



Planning Proposal

For 569-595 High Street, Penrith

May 2023

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Introduction

1. Purpose of Planning Proposal

Overview

This Planning Proposal Report has been prepared by Urbis on behalf of Scentre Group (**the Proponent**) who co-own Westfield Penrith located at 569-595 High Street, Penrith (the site). The land is legally described as Lot 1 in Deposited Plan (**DP**) 1137699.

The Proponent seeks to initiate the preparation of an amendment to the Penrith Local Environmental Plan 2010 (**PLEP 2010**) as it applies to the site. This Report is intended to assist Penrith Council (**Council**) in preparing a Planning Proposal to amend the planning controls at the site in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

Vision and Need for the Planning Proposal

Penrith is a thriving regional city that is undergoing significant transformation due to its strategic location within Sydney's Western City District and proximity to city shaping infrastructure such as the future Western Sydney Airport (WSA). WSA will be supported by significant new road and rail infrastructure that passes through the Penrith LGA, increasing overall levels of accessibility into the LGA. Whilst Penrith CBD is an already established commercial centre that performs a key economic and employment role in Greater Western Sydney, with the opening of the new Airport and improved transport connections, the City Centre is concurrently transforming to accommodate higher and more dense forms of mixed-use and residential development.

As the population grows, the importance of the Penrith CBD as a metropolitan strategic centre will increase. This Planning Proposal seeks to facilitate and strengthen Council's vision for Penrith CBD as a commercial and tourist hub by accommodating greater height and density on the site to support these uses which will be in close proximity to existing and planned infrastructure and services.

Westfield Penrith occupies a large portion of the City's economic centre and represents a significant opportunity to deliver city-shaping development that strengthen Penrith's important role as a metropolitan centre. The vision of this Planning Proposal is to deliver two new landmark commercial/hotel/retail buildings on the site to create a connected precinct that brings together a diverse mix of land uses whilst increasing opportunities for employment, tourism, and an activated night-time economy.

The location of the proposed tower elements that will be facilitated by this Planning Proposal are as follows:

'Borec House' – the proposed envelope for a commercial development with ground floor retail located on the corner of Station and Henry streets at the opposite corner facing the future City Park, Borec House will become a thriving commercial tower that extends the Justice and Health precincts that line Henry Street. The proposed green terraced building will step up from the street to become an extension of the City Park and create a welcoming corner extending along Station Street and Henry Street.

Figure 1 - Perspective - Borec House - View North-west



Source: Scott Carver

'The Hub' – the proposed envelope for a mixed use tower. The podium will contain a renewed retail and premium dining destination that addresses a new public forecourt. Above, 10,000sqm of A-grade commercial office will attract commercial offices looking to expand, decentralise and take advantage of the increase in visitor travel in the region as a result of the new WSA. To complete this true mixed-use tower, a 150-key hotel with sky lobby and dining will offer commanding views across the Nepean River, Blue Mountains and the Great Dividing Range.

Figure 2 - Perspective - The Hub - View North-east



Source: Scott Carver

The proposed two towers are commensurate with existing and emerging built form in the City Centre. There are multiple developments currently under construction in the area in addition to various development application's and Planning Proposal's.

These two buildings seek to unify Penrith City Centre with continuous bands of quality public domain and provide new retail, dining and work destinations.

Figure 3 - Perspective - The Hub and Borec House - View North-east



Source: Scott Carver

The planning proposal seeks to support the evolution of the role and function of the Penrith CBD into a vibrant metropolitan centre with a 24 hour economy. Centrally located the existing Westfield site is strategically located to leverage strong access to existing transport infrastructure and services. Already in close proximity to the commercial core of the CBD, the proposed LEP amendments will support the strengthening and diversification of the Penrith CBD in a location that will mitigate potential for land use conflict or compatibility issues with residential or other sensitive uses.

The proposed amendments deliver strong economic merits, particularly with regard to a longer term view of investment in the Penrith CBD and ensuring a competitive landscape for businesses choosing to locate in Penrith. The proposed timeframes for delivery of development on the site will ultimately be market driven, however current market research suggests that demand for high quality commercial development of this size and scale will exist within 5 years. It is therefore appropriate to plan for this opportunity now to deliver a future urban outcome that is integrated with the strategic vision of the Penrith CBD and broader aspiration to transform Penrith into a flourishing Metropolitan Centre.

Proposed Development Objective

The objective of this Planning Proposal is to facilitate the redevelopment of the eastern portion of Westfield Penrith located at 569-585 High Street, Penrith for a mixed-use commercial and hotel development comprising two towers above a podium. The future redevelopment will include the provision for:

- Employment activities including
 - Entertainment and leisure;
 - Commercial office;
 - Visitor accommodation;
 - Retail
- Landscaping and public domain upgrades.

These uses are based on a Reference Scheme prepared by Scott Carver (Appendix 2). The land uses are arranged in a manner that takes account of planned infrastructure, the environmental attributes of the site, and its relationship to surrounding land uses.

The Planning Proposal does not rezone land, rather increase the allowable density of the site through amendments to site specific height and floorspace controls. The proposal will support an increase in tourist and visitor accommodation and a minimum of 20,000sqm of commercial floor space in the Penrith CBD. The proposed uplift will allow for approximately 152 hotel rooms, consistent with Council's strategic vision to provide a mix of retail and other services including hotel type accommodation to activate streets and grow the tourism and night-time economies.

As part of the Planning Proposal the Proponent is offering to enter into a Voluntary Planning Agreement (**VPA**) to fund local infrastructure and deliver public benefits.

Proposed LEP Amendment

It is intended to amend the PLEP 2010 as follows:

- Height of Building (**HOB**) – retain a maximum HOB of 20m for the site, except for the location of the two building footprints (towers), where the height will be increased to 84m (Block A – The Hub) and 47m (Block B – Borec House), as illustrated in the proposed HOB map at **Appendix 1**. This reflects the maximum heights of the concept scheme and includes provision for services and lift overruns (i.e. to top of plant).
- Introduce a site-specific clause under Part 7 of the PLEP 2010 setting out the objectives for development on Block A and Block B at 569-595 High Street, Penrith, as well as specific Gross Floor Area (GFA) controls. The land/blocks to which the site-specific clause will apply will be identified on the Height of Buildings Map.
- Amend Clause 4.6(8)(ca) to exclude the land subject to the site specific clause from the operation of Clause 4.6.

Planning Assessment

The Planning Proposal provides a comprehensive strategic and site specific justification of the proposed amendment to the PLEP 2010, with the main considerations as follows:

- The Proposal will facilitate the growth of Penrith CBD which aligns with Greater Sydney Commission's vision for more jobs to be located within 30-minutes of a metropolitan centre such as Penrith.
- The Planning Proposal will increase employment opportunities on site and provide additional short-term accommodation in an area with good access to transport, services and employment.
- The site has the potential to generate 2,145 jobs including 1,361 direct operational jobs in close proximity to Penrith train station and residential areas.
- The Planning Proposal will allow for commercial and hotel development of a nature and scale consistent with the emerging streetscape character of Penrith CBD.
- The Reference Design prepared by Scott Carver achieves an appropriate built form and scale that reflects the vision for Penrith CBD expressed by local planning policy and district planning.
- The Reference Design provides much needed employment floor space and short-term accommodation to support future employment and tourism within the Western Parkland City, tapping into the new opportunities which will emerge through the development of the new WSA and Aerotropolis.
- The characteristics of the site including dual frontage, B3 zoning and proximity to Penrith Train Station, Westfield Shopping Centre and the future City Park make it highly suited for a high-density commercially focussed mixed-use development with minimal impact on sensitive land uses.
- The proposal will address a key gap in the hotel offering in Penrith CBD by delivering short-stay accommodation in an optimal location within the City Centre.
- The market need assessment found that the quality of existing office stock in Penrith CBD is low. The proposed development can service the short-term demand for commercial office in Western Sydney, complementing the Aerotropolis which is likely to develop over the longer term.

- As part of the Planning Proposal the Proponent is offering to enter into a Voluntary Planning Agreement (**VPA**) to fund local infrastructure and deliver public benefits.
- The Planning Proposal has demonstrated that development of the scale sought can take place without a detrimental impact on the significance of the Red Cow Hotel and surrounding heritage items.
- Flooding issues can be appropriately mitigated.
- Contamination issues can be appropriately mitigated. It is considered unlikely that activities at the site will have contaminated the land to a degree that would prevent the redevelopment of the site for commercial land-use.
- The proposal would increase retail, accommodation and employment densities close to very good public transport services and would support the NSW Government and Council sustainable travel objectives to reduce private car travel and encourage public transport use.
- The proposed car parking supply is sufficient to accommodate peak temporal demands whilst also encouraging use of public transport.
- The traffic modelling indicates that the existing road network can accommodate the incremental traffic demand attributed to the proposed redevelopment.
- The proposal has demonstrated it can comply with the current requirements of the Penrith DCP and provide 4 Star Green Star ratings in both buildings. Noting the proposal is only for a Planning Proposal, it is likely that future designs can seek to target higher ratings, particularly for Borec House. This will need to be explored further as part of future detailed development applications.

The review of the site's strategic context, site specific analysis and merit, demonstrates that the site is suitable for the proposed amendment and has the capacity to support the density proposed.

Summary

The Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including "A Guide to Preparing Local Environmental Plans" and "A Guide to Preparing Planning Proposals."

The proposal is consistent with the objectives and actions contained within the *Greater Sydney Region Plan – A Metropolis of Three Cities* and *Western City District Plan*. It is also consistent with applicable State Environmental Planning Policies and Section 9.1 Directions.

The proposed amendment to the PLEP 2010 has both strategic merit and site-specific merit, and there is a clear public benefit for proceeding with this Planning Proposal. As such, it is requested that the necessary steps are taken in order to enable the proposal to proceed to public exhibition.

