

# cityscapeplanning+projects

**NEPEAN HEALTH PRECINCT - MIXED USE  
DEVELOPMENT**

**11 BARBER AVE KINGSWOOD**

**S75W MODIFICATION:  
STAGE 1 PROJECT APPLICATION (MP09\_0220)**

SUBMITTED TO: DEPARTMENT OF PLANNING AND ENVIRONMENT

**JUNE 2016**

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DISCLAIMER

This report is provided to accompany a Development Application to be lodged on the subject land and is to be used for that purpose solely and for the client exclusively. No liability is extended for any other use or to any other party. Whilst the report is derived in part from our knowledge and expertise, it is based on the conditions prevailing at the time of the Report and upon the information provided by the client.

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# 1.0 INTRODUCTION

*Cityscape* has been engaged by the proponent, Aesthete No.3 Pty Ltd, to prepare and submit an application to modify the relevant Concept and Project Approval pursuant to section 75W and Clause 3C of Schedule 6A of the *Environmental Planning and Assessment Act, 1979* (EP & A Act).

# 2.0 THE SUBJECT SITE

## 2.1 LOCATION

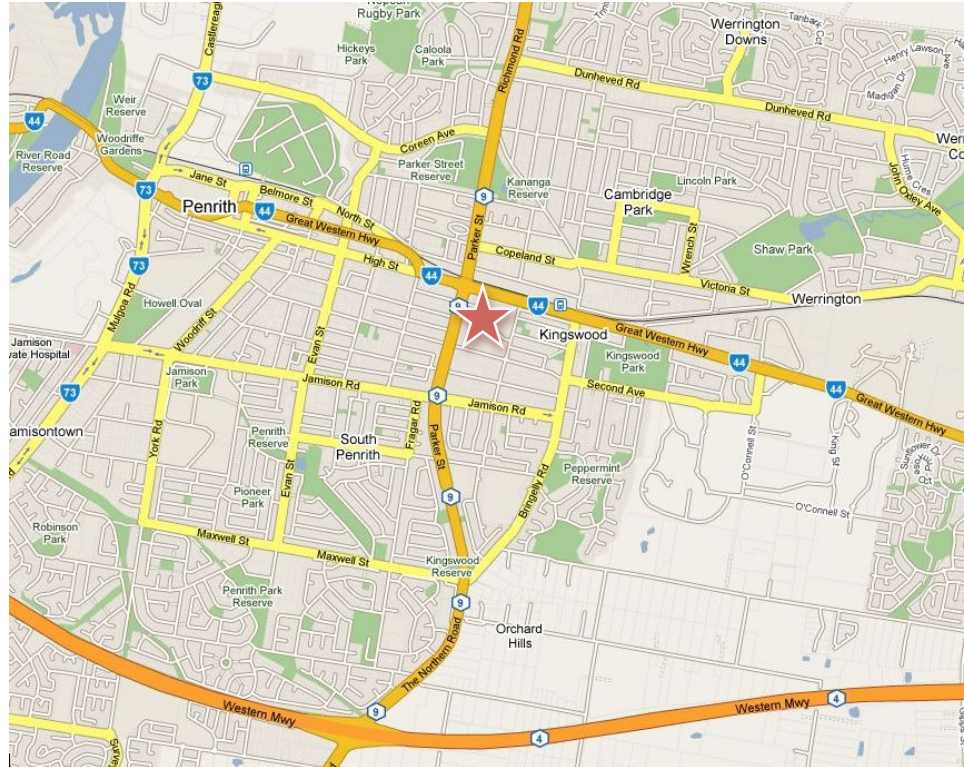
The subject site is a 'L' shaped parcel that forms part of the Nepean Health Precinct, being located adjacent to both the Nepean Hospital and Nepean Private Hospital.

It has frontages to the Great Western Highway, and Barber Avenue and is some 1.15ha in area. The location of the site is provided at Figure 1 and the cadastral arrangements of the site is represented at Figure 2.

The site is known as 11 Barber Ave but has the following real property description:

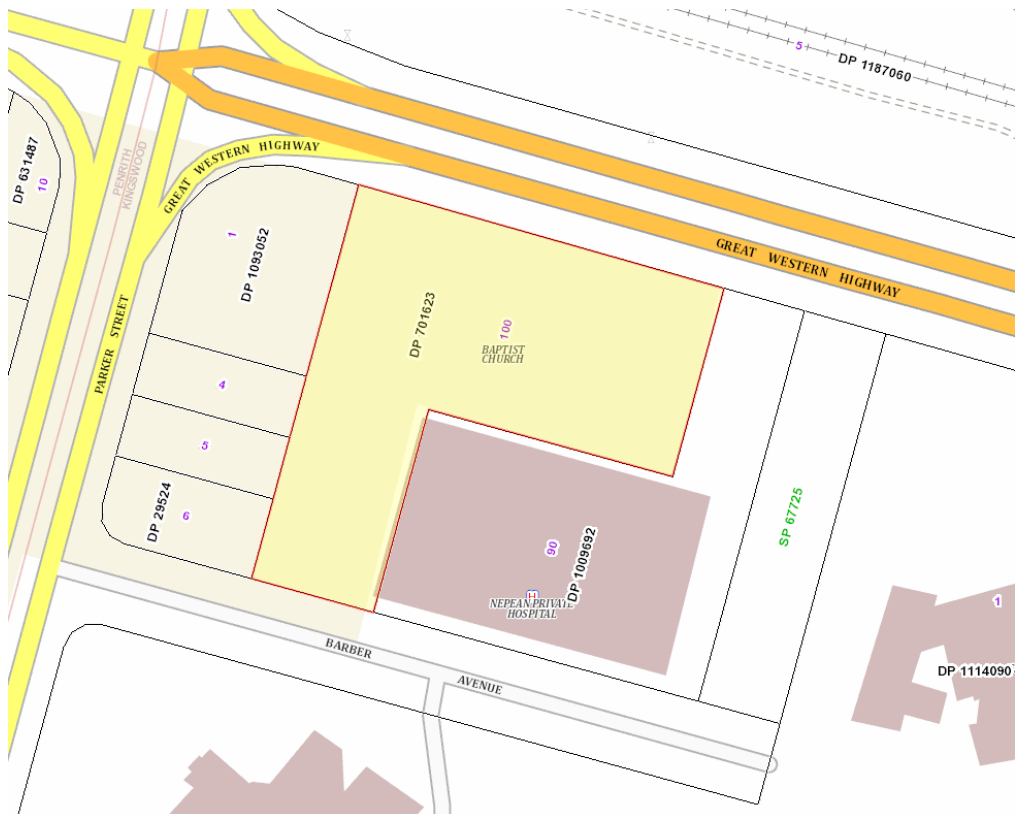
Lot 100 DP 701623

FIGURE 1: LOCATION OF SITE



Subject site

FIGURE 2: AERIAL PHOTO OF SITE



## **2.2 EXISTING DEVELOPMENT**

Existing development on site is represented by a Commercial car park (for Nepean Private Hospital) located at the western extent

## **2.3 REGIONAL CONTEXT**

The site and broader Nepean Health Precinct enjoy excellent access to regional scaled transport linkages and the services and facilities provided by the Penrith CBD.

Figure 3 demonstrates the regional context of the site.

FIGURE 3: REGIONAL CONTEXT OF SITE



# 3.0 MODIFIED PROPOSAL

The proponent seeks to modify the lands description of the Project Application and two of the conditions pertaining to the Project Application. These conditions and the modifications are identified below:

## 3.1 SITE DESCRIPTION - SCHEDULE 1

Amend Schedule description of relevant land to:

Land: ~~Corner of Great Western Highway, Parker St, 11 Barber Ave, Kingswood (Lot 100 DP 701623, Lot 1 DP 1093052, lot 4-6 DP 29524)~~

Amend 'DEFINITIONS' of Subject Site as follows:

Subject Site: ~~Corner of Great Western Highway, Parker St, 11 Barber Ave, Kingswood (Lot 100 DP 701623, Lot 1 DP 1093052, lot 4-6 DP 29524)~~

## 3.2 CONDITIONS TO BE MODIFICATIONS

### A6 LAPSING OF APPROVAL

Approval of the Project Application shall lapse ~~5~~7 years after the determination date unless construction of work authorised by this Project Approval has physically commenced.

### B15 DEVELOPER CONTRIBUTIONS

Prior to the issue of any Construction Certificate **related to works above basement levels of the development**, the proponent is to pay monetary contributions to Penrith City Council in accordance with the following Section 94 Contributions Plan in the table below:

## 3.3 BACKGROUND TO PROPOSED MODIFICATIONS

### *SITE DESCRIPTION – SCHEDULE*

Whilst the Concept Approval relates to the broader site, the relevant Project Approval relates to just the one lot referenced at sections 2.1 and 3.1 of this report and has no relevance to the other lots currently identified in the Project Approval.

### ***A6 LAPSING OF APPROVAL***

The consent will soon lapse, however the proponent would still like to pursue the development. Therefore an extension of the period for lapsing of that consent is requested.

### ***B15 DEVELOPER CONTRIBUTIONS***

The proponent does not seek relief from the obligation to make this payment, but seeks only have the timing of the payment deferred from prior to the Construction Certificate Stage to prior to the issue of any a Construction Certificate for works above ground level.

The purpose of this modified timeframe payment is simply to defer a significant cost element of the project development cost as a means of assisting overall development feasibility.

# 4.0 CONSULTATION

A full range of consultation with relevant state and local agencies, as well as adjacent development occurred as part of the original concept and project application.

Consultation with officers of Penrith Council has also occurred and no concerns were raised.

No further consultation is considered necessary given the limited scope of the proposed modification.

# 5.0 PLANNING ASSESSMENT

The Director General issued detailed requirements for planning assessment as part of the original Concept and Project Applications.

These matters were as follows:

- Relevant EPI's Policies And Guidelines
- Built Form
- Public Domain
- Transport, Traffic + Parking
- Ecologically Sustainable Development
- Economic Impact
- Social Impact
- Infrastructure + Services
- Acoustic + Vibration Impacts
- Contamination
- Flora + Fauna Impacts
- Heritage
- Contributions

The proposed modification does not seek to change any of the built form responses of the approved development.

Accordingly, no further assessment against these matters is considered warranted for the modified development proposal.

# 6.0 CONCLUSION

The modified development proposal has been submitted to the Department of Planning and Environment to S75W of the *Environmental Planning & Assessment Act, 1979*.

The proposed development relates only to stage 1 of the development. No modifications to Stage 2 are proposed.

Despite the proposed modifications, the development proposal still represents a significant urban renewal initiative of land that forms part of the *Nepean Health Precinct*, which has been identified by both state and local agencies as a major focus for new employment growth in the LGA and sub region.

The modifications are also of minimal environmental impact, and the project will remain substantially the same development as that originally approved. Further, the project will remain consistent with the approved concept plan.

Given the environmental planning merits of the development and significant public benefits proposed, it is requested that the Minister approve the modified development proposal under the relevant provisions of the *Environmental Planning & Assessment Act, 1979*.

