporary and short term and able to be mitigated through appropriate mitigation measures (Appendix D of the EIS), and that during the operation phase, Aurecon considers the impacts to be low in scale and largely positive. Therefore, the social impact on 164 Station Street is consistent with the primary conclusions from the SIA that accompanied the EIS (Appendix II) and any impacts can be appropriately mitigated through the consolidated mitigation measures at Appendix D of the EIS.

6.8 Other Environmental Impacts

Table 9 summarises how the project amendments described in **Section 4.0** relate to the prior assessment of environmental impacts outlined in the EIS. **Table 9** should be read in conjunction with further assessment and clarifications provided in the response to submissions set out in **Section 5.0** of this report.

Table 9 Other Impacts

EIS Assessment Matter	Comment
Built Form and Urban Design	Refer to **Section 6.2** and **Appendix D** and **Appendix E**.
Public Domain	Refer to **Section 6.4** and **Appendix H** and **Appendix I**.
Environmental Amenity	Refer to **Section 6.7** and **Appendix M**.
Transport, Traffic, Parking and Access	Refer to **Section 6.4** and **Appendix J**.

EIS Assessment Matter	Comment
Noise and Vibration	Refer to **Section 6.5** and **Appendix T** of the EIS and **Appendix F**.
Heritage and Archaeology	Refer to **Appendix L** and **Appendix K**.
Tree Removal	No change from previous assessment.
Sustainability	No change from previous assessment.
Safety and Security	No change from previous assessment.
Contamination and Remediation	No change from previous assessment.
Geotechnical and Groundwater	No change from previous assessment.
Biodiversity	No change from previous assessment.
Flooding and Stormwater	Refer to **Appendix C**.
Waste Management	No change from previous assessment.
Construction Management	No change from previous assessment.
Accessibility	No change from previous assessment.
Building Code of Australia	No change from previous assessment.
Fire Engineering	No change from previous assessment.
Structural Assessment	No change from previous assessment.
Social Impacts	Refer to **Section 6.8** and **Appendix M**.
Contributions	No change from previous assessment.

7.0 Updated Project Justification

This section provides an updated justification and evaluation of the project as a whole, incorporating any relevant issues raised in submissions and the Applicant's response to these issues.

Any design changes or assessments undertaken are in response to issues raised in submissions or further design development and have not increased the impact of the development. The design changes are minor in nature. As such, the justification for the project as previously outlined in the EIS is reiterated and strengthened through the presented responses which comprise meaningful amendments to the Proposal.

7.1 Ecologically Sustainable Development

The EP&A Regulation lists four principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle.
- Intergenerational equity.
- Conservation of biological diversity and ecological integrity.
- Improved valuation and pricing of environmental resources.

An analysis of these principles follows.

7.1.1 Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This Submissions and Amendment Report has not identified any serious threat of irreversible damage to the environment and therefore precautionary principle is not relevant to the project. The proposal (as amended) will deliver a high standard of ESD outcomes and initiatives at the site, as described above, and will minimise environmental impacts in areas of energy, water and materials efficiency. Proactive measures to prevent environmental degradation have been included within the design, construction, and operational phases of the refurbished stadium. The contractor will implement environmental management plans during the construction phase and operational procedures of the stadium will actively purse relevant targets to meet the relevant mitigation measures and mitigate or minimise potential environmental risks.

7.1.2 Intergenerational Equity

Inter-generational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The project (as amended) has been designed to benefit both the existing and future generations by:

- Implementing safeguards and management measures to protect environmental values.
- Providing a high level of sustainability and demonstrates responsibility in the consumption of resources, ensuring the efficiency of operations into the future.
- Providing an important social, cultural, and sporting facility that is capable of hosting sporting and other events into the future.
- Facilitating job creation and more widely supports local hospitality, accommodation, and entertainment industries, contributing to the long-term health of the visitor economy in Penrith and Western Sydney.

The project (as amended) has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in the EIS and the appended technical reports.

7.1.3 Conservation of Biological Diversity and Ecological Integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The proposal would not have any significant effect on the biological diversity and ecological integrity of the study area. As demonstrated in the EIS, at **Section 6.0** and throughout this Report, the proposed refurbishment of the stadium will not result in any significant effect on the biological and ecological integrity of the study area, subject to the mitigation measures set out in **Appendix B**.

7.1.4 Improved Valuation, Pricing and Incentive Mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. The cost of infrastructure, design measures, and other sustainability initiatives associated with the refurbishment of the stadium have been incorporated into the cost of the development and will be delivered in the most cost-effective way via a life cycle cost approach that provides best return on investment.

Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure no environmental resources in the locality are adversely impacted during the construction or operational phases. Refer to the mitigation measures at **Appendix B**.

7.2 Likely Impacts of the Development

Having regard to the natural environment, built environment, economic and social impacts of the proposed development, the likely impacts of the development (as amended) are considered acceptable as outlined in the following sections.