2. Background

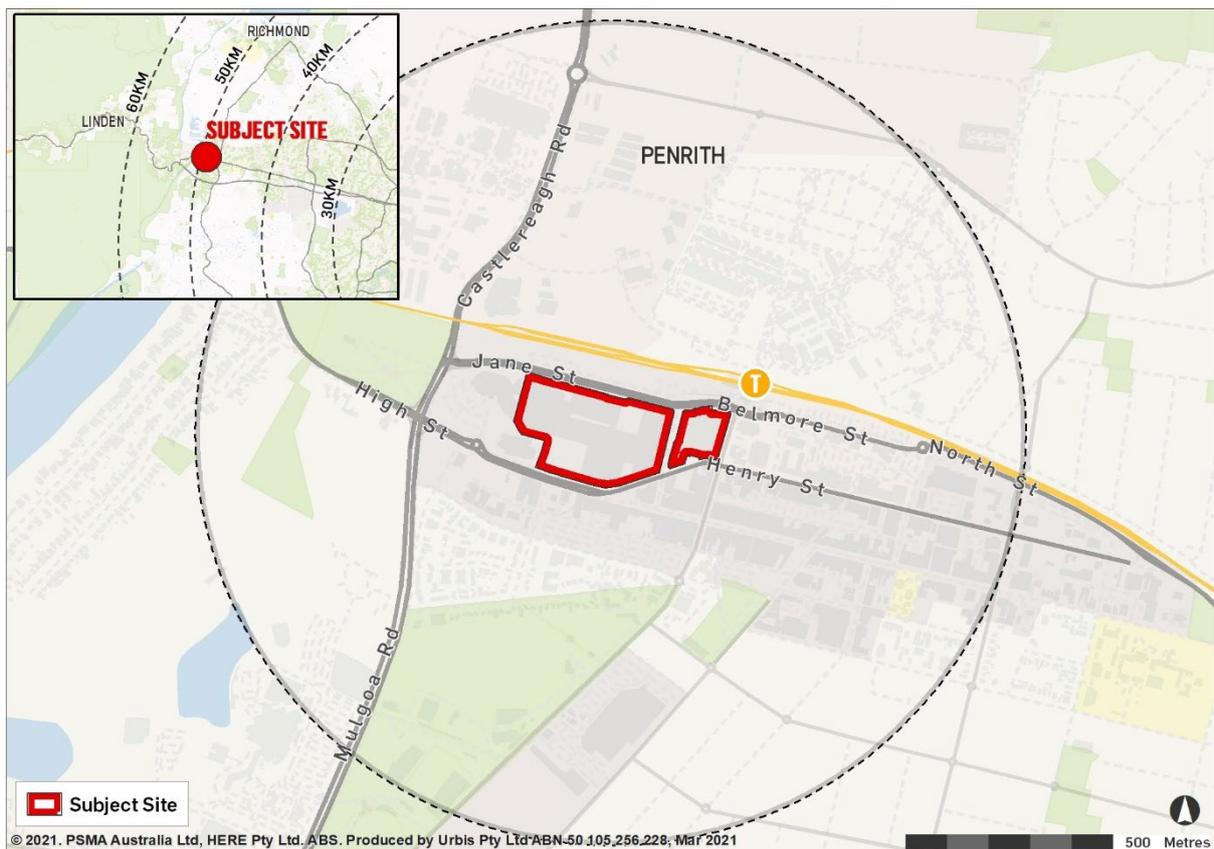
The Site and Surrounding Context

Regional Context

The site is located within the suburb of Penrith within the Penrith Local Government Area (LGA). Penrith is approximately 32km west of Parramatta CBD and approximately 54km west of Sydney CBD. Penrith is a central hub for Western Sydney, connecting the north-west and south-west growth centres as well as Blacktown, Liverpool and Wollondilly. It is identified as a Metropolitan Cluster in the Greater Sydney Region Plan, with a responsibility to provide jobs, homes and services for the growing community. Penrith is also situated between the Hawkesbury and Blue Mountains which makes it an increasingly desirable tourist destination as metropolitan Sydney's population grows.

There are many regional facilities located in or nearby Penrith including Nepean Hospital, University of Western Sydney, Joan Sutherland Performing Arts Centre, Penrith Stadium and Penrith Panthers, Nepean River, Sydney International Regatta Centre and several Government Agencies. This proposal relates to Westfield Penrith which is one of the largest regional shopping centres in Western Sydney servicing a large catchment including the Blue Mountains, Hawkesbury and the WSA Growth Area. The centre caters to a trade area population in excess of 477,000 residents. Other significant retail centres are located at Mount Druitt (12km to the east), Blacktown (25km to the east) and Parramatta (approximately 32km to the east). The location of the site, that is subject to this Planning Proposal, relative to its broader context is shown in Figure 4 below.

Figure 4 Site Context Map



Source: Urbis

Local Context

Westfield Penrith is located within the Penrith Central Business District (CBD), one of Sydney's more established commercial centres with some 100,000sqm of commercial office space and 160,000sqm of retail floor space.

Over recent years, the CBD has evolved into a significant employment hub for retail, government services in health and administration, food and accommodation. Penrith CBD supports cultural, recreation and tourism industries with strong connections to the Hawkesbury and Blue Mountains. It extends approximately 2.5km in an east-west direction. It is bounded by the Western Railway line to the north, Union Road, Woodriff Street and Lethbridge Street to the south, Parker Street to the east, and Mulgoa/Castlereagh Roads to the west. The site is situated in the western portion of the CBD.

Figure 5 Aerial view of Westfield Penrith



Source: Urbis

The Site

The site is located at 569-585 High Street, Penrith and is legally described as Lot 1 in Deposited Plan (DP) 1137699. The site is co-owned by Scentre Group and GPT Group, with Scentre Group operating and managing the asset on behalf of the co-owners under the Westfield brand. The key features of the site include:

- The site has a total area of approximately 90,325m²;
- The site has frontage to High Street/Henry Street (400m), Jane Street (480m), Riley Street (153m) and Station Street (40m);
- The site is predominantly level;
- Vehicle access to the site is available from High Street and Jane Street.

Westfield Penrith is a large regional shopping centre. It is anchored by several major tenants including Myer, Target, Big W, Aldi, Woolworths, HOYTS Cinema, JB-Hi-Fi and Rebel Sport and over 270

specialty stores. Retail facilities are provided over two levels and across two buildings that straddle Riley Street. The total consented Gross Floor Area (**GFA**) and car parking for the site is currently 101,170sqm and 3,538 spaces. It is noted that these figures are accurate at the time of lodgement of this Planning Proposal, however are subject to minor change resulting from existing / proposed development approvals that are yet to be realised or are still under assessment.

The additional floor space is proposed to be concentrated into two specific locations in the eastern portion of Westfield Penrith. Specifically, the allowance of additional gross floor area (GFA) above the current FSR control will be located in the south-east corner of the site at the intersection of Station and Henry Streets and the north-west corner of the site at the intersection of Jane Street and Riley Street. As a result, the Planning Proposal includes increases in the maximum height control in these two locations.

The eastern portion of the centre is divided into three distinct buildings. Borec House, dating from the late 1960s, is a three and four storey commercial building. At the north-east corner is the Red Cow Hotel, a heritage listed, Victorian Georgian style hotel. The remainder of the block is dominated by Westfield Penrith, a two storey curvilinear building featuring a mix of brick, glazing and cladding across its multiple facades.

Surrounding Development

Westfield Penrith is located in Penrith CBD which comprises a retail shopping strip centred along High Street. High Street is anchored by a number of retailers that extend towards Henry Street. The surrounding area is characterised by smaller specialty stores interspersed with commercial offices. Buildings are predominantly low to medium rise and there are a large number of Council and government owned sites close to the railway station to the north. Several community facilities are also located within the vicinity including Penrith RSL Club, Panthers Stadium and various local parks for community groups to meet and gather.

North

The site is bounded to the north by the Great Western Highway. Beyond this is the T1 Western Railway line, and commuter car parking associated with Penrith Railway Station. The T1 Line connects Penrith with the Blue Mountains and Sydney CBD. Further to the north is the Thornton residential area which includes a mix of low to high density dwellings.

East

The site is bounded by Station Street to the east. Further to the east are buildings occupied by a range of government services including Penrith Legal Aid Office, NSW Civil and Administrative Tribunal and Australian Tax Office Penrith.

South

The site is bounded by High Street to the south which acts as the central east-west pedestrian and vehicular spine through the Penrith CBD. High Street connects to Henry Street and is the main retail shopping strip comprising by a mix of retail and commercial land uses. Immediately adjacent to the site is the Joan Sutherland Performing Arts Centre, which comprises a concert hall, drama theatre, multi-purpose hall and purpose-built classrooms for music lessons.

West

To the west is the Penrith City Council complex which comprises the Penrith City Library, Penrith City Council building, Penrith Civic Centre and Penrith Tourism Centre.

Figure 6 Photographs of the site



Picture 1 Borec House as viewed from the corner of Henry Street and Station Street



Picture 2 The site as viewed from the corner of Jane Street and Riley Street

Source: Google Maps

Pre-Lodgement Advice from Council

This Planning Proposal has been subject to extensive and ongoing engagement with Council officers to ensure that the broader strategic drivers of Council are understood and aligned. A number of discussions have been held with Council officers which have assisted in informing this Planning Proposal, including on the following dates:

- 3 July 2019
- 7 August 2019
- 15 October 2019
- 2 July 2020

The impact of COVID-19 has delayed the submission of this proposal however the prior consultation with Council remains relevant to the development of this Proposal.

Urban Design Review Panel Meeting – 4 December 2019

In addition to consultation with Council officers, the planning proposal was presented to Council's independent Urban Design Review Panel to seek feedback. During this review, the Panel noted that they do not normally involve themselves in Planning Proposals, however given the prominence of this site in the Penrith CBD, the views of the Panel were considered important in shaping this Planning Proposal. This was particularly important with regard to the relationship between the future built form, envisaged by the LEP amendment, and the public domain within which it will sit. Notably, the activation of the various frontages of the site and the connection with the future City Park.

Pre-Planning Proposal Meeting – 21 October 2020

Most recently, a formal pre-Planning Proposal meeting was held on 21 October 2020. A response to the feedback received is summarised in Table 1 below.

Table 1 Pre-Planning Proposal Comments

Consideration	Response
<p>Riley Street</p> <ul style="list-style-type: none"> ▪ Do not support the closure of Riley Street. ▪ Recommend share spaces that prioritise pedestrians. ▪ Liaise with bus company and ensure pedestrians have priority. ▪ Consider TfNSW requirements for shared zone – 10km/hour. 	<p>As part of the future redevelopment of the site, subject to endorsement of the proposed LEP amendments, it is proposed that the design of Riley Street would be reviewed and the subject of significant upgrades to improve the public domain and pedestrian experience, particularly between High Street and Jane Street. Whilst it isn't a core requirement for the success and/or viability of the traffic and transport outcomes, the prioritisation of pedestrians in what is already a low speed, low traffic demand, high pedestrian demand locale is considered to have significant merit. This transition to a shared environment would improve accessible connections across and along Riley Street. These proposed works are reflected in a Letter of Offer to enter into a Planning Agreement with Council. Works relating to Riley Street will be subject to ongoing discussion and collaboration with Council.</p>
<p>Urban Design</p> <ul style="list-style-type: none"> ▪ Address Draft Strategy Public Domain Framework. 	<p>The Draft Strategy Public Domain Framework and Penrith Place Strategy is not currently finalised. Notwithstanding this, the proposal has considered the strategic location of the proposed land uses and how the future</p>

<ul style="list-style-type: none"> ▪ Henry Street should be a priority with activated facades. ▪ Consider strategic location of proposed land uses and how the future development will integrate as a whole with the City Centre. ▪ Flesh out vision/principles with the whole site. ▪ Discuss the role of the park and importance of the link. ▪ Address Penrith Place Strategy 	<p>development will integrate with the broader City Centre.</p> <p>Penrith CBD is a strategically important location given the quality of supporting transport infrastructure, its role as a commercial and employment node and extent of amenities and demand drivers that support office-based activities. The commercial building, Borec House, integrated with the Westfield shopping centre and located in a key suburban commercial node in Western Sydney, has the attributes that align with many of the key office market trends and needs of workers and businesses. Critically, the Planning Proposal would facilitate commercial densification of the Penrith CBD core, contributing to the activation of City Park and assisting in the CBDs evolving sense of place.</p> <p>The proposal will deliver a marked improvement in the quality of office stock in Penrith CBD and is expected to attract significant interest due to the strengths of the location (e.g. a short walk from the train station, integration with the shopping centre and all the amenities it provides and within the heart of the CBD where commercial activity is highest).</p> <p>The location of 'The Hub' hotel will provide hotel visitors with convenient access to the core amenities in Penrith CBD. It has been strategically located to deliver significantly higher spin-off benefits to retail shops, entertainment facilities, services and cafes, restaurants and other food and beverage establishments.</p>
<p>Economic</p> <ul style="list-style-type: none"> ▪ Consider demand for hotel and commercial land uses. ▪ Discuss why the proposed location of each land use is most appropriate. 	<p>An Economic Assessment has been prepared by Urbis and submitted at Appendix 5. The EIA considers the demand for hotel and commercial land uses and suitability of the proposed locations. Refer to Section C for further discussion.</p>
<p>Traffic/Parking</p> <ul style="list-style-type: none"> ▪ Consider CBD Traffic Study. 	<p>A Traffic and Transport Report has been prepared by SLR Consulting and submitted at Appendix 3. In summary:</p>

<ul style="list-style-type: none"> ▪ Provide details regarding use of the existing loading dock and impacts on the State road. ▪ Address safety around loading dock. A Management Plan must be put in place to avoid conflicts and reversing onto the state road. ▪ 2% vehicle movements/annum/clarity on safety issues. ▪ Activate frontage on Henry St (between Worth St and Riley St) and make sure the access to the loading dock off Henry St (dock 3) is safe (conflict of turning trucks with pedestrians and cyclists). ▪ Parking strategy: DCP will not be finalised. 10km shared zone to be assumed for Riley Street ▪ East-west – high frequency bus zone. 	<ul style="list-style-type: none"> ▪ Details regarding use of the existing loading dock and impacts on the State road are provided at Appendix 3. ▪ Whilst the Proposal does not include any new major servicing areas or loading docks, it would be reasonable that an updated site loading and refuse collection management plan would be developed as a part of future stages to ensure no adverse impacts on the surrounding transport network. ▪ During the October 2020 pre-lodgement meeting, Council officers confirmed that there was a 2036 model in development; however it was not available for distribution. Officers instead advised that a 2036 model demand matrix should be developed using a 2% (linear) per annum growth factor applied to the 2018 matrix. <p>The AIMSUN and SIDRA operational assessment has been revised by Bitzios Consulting and SLR Consulting on the basis of the revised 2% annual growth assumption. The AIMSUN model is provided at Appendix C of the Traffic Report, while the revised SIDRA model is provided at Appendix D. The AIMSUN and SIDRA models have been revised in line with the recently completed intersection layouts, and phasing information received from TfNSW.</p> <p>Opportunities to activate Henry Street will be explored in the detailed design stage. Notwithstanding this, Borec House will sit fronting Henry Street opposite the new City Park along a key axis of pedestrian activity. The intent is for Borec House to set high standards for design, sustainability and amenity whilst maintaining key pedestrian links and ground plane activation.</p> <ul style="list-style-type: none"> ▪ It is acknowledged that there remains one bus services that currently stop in Riley Street, however, this service appear to be relatively infrequent (30 minute service frequencies). All other bus services now
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	<p>utilise the bus interchange located adjacent to Penrith Railway Station. There are a number of options that should be explored regarding buses if Riley Street is converted to a more pedestrian environment, mainly the relocation of bus services to another suitable location.</p>
<p>Contamination</p> <ul style="list-style-type: none"> ▪ Undertake preliminary contamination assessment. 	<p>A Preliminary Site Investigation Report has been prepared by JBS&G and submitted at Appendix 7. The findings of the PSI are discussed in Section C.</p>
<p>Heritage</p> <ul style="list-style-type: none"> ▪ Undertake preliminary heritage assessment. A detailed heritage impact statement may be required depending on the findings. 	<p>A Heritage Impact Statement has been prepared by Urbis and submitted at Appendix 6. The findings of the HIS are discussed in Section C.</p>
<p>Flooding</p> <ul style="list-style-type: none"> ▪ Flooding – Address 100 year overflow flood, evacuation and capacity, PMF evacuation, any form of recreation, land use and short term accommodation. ▪ Address City Centre overland flow study. ▪ The site has some minor drainage issues during flood events up to the 1% AEP, and that can be easily addressed by proper drainage design. However the site is affected by the Nepean River PMF flooding. Therefore the planning proposal will need to address this type of flooding, particularly the flood evacuation and dealing with below ground carpark. 	<p>A Flood Management Report has been prepared by Infrastructure & Development Consulting and submitted at Appendix 4.</p>
<p>Consultation</p> <ul style="list-style-type: none"> ▪ Provide details on consultation strategy. 	<p>An appropriate stakeholder engagement strategy will be agreed with Council post lodgement of this proposal.</p>
<p>VPA Offer</p> <ul style="list-style-type: none"> ▪ Provide a Letter of Intent to enter into a VPA. 	<p>A Letter of Intent to enter into a VPA will be provided to Council for consideration of Council officers prior to the Planning Proposal being issued to DPE for gateway determination.</p>
<p>High level stormwater strategy</p>	<p>The concept design for Water Sensitive Urban Design (WSUD) will be undertaken in future. It is likely that the treatment will</p>

<ul style="list-style-type: none"> ▪ Preliminary details on water sensitive urban design. 	<p>include rainwater reuse (using BASIX as a minimum standard), passive irrigation/tree pits and gross pollutant trap/s where needed.</p> <p>This will be confirmed with MUSIC modelling once future concept designs of surface finishes, landscaping etc have progressed.</p>
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Post-Lodgement Meetings and Consultation – August 2021 to August 2022

Following lodgement of the Planning Proposal on 17 May 2021, a Request for Information was received dated 9 August 2021. This RFI identified a number of key issues relating to the following:

- Floor Space Ratio and Height of Building Controls
- Riley Street character
- Matters relating to public domain and landscaping
- Traffic and access
- Environmentally Sustainable Development

A meeting was then held with Council officers and including Councils Traffic Engineers to discuss the matters raised in the RFI and to agree a strategy to respond. A response to the RFI including amendments to the Planning Proposal and supporting appendices was submitted to Council in November 2021.

A further response to the amended Planning Proposal was subsequently received on 14 February 2021 which identified two remaining matters, specifically minor amendments to define the height of building and FSR amendments proposed under the Planning Proposal and traffic modelling considerations including revisions to the Traffic Study. A response to these items was submitted to Council in May 2022.

Following further discussions with Council, and a further meeting with Council officers on 23 August 2022, minor refinements to the Planning Proposal and Traffic Report were made to reflect matters agreed with Council. These amendments including to this Planning Proposal were submitted to Council on 24 August 2022 to enable Council to finalise their assessment.

Following the Local Planning Panel meeting in October 2022, and based on the LPP's recommendations, the Planning Proposal has been amended to include a site specific clause to address area specific GFA controls for Block A and Block B, as well as built form, design excellence and overshadowing objectives for future development on the two blocks.

Part 1 – Objectives or Intended Outcomes

Objectives

The primary objective of this Planning Proposal is to amend the PLEP building height and floor space controls to facilitate a mixed-use development outcome commensurate with Council's strategic vision for Penrith CBD as a vibrant commercial centre. The proposed amendments to PLEP will ensure the necessary height and floor space parameters are in place to facilitate a significant development that aligns with the strategic direction for Penrith CBD. The objectives or intended outcomes of the proposed amendments to PLEP are:

- To reinforce Penrith CBD as a significant commercial centre in the Western City District;
- To retain and enhance the commercial core by strengthening opportunities for A-grade commercial office space;
- To strengthen tourism and night-time economies within Penrith CBD by providing opportunity for new vertical forms of hotel accommodation befitting a CBD core location;
- To deliver a high quality and activated public domain with good solar access;
- To manage flood risks and protect the site from flooding;
- To promote the use of active and public transport; and,
- To protect and manage the heritage values of adjoining heritage items.

The proposal will deliver the following benefits to Penrith CBD:

- Provide more than 35,000sqm of employment generating floor space. This will provide approximately 2,000 new jobs and \$184 million in annual local economic output and will include:
 - 20,384sqm of A-grade commercial floor space (less existing Borec House GFA 16,825sqm);
 - Approximately 6,000sqm of expanded retail uses; and
 - A 152-room hotel (7,500sqm).
- Provision of additional high quality commercial floorspace which will attract commercial tenants looking to expand and decentralise.
- Create capacity for tourist accommodation in close proximity to WSA through the delivery of a hotel that takes advantage of the increase in visitor travel in the region.
- Integrate land use and transport and support the 30-minute city by facilitating a high-density, mixed-use development with commercial, retail and tourism uses that optimise use of public transport.
- Enable the delivery of a vibrant mixed-use development that compliments Penrith's position as the Adventure capital of NSW.
- Improve pedestrian connectivity and encourage greater activity at street level.

Intended Outcomes

The intended outcome of this Planning Proposal is to amend the planning controls that apply to the site to achieve the following:

- Retain the existing 20m height control and establish a site / area-specific maximum height of building control of part 47m and part 84m.
- Establish a new site-specific clause which specifies maximum GFA controls for each Block.

The proposed new height controls have been allocated to two specific locations of the site, specifically at the corner of Riley and Jane Street and Henry and Station Street. It is proposed to retain the existing height control of 20m for the remainder of the site which sits outside the two specified areas. The two proposed height controls reflect the maximum height of the concept scheme, including necessary provisions for services / plant equipment and lift overruns.

While the existing FSR control of 1.5:1 will be retained across the entirety of the site, a site-specific clause will be introduced to allow the maximum permissible GFA on "Block A" and "Block B". These two block areas align with the specific locations of the site proposed to have the new maximum height

controls. The proposed controls reflect the concept scheme which is consistent with the required Sun Access control within Penrith LEP.