7.2.1 Natural and Built Environment

The proposed development (as amended) has demonstrated that the proposal adopts appropriate management strategies and will generate limited environmental impacts, due to the proposed mitigation measures and the design of the development.

All potential environmental impacts are thoroughly addressed in the EIS and **Section 6.0**.

7.2.2 Social and Economic

An assessment of the likely social impacts of the project have been undertaken in the Amended Social Impact Assessment at **Appendix M**, prepared in accordance with DPHI's *Social Impact Assessment Guideline 202*. The assessment confirms that the proposal has the potential to result in both positive and negative impacts. The identified negative impacts are primarily short-term related to completing construction activities on the site and have informed mitigation measures at **Appendix B**. The identified positive impacts range from short-term to long-term and will impact both the local area and the wider functionality, usability and the improved sporting facility within Penrith and broader Western Sydney.

In addition, the ongoing phase of the project will support approximately 460-500 construction jobs and approximately 600-650 full time jobs on game days.

Overall, the refurbishment of Penrith Stadium will ensure positive social outcomes for the broader community subject to the implementation of the amended mitigation measures at **Appendix B**. Investment in the sporting facility will provide widespread, significant and long-term benefits.

7.3 Suitability of the Site

Having regard to the characteristics of the Site and its location, the proposed development (as refined and amended) remains suitable for the site in that:

- The site is currently utilised as Penrith Stadium and no change of use is proposed.
- The site is zoned as RE1 Public Recreation under the Penrith LEP with 'recreational facilities (major)' permitted as an additional use on the site and the proposed development is therefore permitted with consent.
- The proposal will refurbish the existing stadium to ensure the stadium retains its status as a Tier 2 venue in NSW.
- The proposal facilitates to an activated precinct that not only operates on event days, but throughout the week for use by communities within and surrounding Penrith.

- The development has been designed to be undertaken in a manner that minimises impacts on its surrounds, and has been designed to respect the natural, historical, and environmental qualities of the site.
- The proposal will result in only minor environmental impacts that can be appropriately managed and mitigated to an acceptable level.
- The site is located within close proximity to the Panthers Leagues Club which is the primary national level team utilising Penrith Stadium.

7.4 Public Interest

The proposed development remains in the public interest as it:

- Delivers significant social, cultural and economic benefits to the local, Sydney and NSW community by providing a stadium that will provide a high-quality venue for viewing sport, with the functionality and amenity required to attract national events, resulting in direct and indirect benefits in terms of employment and expenditure within the economy of NSW.
- Provides for increased efficiency in stadium operations by providing an upgraded facility that is fit for modern requirements with improved player facilities and patron experience.
- Achieves a high level of environmental performance by targeting a 5 Star Green Star Rating in accordance with the ESD Strategy, implementing measures that promote and support the uptake of sustainable transport options, and designing the stadium with consideration of environmental risks and climate change.
- Facilitates increased visitation by non-car travel modes including public transport, cycling and walking, through increased provision of bicycle parking, improved coordination with new and existing infrastructure outside of the stadium and the implementation of a Green Travel Plan as part of the future operation of the stadium.
- Provides a more family friendly experience for those attending concerts and sporting events at the stadium, with increased cover and weather protection during events to allow a greater number of people, of different ages and characteristics, to attend events.
- Provides a better spectator experience for events taking place in the stadium, leading to an enhanced sense of wellbeing and customer satisfaction, improved attendances, and increase opportunity for community interactions and social cohesion.
- The development will not result in any significant environmental impacts that cannot be managed through adherence to the mitigation measures at **Appendix B** and any further mitigation measures and conditions identified during assessment.

8.0 Conclusion

As set out in this Submissions and Amendment Report, the Applicant has reviewed each of the submissions made by members of the general public and State and local Government agencies. In response to issues raised in these submissions, as well as matters identified by the Department, the Applicant has undertaken further environmental assessment and provided clarification regarding the scope of the proposed development that is the subject of this planning application. A number of minor changes to the proposed development have been made in the course of responding to matters raised in the submissions, as well as a result of further project design development. This Submissions and Amendment Report has set out these matters as required under section 59(2) of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and in accordance with the DPHI's *State Significant Development Guidelines,* including *Appendix C – Preparing a Submissions Report* and *Appendix D- Preparing and Amendment Report*.

The Penrith Stadium Refurbishment will support the growing population of Western Sydney and improve the event experience for venue users. The stadium upgrade has been designed to improve the game day experience for fans and players, and is set to attract visitors from far and wide, creating a superior venue for sports events, live music and entertainment. The proposed changes to Penrith Stadium will cater for the increasing demand for NRL and NRLW regular season and representative matches, and will be a boost for Western Sydney and will support local jobs during construction and once it is operating.

The environmental assessment concludes that, subject to the implementation of final mitigation measures outlined in **Appendix B**, the proposed development would not result in any unacceptable impacts and will generate a number of significant social and economic benefits for Western Sydney and NSW. Accordingly, the Department is requested to complete its assessment of the project and recommend the project be approved by the Minister for Planning and Public Spaces.