Amendments to the proposed building height and floor space controls will be specific within the site as shown on the proposed LEP maps. This will enable the achievement of a range of regional and local strategic planning objectives including increased employment and hotel accommodation within an accessible and connected location.

It is noted that the proposed height increases reflect the concept scheme built form which will be subject to consideration of broader planning controls within the Penrith LEP and Penrith DCP as well as consideration of potential environmental impacts and urban design outcomes.

The outcome will be the renewal of the site with commercial, retail and hotel land uses that will assist in establishing Penrith CBD as a significant commercial centre, capable of supporting higher density development. Redevelopment of the site will also contribute to enhancing the public domain, street frontages, pedestrian linkages and activating the night-time economy.

Part 2 – Explanation of Provisions

The objectives and intended outcomes of the planning proposal will be achieved by amending PLEP 2010. The proposed changes are presented in this Part of the Planning Proposal.

Built Form Controls (Height and Additional Floor Space)

Under the current PLEP 2010, the site is subject to one maximum height control and one FSR control. This Planning Proposal seeks to retain the existing height and FSR controls for the majority of the site and introduce different area specific height and floor space controls, applicable to two portions of the site, recognised as Block A and Block B, where uplift is proposed.

It is anticipated that in order to control the distribution of additional floorspace, specific LEP maps will be prepared that reflect portions of the site subject to the proposed built form controls.

These controls will align with the Urban Design principles and objectives, including future tower locations and public domain interfaces and improvements. These controls will provide greater certainty as to what additional density is achievable on each part of the site in the future.

Further, the proposed amendments ensure the scale, density and built form within the two tower footprint locations are controlled by the maximum height of building controls, sun access plane controls, Penrith DCP controls and the design excellence process.

The proposed outcome will be achieved by:

Amending the PLEP 2010 Height of Buildings Map 006 (HOB_006) in accordance with the proposed height map, shown in Figure 7 (also provided in **Appendix 1**). The proposed Height of Buildings Map indicates the following maximum permissible building heights:

- 47m in relation to the Borec House site
- 84m in relation to the Hub site
- Retain 20m in relation to the remainder of the site.

(It is noted that the proposed change to the HOB map which introduces a new “AB2” category and applying to the Hub site will necessitate an administrative update to the PLEP HOB maps such that the existing “AB” category will need to be amended to read “AB1”. The Maximum Building height for that renamed category will not change and remain at 80m).

The built form in the two specific areas will be controlled by site specific maximum GFA controls set out in the following site-specific clause, to be included under Part 7 of the LEP. The two specific areas to which the clause will apply will be identified on the Height of Buildings Map, shown in Figure 7.

Clause 7.31 – Development on certain land at 569-595 High Street, Penrith

- (1) The objectives of this clause are to—
 - (a) promote development that supports the Penrith City Centre’s primary role and function as a strategic centre within the Penrith centres hierarchy;
 - (b) ensure future development:
 - i. efficiently integrates tower forms with podium levels and land uses on the site;
 - ii. contributes to and enhances the architectural quality and sustainable built form of Westfield Penrith and its contribution to the Penrith City Centre;
 - iii. facilitates opportunities to enhance the interface of the site with and connections to existing and proposed public spaces located adjacent to the site;
 - iv. positively contributes to the skyline and respects views to the Blue Mountains escarpment in relation to development on Block B;

- v. provides a high-quality architectural response given the proximity of Penrith Railway Station; and
 - vi. does not overshadow City Park.
- (2) This clause applies to certain land at 569-595 High Street, Penrith, being Lot 1 DP 1137699, identified as Block A and Block B on the Height of Buildings Map.
- (3) Despite clause 4.4, development consent may be granted to development that results in the following—
- (a) A gross floor area of up to 24,000 square metres on land identified as Block A; and
 - (b) A gross floor area of up to 14,000 square metres on land identified as Block B.
- (4) Any development on land identified as Block A or Block B must not exceed the maximum height shown on the Height of Buildings Map unless the development is the result of an architectural design competition and does not exceed the maximum height by more than 10%.
- (5) Development consent must not be granted to development on land identified as Block A or Block B unless the consent authority is satisfied of the following—
- (a) The design of the development is the winner of an architectural design competition; and
 - (b) The development exhibits design excellence and environmental sustainability in its planning, construction and operation; and
 - (c) The development provides an appropriate interface with and connections to existing and proposed public spaces located adjacent to the site and contributes to a positive pedestrian experience for visitors to the City Centre;
 - (d) The development positively contributes to the skyline; and
 - (e) The development on Block B respects views of the Blue Mountains escarpment along Henry Street above podium height; and
 - (f) The development provides a high-quality architectural response given its proximity to Penrith Railway Station being a key arrival point to the City Centre.
- (6) Subclause (5)(a) does not apply if the Director-General certifies in writing that the development is one for which an architectural design competition is not required.
- (7) Despite subclause (4) and clause 8.2, development consent must not be granted to development on land identified as Block A or Block B if the development results in the overshadowing of City Park exclusive of any areas of footpath located adjacent to any public road that abuts City Park.
- (8) In this clause—

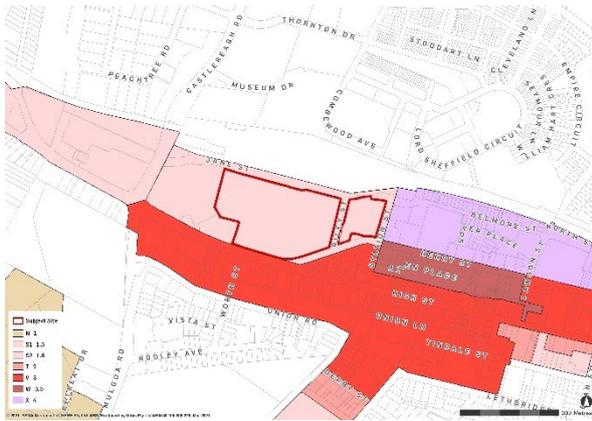
Block A means that part of Lot 1 DP 1137699 identified as “Block A” on the height of Buildings Map

Block B means that part of Lot 1 DP 1137699 identified as “Block B” on the Height of Buildings Map.

In response to LPP recommendations, it is also proposed to amend ‘Clause 4.6 Exceptions to development standards to subclause(8)(ca) to exclude land subject to the proposed site-specific clause from the application of Clause 4.6.

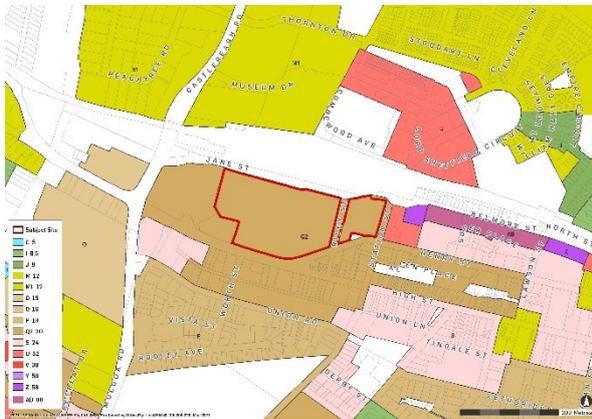
It is noted that future development will be required to comply with the relevant sun access requirements of clause 8.2 of the LEP. In addition, the requirements of Clause 8.4 – Design Excellence are noted, which require any future development on the site that exceeds 24m to be the subject of an architectural design competition to ensure the delivery of high quality development outcomes for Penrith CBD.

Figure 7 Existing and Proposed Height and FSR Maps



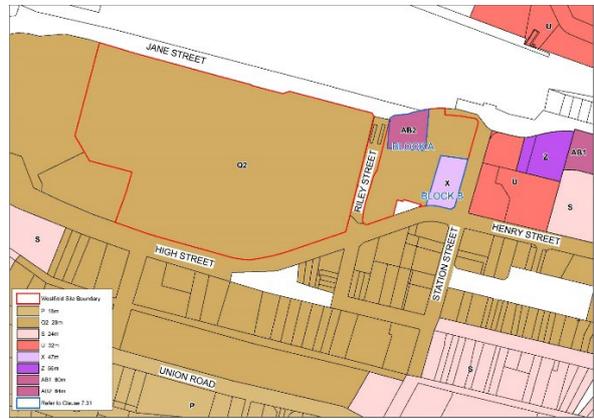
Picture 3 Existing FSR Map

Source: Penrith City Council / Urbis



Picture 4 Existing Height Map

Source: Urbis



Picture 5 Proposed Height Map

Source: Penrith City Council / Urbis

Part 3 – Justification

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

Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The primary outcome of this Planning Proposal is to enable a higher density commercial and hotel development on the site. It has specifically been prepared to give effect to the aims, objectives and actions of:

- *Greater Sydney Region Plan – Metropolis of Three Cities*
- *Western City District Plan*
- *Greater Penrith Place Strategy*
- *Penrith Local Strategic Planning Statement*
- *Penrith City Strategy*
- *East-West Corridor - Interim Centres Strategy*

These key strategic planning documents aim to:

1. Revitalise and grow the Penrith CBD;
2. Develop a major tourist, cultural, recreational and entertainment hub;
3. Protect and expand the health and education precinct;
4. Address flooding issues;
5. Implement Greater Sydney Green Grid projects;
6. Promote ecologically sustainable development;
7. Diversify the night-time economy; and,
8. Implement healthy city initiatives and improve social infrastructure.

These strategies have directly influenced the planning proposal for the site in the following manner:

1. The proposed height amendments and removal of floor space provisions have sought to facilitate higher density commercial development to revitalise and grow Penrith CBD;
2. The provision of A-grade commercial floor space to attract knowledge-intensive jobs close to areas of high population growth;
3. The proposal has sought to retain the existing B3 Zoning to enable the redevelopment of the site for hotel, commercial and retail land uses that establish Penrith as a major tourist, cultural, recreational and entertainment hub;
4. The proposal has sought to reduce the risk of flood impacts;
5. The proposal has sought to strengthen tourism and the night-time economy by retaining the existing commercial zoning to ensure a mix of retail, commercial, food and beverage and hotel uses can be delivered in the future.
6. The proposal has sought to implement healthy city initiatives by creating opportunities for improved pedestrian experiences at the ground plane and safe connections to public transport.

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

Yes. The Planning Proposal is the best means of achieving the objectives and intended outcome of the proposal. We have considered a range of statutory measures to give effect to achieving the objectives of the Planning Proposal, including retaining the existing land zoning and proposing appropriate building height and floor space provisions that will enable higher density development in Penrith CBD whilst respecting the existing context. These changes will enable a scale, density and

built form that is guided by building footprints, building height controls, sun access plane protection and the design excellence process.

A site-specific Planning Proposal is the most effective way of providing certainty for Council, the local community, and landowners that the site will contribute to achieving the objectives established within the Greater Sydney Region Plan and Western City District Plan.

Section B – Relationship to Strategic Planning Framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Planning Proposal gives effect to the objectives and actions of the following regional, district and local planning strategies, thus demonstrating that the proposal has strategic merit:

- *Greater Sydney Region Plan – Metropolis of Three Cities*
- *Western City District Plan*
- *Greater Penrith Place Strategy*

Greater Sydney Region Plan – Metropolis of Three Cities

This section provides a summary of the *Greater Sydney Region Plan (GSRP)* and demonstrates how the Planning Proposal is consistent with the relevant objectives and actions therein. The GSRP is a bold vision for three, integrated and connected cities that will rebalance Greater Sydney – placing housing, jobs, infrastructure, and services within greater reach of more residents, no matter where they live.

The GSRP sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic, and environmental matters. The GSRP informs district and local plans, assists infrastructure agencies to align infrastructure delivery and informs the private sector and wider community of the growth management and infrastructure investment intentions moving into the future.

The vision of the GSRP is built on three 30-minute cities within Greater Sydney with the intent of improving access to jobs, services, entertainment and cultural facilities through different modes of transport. An assessment of the Planning Proposal against the objectives of GSRP is set out in Table 2 below.

Table 2 Assessment against Greater Sydney Region Plan

Greater Sydney Region Plan	
Planning Objective	Planning Proposal Consistency
<i>Infrastructure and Collaboration – A City supported by infrastructure</i>	
Objective 4. Infrastructure use is optimised	<p>The site is highly accessible to public transport given its proximity to Penrith Rail Station and bus interchange. It is therefore well located in terms of accessibility to public transport and infrastructure.</p> <p>It is also intended to seek urban design improvements to Riley Street to provide an enhanced pedestrian experience; increasing landscaping opportunities but without denying access to essential vehicular traffic.</p>

<i>Liveability – A City for people</i>	
Objective 6. Services and infrastructure meet communities' changing needs	The diversification of uses on the Westfield Penrith site to include a hotel and commercial tower is in response to the communities' changing needs and market demand. Improved public transport and accessibility outcomes can be achieved through the provision of commercial, retail and tourist and visitor accommodation in walkable, mixed-use places which is what the Planning Proposal seeks to achieve. 'The Hub' – a mixed-use commercial/hotel tower above retail podium and reimagined Borec House – a commercial tower above retail podium, will provide the opportunity to accommodate new employment space which could take the form of 'A' Grade offices, flexible co-working and serviced offices.
Objective 7. Communities are healthy, resilient, and socially connected	The proposal contributes to the creation of a vibrant CBD by providing a mix and concentration of different land uses (retail, commercial and hotel) in an emerging commercial core focussed along Station Street which will attract pedestrians and create a lively, resilient and socially connected environment.
Objective 12. Great places that bring people together	The proposal will deliver a high-quality public realm and uses that will attract visitors to Penrith CBD. The proposal seeks to transform the site into a vibrant destination for locals and visitors to meet, socialise and utilise the increased commercial, retail and hotel offering. The site's proximity to Penrith Train Station and bus interchange, and other key pieces of public amenity/infrastructure such as City Park will also provide for a healthy lifestyle by encouraging people to walk, cycle or utilise the public transport options available to the City Centre, providing opportunity to reduce car dependency and increasing opportunities for incidental community interaction.
<i>Productivity – A well Connected City</i>	
Objective 14. A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	There has been a significant growth in housing in Penrith. The proposal seeks to balance recent residential growth by facilitating a future non-residential development that connects residents within 30 minutes to jobs, education and health facilities, services and recreation.

	<p>The proposed 4 star hotel provides a new offer that is aligned to international trends which see hotels complementing “urban” settings which in this case leverage cultural; civic; dining and cinema and commercial activities, with immediate and walkable proximity to high capacity public transport. The Proposal seeks to provide opportunity for quality accommodation in order to unlock tourism opportunities for travellers to the Blue Mountains and for business travel.</p>
<p>Objective 15. The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p>	<p>Penrith is nominated as a Metropolitan Cluster, which has significant implications with regards to housing and employment targets. The proposal will result in positive economic benefits for Penrith CBD by delivering approximately 2,145 jobs, including 1,361 direct and 784 indirect operational jobs, enhancing the competitiveness of Penrith against other Metropolitan Clusters within the Eastern, GOP and Western Economic Corridor.</p>
<p>Objective 20. WSA and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</p>	<p>The WSA has the capacity to unlock opportunities for Penrith by providing more local jobs, increased investment and attracting visitors to Penrith CBD. The proposal responds to this by facilitating a mixed-use commercial and hotel development that will create new jobs and provide high-quality accommodation for future tourists and visitors.</p> <p>Current tourist and visitor accommodation offerings are decentralised away from the CBD and marketed towards boutique resort and motel style stays or clustered around outdoor/adventure activity precincts.</p>
<p>Objective 21. Internationally competitive health, education, research and innovation precincts</p>	<p>Penrith provides for a number of artistic and cultural experiences, supported by the Joan Sutherland Performing Arts Centre and Penrith Regional Gallery in addition to open space and sports facilities including Penrith Stadium. The proposal supports an internationally competitive health, education, research and innovation precinct by encouraging redevelopment within Penrith CBD through increased height and removal of floor space provisions which will assist in attracting investment into the area.</p>
<p>Objective 22. Investment and business activity in centres</p>	<p>The Planning Proposal will facilitate the development of a hotel and commercial tower which will attract major events, functions and investment to Penrith CBD and contribute to its</p>

	<p>attractiveness of the City Centre as a tourist destination.</p> <p>The proposal will also reinforce Penrith's role as a regional city by strengthening business investment and job growth. It has the potential to stimulate further investment in commercial, retail, hotel and residential development in the area bringing new jobs and economic growth.</p>
<i>Sustainability</i>	
Objective 31. Public open space is accessible, protected and enhanced	The Planning Proposal has been prepared with consideration of the sun access protection controls within PLEP. The proposed site-specific height provisions have been established to ensure they will not result in additional overshadowing.

Western City District Plan

The Western City District Plan (**District Plan**) is a 20-year plan to manage growth in the context of economic, social and environmental matters to implement the objectives of the Greater Sydney Region Plan. The intent of the District Plan is to inform local strategic planning statements and local environmental plans, guiding the planning and support for growth and change across the District.

The District Plan contains strategic directions, planning priorities and actions that seek to implement the objectives and strategies within the Greater Sydney Region Plan at the district-level. The Structure Plan identifies the key centres, economic and employment locations, land release and urban renewal areas and existing and future transport infrastructure to deliver growth aspirations.

The key planning priorities and actions, relevant to this Planning Proposal are as follows:

Table 3 Consistency with the Western City District Plan

Planning Priority	Planning Proposal Consistency
<i>Liveability</i>	
Planning Priority W4. Fostering healthy, creative, culturally rich and socially connected communities	To enable a healthy, creative, culturally rich and socially connected community, this Planning Proposal includes provisions to promote walking and cycling, active streets, and buildings that can be designed to minimise energy and water.
Planning Priority W6. Creating and renewing great places and local centres, and respecting the District's heritage	The proposal is aligned to this priority by allowing for the renewal of a site historically used to provide for the retail needs of the community. The proposal will provide the opportunity for it to develop into a mixed-use centre that responds to the changing nature of the City Centre as it evolves into a significant commercial centre. The proposal will create two new address points at the intersection of Jane Street and Riley Street and Station Street and Henry Street, improving the interface of the site with the broader CBD. The proposal will also improve the pedestrian

	experience for Westfield customers and visitors by seeking to facilitate urban design improvements to Riley Street
Productivity	
Planning Priority W7. Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	The vision for Greater Sydney is one where people can access jobs and services in their nearest metropolitan and strategic centre. This will require the integration of land use and transport planning to create walkable and 30-minute cities. The site is ideally located in terms of public transport accessibility, being located within 200m from Penrith Train Station and Bus Interchange.
Planning Priority W8. Leveraging industry opportunities from the WSA and Badgerys Creek Aerotropolis	<p>WSA will create opportunities to grow the international and domestic tourism markets. The proposal responds to the need for new tourism infrastructure and amenity enhancements by delivering a new hotel tower and the intention to deliver an improved public domain experience in Riley Street.</p> <p>Many visitors are attracted to the Greater Blue Mountains World Heritage Area. The site is well located to provide much needed tourist and visitor accommodation given its proximity to Penrith Train Station and Bus Interchange and the future WSA.</p>
Planning Priority W9. Growing and strengthening the metropolitan cluster	<p>The site is located in the Collaboration Area for Greater Penrith. The Collaboration Area aims to revitalise and grow the Penrith CBD and develop a major tourist, cultural, recreational and entertainment hub. The proposal directly responds to this Planning Priority by facilitating a range of commercial, retail and hotel uses that support the transformation of Penrith CBD, diversifying the range of uses to contribute to an active and vibrant City Centre delivering additional jobs and supporting the tourism and night-time economies.</p> <p>The site has the potential to strengthen the night-time economy through the delivery of a hotel which will support tourism in Penrith. It may also facilitate the provision of additional jobs in the hospitality sector and allow Penrith to capitalise on tourism opportunities associated with WSA.</p>
Planning Priority W11. Growing investment, business opportunities and jobs in strategic centres	Greater Sydney has historically benefitted from the policy of locating 'trip generating activities' such as retail, hospitality, offices, health, education, community and administrative services in centres at train stations. The proposal responds to the growth and evolution of Penrith CBD by delivering much needed commercial floor space and hotel accommodation proximate to Penrith Train Station.

	<p>As noted in the Strategy, employment growth is the underlying economic goal for metropolitan clusters such as Penrith. The proposal will stimulate economic activity and innovation by diversifying the range of activities in the centre and providing high quality commercial office space and hotel accommodation, close to where people live.</p> <p>The proposal reinforces that centres are not just places for 'economic exchange,' but rather places for the community to gather for social, recreational, and cultural pursuits.</p> <p>The type of development envisaged by the Planning Proposal will result in a hotel and commercial development which will stimulate business opportunities, jobs and investment by providing jobs close to public transport and where people live.</p>
Sustainability	
<p>Planning Priority W15 Increasing urban tree canopy cover and delivering Green Grid connections</p>	<p>The proposed public benefit offer seeks to improve the public domain around the site which includes the improvement of the street tree canopy. This will increase urban tree canopy cover in the City Centre and contribute to the delivery of green grid connections.</p>
<p>Planning Priority W19 Reducing carbon emissions and managing energy, water and waste efficiently</p>	<p>Implementation of sustainability measures and innovative solutions will be explored to manage energy, water and waste demand as well as greenhouse gas emissions.</p>

Greater Penrith Place Strategy

The Greater Penrith Place Strategy identifies a vision and shared objectives for Greater Penrith. Penrith City Council coordinates and monitors progress of Place Strategy actions with support from the Greater Sydney Commission. It sets out clear priorities and actions to realise this vision. The vision for Greater Penrith is:

In 2036, Greater Penrith is a key metropolitan centre in the Western Parkland City and the principal gateway to Greater Sydney for western NSW, offering sustainable, diverse and growing residential, employment and tourism opportunities.

The key priorities to achieve this vision of relevance to the Planning Proposal are:

- Priority 1: Infrastructure provision

The proposal promotes active transport and use of public transport by facilitating increased density within close proximity to existing and planned infrastructure including Penrith Train Station and WSA.

- Priority 2: Places for People

The Planning Proposal seeks to facilitate a mixed-use redevelopment with diverse land uses, urban form and high level of amenity. The proposal is also committed to improving pedestrian safety and amenity by delivering public domain upgrades to create an attractive, activated and pedestrian friendly public place.

- Priority 4: Economic Diversity and Tourism

The Planning Proposal supports the shared vision for the transformation of Penrith CBD by facilitating tourism through the provision of hotel accommodation and commercial employment opportunities. The proposal will strengthen the night-time economy in the City Centre by supporting an appropriate mix and density of uses to further drive night-time activity. The additional height and removal of floor space provisions will attract hotel operators and expand short-term accommodation opportunities centred around the City Centre.

- Priority 5: Flood risk management and evacuation

The Flood Management Plan at Appendix 4 recommends the following strategies be employed during flood events to safely evacuate the public to safety. A detailed evacuation plan will be prepared at the detailed design development stage.

- Flood Watch - The centre team should carry out flood monitoring via the Bureau of Meteorology (BoM) website and ABC weather broadcasts.
- Flood Warning - The facilities team are to be placed on alert for all emergency call outs, security team briefed on all vehicular/pedestrian entry closures. The Centre Manager, Facilities Manager and Risk/Security Manager to consider discussing closure of the basement car park and de-energise switchboards in affected areas. All teams briefed on full alert for emergency installation if key flood levels are breached. Increased security patrols and facilities patrols required of basement entry ramps and constant monitoring of ABC weather and BoM Flood Watch website.
- Flood Warning Systems – Issue flood and evacuation orders by TV news, radio bulletins, fax/email, local wardens, door knocking and automatic telephone dialling.
- Evacuation considerations – Both the local and regional 1% AEP flood events do not impact on the site however the local and regional PMF events cause flooding that will inundate the basement and in the case of the regional PMF, the first floor.
- Localised PMF Flood – as discussed, the localised PMF is relatively short, sharp event with little warning time and a duration of inundation of approximately 60-90 minutes. The strategy is to remain in place and wait for waters to recede before safely evacuating the site.
- Regional PMF flooding – the regional PMF flood event is slowly rising and higher than the localised event. There will be adequate time to prepare and evacuate people from the site in advance of flood waters and vehicles that exit the site will be able to safely navigate to high ground. It is recommended evacuation occur along Henry Street to the east to higher ground.

As the detailed design of the proposed development progresses, a more detailed Flood Management Plan will be prepared. This will include key centre contacts, flood depths at which basement access and entry to the site will be locked, the visibility of structural measures such as hydraulic flood gates to prevent waters from entering the basement, detailed hydraulic hazard analyses of evacuation routes, location of entry ramps and evacuation route mapping.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The planning proposal is consistent with the priorities and actions outlined in the Council endorsed Local Strategic Planning Statement (LSPS) and the Penrith City Strategy.

Penrith Local Strategic Planning Statement

The Penrith Local Strategic Planning Statement (**LSPS**) came into effect on 23 March 2020. One of the key roles of the LSPS is to establish the 20-year vision for land use in Penrith Local Government Area (**LGA**). The LSPS identifies the unique characteristics of Penrith and how growth and change will be managed in the future.

The LSPS includes 21 planning priorities and 10 themes which reflect the shared community values to be maintained and enhanced. The planning priorities of relevance to the Planning Proposal are:

- Planning Priority 1 Align development, growth and infrastructure

The Planning Proposal responds to recent investment in city-shaping infrastructure including WSA which will unlock new opportunities for more jobs closer to home and improved transport connections.

- Planning Priority 7 Enrich our places and Planning Priority 8 Recognise and celebrate our heritage

The proposed LEP amendments have been prepared with consideration of Penrith's natural, built and cultural heritage. The Planning Proposal is able to facilitate development which has no impact on the heritage significance of heritage items located in close proximity to the site. The Proposal provides for future densification of the Westfield Penrith site in line with the ongoing surrounding urban densification of the Penrith CBD.

- Planning Priority 10 Provide a safe, connected and efficient local network supported by frequent public transport option

The Planning Proposal responds to recent investment in city-shaping infrastructure including WSA which will unlock new opportunities for more jobs closer to home and improved transport connections. The proposal also seeks to deliver upgrades within Riley Street and provide a safe, connected and efficient local network supported by frequent public transport options.

- Planning Priority 12 Enhance and grow Penrith's economic triangle

The proposal responds to the economic opportunities associated with the Western Sydney Aerotropolis by delivering additional commercial floor space close to people's homes. Currently, the majority of commercial building offerings are of older building stock, built in the 20th century with limited A-Grade offerings and ability to cater to the projected growth in local jobs. The proposal will facilitate an A-grade commercial office buildings, capable of attracting top tier commercial tenants in Western Sydney, thereby enhancing and growing Penrith's economic triangle.

- Planning Priority 14 Grow our tourism, arts and cultural industries

The proposal directly responds to Planning Priority 14 by facilitating tourist and visitor accommodation in Penrith CBD to grow the current tourism offer.

- Planning Priority 15 Boost our night-time economy

The proposal boosts the night-time economy by supporting an appropriate mix of retail, commercial and hotel uses that will drive night-time activity. The proposal will also allow for appropriate street upgrades to support the night-time economy by providing opportunities to enhance the ground plane and street activation which will contribute to safe connections to public transport.

- Planning Priority 19 Create an energy, water and waste efficient city

The implementation of sustainability measures and innovative solutions can be explored during detailed building design to manage energy, water and waste demand as well as greenhouse gas emissions.

- Planning Priority 20 Manage flood risk

The Flood Management Plan at Appendix 4 recommends the following strategies be employed during flood events to safely evacuate the public to safety. A detailed evacuation plan will be prepared at the detailed design development stage.

- Flood Watch - The centre team should carry out flood monitoring via the Bureau of Meteorology (BoM) website and ABC weather broadcasts.
- Flood Warning - The facilities team are to be placed on alert for all emergency call outs, security team briefed on all vehicular/pedestrian entry closures. The Centre Manager, Facilities Manager and Risk/Security Manager to consider discussing closure of the basement car park and de-energise switchboards in affected areas. All teams briefed on full alert for emergency installation if

- key flood levels are breached. Increased security patrols and facilities patrols required of basement entry ramps and constant monitoring of ABC weather and BoM Flood Watch website.
- Flood Warning Systems – Issue flood and evacuation orders by TV news, radio bulletins, fax/email, local wardens, door knocking and automatic telephone dialling.
 - Evacuation considerations – Both the local and regional 1% AEP flood events do not impact on the site however the local and regional PMF events cause flooding that will inundate the basement and in the case of the regional PMF, the first floor.
 - Localised PMF Flood – as discussed, the localised PMF is relatively short, sharp event with little warning time and a duration of inundation of approximately 60-90 minutes. The strategy is to remain in place and wait for waters to recede before safely evacuating the site.
 - Regional PMF flooding – the regional PMF flood event is slowly rising and higher than the localised event. There will be adequate time to prepare and evacuate people from the site in advance of flood waters and vehicles that exit the site will be able to safely navigate to high ground. It is recommended evacuation occur along Henry Street to the east to higher ground.

As the detailed design of the proposed development progresses, a more detailed Flood Management Plan will be prepared. This will include key centre contacts, flood depths at which basement access and entry to the site will be locked, the visibility of structural measures such as hydraulic flood gates to prevent waters from entering the basement, detailed hydraulic hazard analyses of evacuation routes, location of entry ramps and evacuation route mapping.

Penrith City Strategy

The Penrith City Strategy (**City Strategy**) was adopted by Council on 24 June 2013. The City Strategy examines the key issues confronting Penrith over the next 10-20 years and how Council intends to respond.

The City Strategy contains seven themes - housing, jobs and economy, transport and access, infrastructure delivery, community wellbeing, the environment and places. The population of Penrith is growing significantly faster than the number of jobs available in the region, resulting in residents having to travel further to work. The proposal will generate approximately 2,000 jobs which will assist in reducing commute time for residents, travel costs and time away from family.

The City Strategy also seeks to ensure land uses are integrated with the existing and proposed transport network and reduce dependence on motor vehicles. The proposal will provide for additional density on a site within the CBD, enabling people to live and work in a place that has good public transport facilities. The proposal also responds to the Strategy by improving road safety through the potential improvement of the public domain and pedestrian experienced within Riley Street. This will be subject to further collaboration with Council.

A key objective of the City Strategy is to revitalise Penrith's major centres to create vibrant places and offer quality living, working and leisure experiences. The Planning Proposal aims to achieve this objective by creating a focal point for retail, employment, and tourism, centred around key transport nodes. Penrith currently offers a range of outdoor sporting and adventure activities that take advantage of the outdoor amenity. However, these tourism activities generally occur further from the City Centre, drawing patrons away from the CBD and reducing street activation. There is potential for new indoor, centralised entertainment options to activate and invigorate Penrith and compliment it's current outdoor offering. The proposal seeks to facilitate a true mixed-use precinct with commercial, retail and hotel land uses that will establish Penrith CBD as a vibrant, liveable, and desirable place to live, work and visit.

East-West Corridor - Interim Centres Strategy

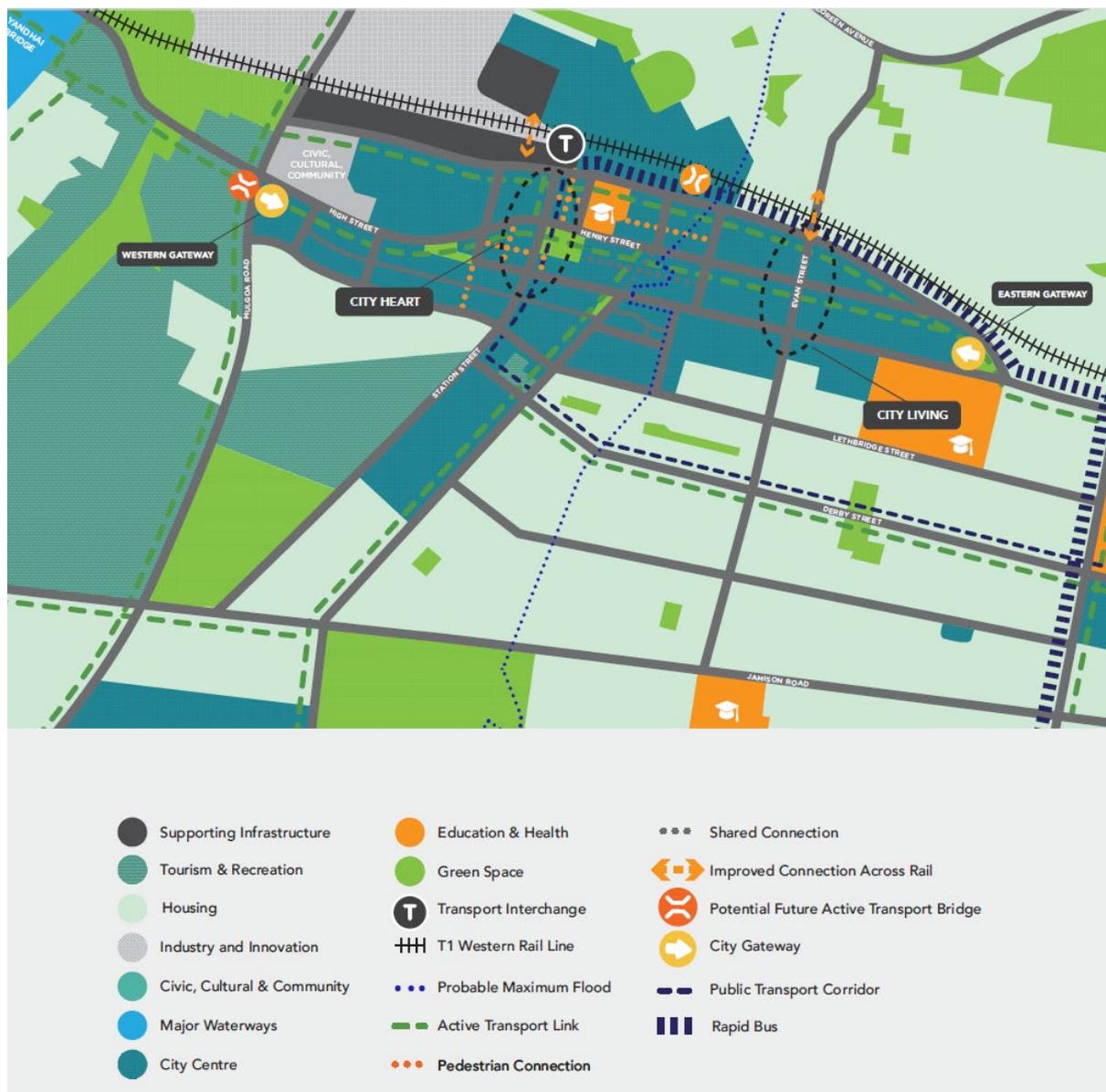
The East-West Corridor is an important strategic economic corridor at the heart of the Penrith LGA. The East-West Corridor forms one full side of the economic triangle with Penrith, St Marys and the WSA. The Strategy sets out the future vision for the Corridor and its centres, while also identifying actions for Council to undertake in order to realise this vision.

The Strategy identifies the following priorities for Penrith City Centre:

- Create four key nodes of activity that support concentrated higher densities within the City Centre to achieve compact, activated, and walkable areas.
- Improve connections across the rail line for pedestrians and cyclists at Penrith Station, Evan Street and Parker Street.
- Focus cultural, community and tourism uses around the Western Gateway.
- Consider new road connections to enhance the way that traffic moves around the City Centre.
- Enhance active transport connections between Penrith Selective High School, the City Centre and transport interchange.

As illustrated below, the Strategy seeks to create a sustainable and progressive city that celebrates its natural surroundings and offers a range of living, working and leisure options for the community. Active transport links are identified on Jane Street and Station Street in addition to improved connections across the railway.

Figure 8 Penrith City Centre



Source: Penrith City Council

The proposal is consistent with the above priorities as it will enhance city living by transitioning to a mixed-use precinct, bringing people closer to the City Centre. The proposal has the potential to act as

a catalyst for further A-grade commercial office development in Penrith, supporting concentrated higher densities within the City Centre. The site is located close to public transport and local amenities which will reduce reliance on cars and increase utilisation of public transport, providing greater support for investment in this critical infrastructure.

The future redevelopment also seeks to deliver significant improvements to the public domain and pedestrian experience within Riley Street, this seeks to enhance active transport connections, improve pedestrian movement throughout the City Centre and improve connections to Penrith Train Station.

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

The NSW Government publishes State Environmental Planning Policies (**SEPPs**) and Sydney Regional Environmental Plans (**deemed SEPPs**). These documents deal with matters of State or regional planning significance. The Planning Proposal is consistent with applicable SEPPs, as demonstrated in Table 2.

Table 2: State Environmental Planning Policies

SEPP Title	Applicable	Consistent
State Environmental Planning Policy (Primary Production) 2021	N/A	Consistent – Nothing in the Planning Proposal will prevent the application of this SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	N/A	Consistent – Nothing in the Planning Proposal will prevent the application of this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	Consistent – Nothing in the Planning Proposal will prevent the application of this SEPP.
State Environmental Planning Policy (Industry and Employment) 2021	Yes	Consistent – Nothing in the Planning Proposal will prevent the application of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	Consistent – Nothing in the Planning Proposal will prevent the application of this SEPP.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	N/A	Consistent – Nothing in the Planning Proposal will prevent the application of this SEPP.
State Environmental Planning Policy (Planning Systems) 2021	Yes	Consistent – Nothing in the Planning Proposal will prevent the application of this SEPP.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	No	Not applicable
State Environmental Planning Policy (Precincts – Central River City) 2021	No	Not applicable

State Environmental Planning Policy (Precincts – Western Parkland City) 2021	No	Not applicable
State Environmental Planning Policy (Precincts – Regional) 2021	No	Not applicable
State Environmental Planning Policy (Housing) 2021	N/A	Not applicable
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N/A	Not applicable
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	Not applicable
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	N/A	Not applicable

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Section 9.1 Local Planning Directions

The Minister for Planning and Public Spaces issues Local Planning Directions that councils must follow when preparing planning proposals. The directions cover the following broad categories:

- Planning Systems
- Biodiversity and Conservation
- Resilience and Hazards
- Transport and Infrastructure
- Housing
- Industry and Employment
- Resources and Energy
- Primary Production

This planning proposal is considered to be consistent with all applicable Section 9.1 Local Planning Directions, as demonstrated below, primarily because the proposed changes are of minor significance.

Table 3: Section 9.1 Ministerial Directions - Local Planning Directions

Direction	Applicable	Consistent	Comment
1 Planning Systems			
1.1 Implementation of Regional Plans	Yes	Yes	The Planning Proposal applies to land within the Greater Sydney Region Plan and Western City District Plan. The Planning Proposal will give effect to these Plans as discussed under Q3 above.
1.2 Development of Aboriginal Land Council land	No	N/A	N/A

1.3 Approval and Referral Requirements	Yes	Consistent	The Planning Proposal will not include any provisions requiring concurrence, consultation or referral of development applications to a Minister or public authority or identify development as designated development.
1.4 Site Specific Provisions	Yes	Consistent	The Planning Proposal does not propose a provision allowing a particular development to be carried out.
1 Planning Systems – Place-based			
1.5 Parramatta Road Corridor Urban Transformation Strategy	No	N/A	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A	N/A
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A	N/A
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	No	N/A	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	No	N/A	N/A
1.12 Implementation of Planning Principles for the Cooks Cover Precinct	No	N/A	N/A
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A	N/A
1.14 Implementation of Greater Macarthur 2040	No	N/A	N/A
1.15 Implementation of the Pyrmont Peninsula Place Strategy	No	N/A	N/A
1.16 North West Rail Link Corridor Strategy	No	N/A	N/A
1.17 Implementation of the Bays West Place Strategy	No	N/A	N/A
2 Design and Place			
3 Biodiversity and Conservation			
3.1 Conservation Zones	Yes	Consistent	The Planning Proposal does not apply to land within a conservation zone or land otherwise identified for environment conservation/ protection purposes in the Penrith LEP 2010.

3.2 Heritage Conservation	Yes	Consistent	<p>This direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The site is not listed as a heritage item, however, is within proximity to the locally listed Red Cow Hotel and in close proximity to the Penrith Railway Station, the Penrith Council Chambers (former) and Prospect Electricity building. The site is not within a heritage conservation area. A detailed impact assessment of the proposed changes to the controls has been undertaken by Urbis and submitted at Appendix 6.</p> <p>In summary, the Planning Proposal is able to facilitate development which has no impact on the heritage. It is also noted that there are planning controls in place to allow the consideration of the impact on heritage items at the development application stage in the PLEP.</p>
3.3 Sydney Drinking Water Catchments	No	N/A	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPS 26	No	N/A	N/A
3.5 Recreation Vehicle Areas	Yes	Consistent	The Planning Proposal does not propose a provision allowing land to be developed for the purpose of a recreation vehicle area.
4 Resilience and Hazards			
4.1 Flooding	No	N/A	<p>The planning proposal does not seek to enable development for residential purposes.</p> <p>A Flood Management Plan has been prepared and is submitted alongside this Planning Proposal. As the detailed design of the proposed development progresses, a more detailed Flood Management Plan will be prepared to accompany future development applications.</p>
4.2 Coastal Management	No	N/A	N/A
4.3 Planning for Bushfire Protection	No	N/A	N/A
4.4 Remediation of Contaminated Land	Yes	Consistent	The Planning Proposal does not propose a change of use of land.

4.5 Acid Sulfate Soils	No	N/A	N/A
4.6 Mine Subsidence and Unstable Land	No	N/A	N/A
5 Transport and Infrastructure			
5.1 Integrating Land Use and Transport	Yes	Consistent	<p>The planning proposal is consistent with the objective of this direction as it will enable development that will:</p> <ul style="list-style-type: none"> • Improve access to housing, jobs and services by walking, cycling and catching public transport. • Increase the choice of available transport whilst reducing dependence on private vehicles. <p>Positively respond to the delivery of jobs within proximity and ease of access to high frequency public transport.</p>
5.2 Reserving Land for Public Purposes	Yes	Consistent	This Planning Proposal does not create, alter, reduce, rezone existing zonings or reservations of land for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields	Yes	Consistent	The Planning Proposal will not affect any provisions relating to residential development within the 20 ANEC/ANEF contour for Western Sydney Airport.
5.4 Shooting Ranges	No	N/A	
6 Housing			
6.1 Residential Zones	No	N/A	N/A
6.2 Caravan Parks and Manufactured Home Estates	No	N/A	N/A
7 Industry and Employment			
7.1 Business and Industrial Zones	No	N/A	<p>The Planning Proposal is consistent with the direction as it retains and enhances the existing B3 Commercial Core zone.</p> <p>The Planning Proposal will facilitate the delivery of approximately 20,000sqm of A-grade commercial office space which will encourage non-residential employment generating land uses in Penrith CBD. Compared to the existing LEP provisions, the proposal will create an additional 2,000 jobs.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	No	N/A	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	N/A
8 Resources and Energy			

8.1 Mining, Petroleum Production and Extractive Industries	No	N/A	N/A
9 Primary Production			
9.1 Rural Zones	Yes	Consistent	This Planning Proposal does not rezone land or increase the density of development.
9.2 Rural Lands	No	N/A	N/A
9.3 Oyster Aquaculture	No	N/A	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A	N/A

Penrith Development Control Plan

The initially lodged Planning Proposal sought to develop a site specific DCP, to be prepared to reflect the Urban Design principles and objectives contained within the Urban Design Report. In response to Council's request for information, a detailed assessment of the proposal against Council's DCP has been undertaken (**Appendix 10**). This assessment has identified three areas where the proposed scheme departs from the DCP controls. Specifically, these relate to floor plate size, maximum building depth and distance to source of daylight. As has been detailed within the Urban Design Report at Appendix 2, sufficient justification has been included supporting these departures (*Section 9*). Further, it is noted that the DCP sections will remain relevant to the future design competition and detailed development application, at which time these controls will need to be assessed and incorporated into the design. Accordingly, this planning proposal does not propose to provide a site specific DCP noting the justified nature of the departures.

Section C – Environmental, Social and Economic Impacts

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

No. The site is fully developed for urban purposes and comprises little vegetation. There are no known critical habitats, threatened species or ecological communities located on the site and therefore the likelihood of any negative impacts will be minimal.

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

The key environmental considerations arising from the Planning Proposal are discussed in detail below.

- Heritage
- Urban Design and Built Form
- Public Domain and Landscape Outcome
- Overshadowing
- Contamination
- Overshadowing
- Contamination
- Traffic and Access
- Environmentally Sustainable Design
- Market Need and Economic Impacts

Heritage

A Heritage Impact Statement (**HIS**) has been prepared by Urbis (Appendix 6) to determine the potential heritage impact of the Planning Proposal on vicinity heritage items and conservation areas. The site is not listed as a heritage item in its entirety, however the Red Cow Hotel located in the north-eastern corner of the site is listed as an item of local heritage significance under the *Penrith Local*

Environmental Plan 2010 (Item no. 690). The site is also located in close proximity to the Penrith Railway Station (Item no. 187 & 188) to the north, the Penrith Council Chambers (former) to the east (Item no. 189) and Prospect Electricity building (former) to the south (Item no. 701).

The proposal has been assessed to have an acceptable impact on the heritage items and conservation areas in the broader locality of the site for the following reasons:

- The proposed amendments to the planning controls will not materially affect the Red Cow Hotel or the heritage items located within the vicinity of the site.
- The potential future built works will not negatively affect any significant views to or from either the Red Cow Hotel or the other heritage items located in the vicinity of the site.
- The Planning Proposal would facilitate development which is able to respect the heritage values of the Red Cow Hotel and the surrounding heritage items as demonstrated in the concept design accompanying this application. The following is noted in relation to the concept design:
 - The proposed increases to height and the no maximum floor space control are limited to two distinct areas in the south-east and north-west corners of the block defined by Jane, Station, Henry and Riley Streets. The potential built form of the two towers demonstrates that the proposed increase in height can accommodate an appropriate built form outcome that is cognisant of both the context of the growing Penrith CBD and respects the heritage values of the surrounding heritage items through confining change to areas of no significance on the site.
 - The potential built forms are not located within the curtilage of any heritage item and would not be located directly adjacent to any built heritage fabric. Instead, the proposed towers potential future physical impact would only be to fabric which dates from the 1960s including Borec House and Westfield Penrith which was constructed in 2005.
 - The potential built forms are set within the wider Westfield Penrith development, with appropriate human scale podiums that will maintain the views from the public domain to the identified heritage items from street level. The towers would present as a wider backdrop, particularly to the Red Cow Hotel. No landscape or horticultural features of any heritage items are to be affected.
 - The former Council Chambers and the Prospect Electricity Building are located to the east and south (respectively) of the potential tower at Borec House. Given that Borec House is a four storey building that is built to the site boundaries, the potential new tower will not impact any views to or from these items.
 - The proposal will alter their setting due to the proposed increase in height and removal of floor space controls in this portion of the site. However, this is not considered to have a negative impact on their setting, given that the potential tower is demonstrably able to incorporate a four storey podium, similar to the scale and bulk of the existing Borec House.

In summary, from a heritage perspective, the Planning Proposal provides for a reasonable and appropriate development of the place which will have no detrimental impact on the significance of the Red Cow Hotel and surrounding heritage items.

Urban Design and Built Form

The planning proposal is grounded in a contextual analysis of the broader Penrith CBD and the relationship between the site and the future structure of the CBD. The proposal presents a shared vision for the evolution of Penrith that delivers a strengthened commercial and civic core, supported by an improved public domain, connectivity and activation throughout the day and night, and the provision of a complimentary mix of uses to support a growing population. A master planned approach was taken in determining the proposed tower placements. The analysis also sought to make logical connections with future infrastructure such as the City Park, as well as the existing public transport connectivity. In addition, the proposal seeks to ensure a staged implementation that aligns with the functions and operations of the existing shopping centre, whilst also responding to demand for high quality commercial, tourist and retail related development within the Penrith CBD.

The proposal is accompanied by an Urban Design Report and Reference Design prepared by Scott Carver (Appendix 2) indicating two area and site-specific maximum building heights of 47m and 84m, and proposed site-specific maximum GFA controls to apply to the two Blocks. The Reference Design proposes two building forms on the site comprising:

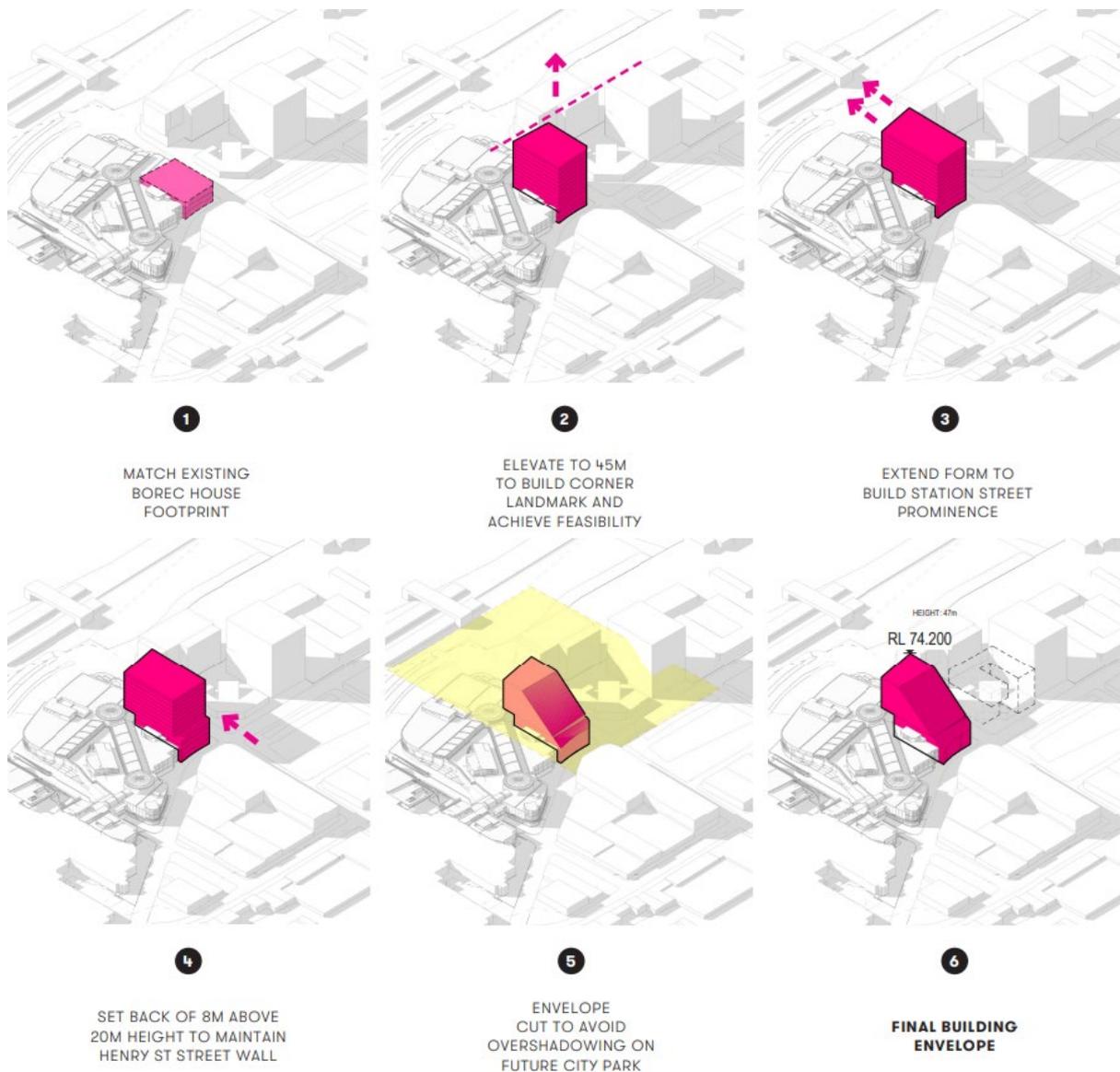
- One high rise form with a maximum building height of 84m and no maximum GFA.
- One high rise form with a maximum building height of 47m and no maximum GFA.

The building envelopes have been 'tapered' to ensure a 20m street wall height is provided consistent with existing development and to reduce overshadowing to the future City Park. The proposed building envelopes comply with the requirements of Clause 8.2 – Sun Access of PLEP.

The proposed building envelope for Borec House has been designed to create a landmark building that anchors the corner of Henry Street and Station Street whilst retaining the individual identity of Borec House. The proposed building envelope is consistent with the existing footprint of Borec House.

The tower form has been set back 8m above a 20m high podium to maintain the existing street wall height along Henry Street. The tower form above has a maximum height of 47m and has been purposely 'tapered' away from Henry Street to minimise overshadowing to the future City Park. The building envelope progression is illustrated below in Figure 9.

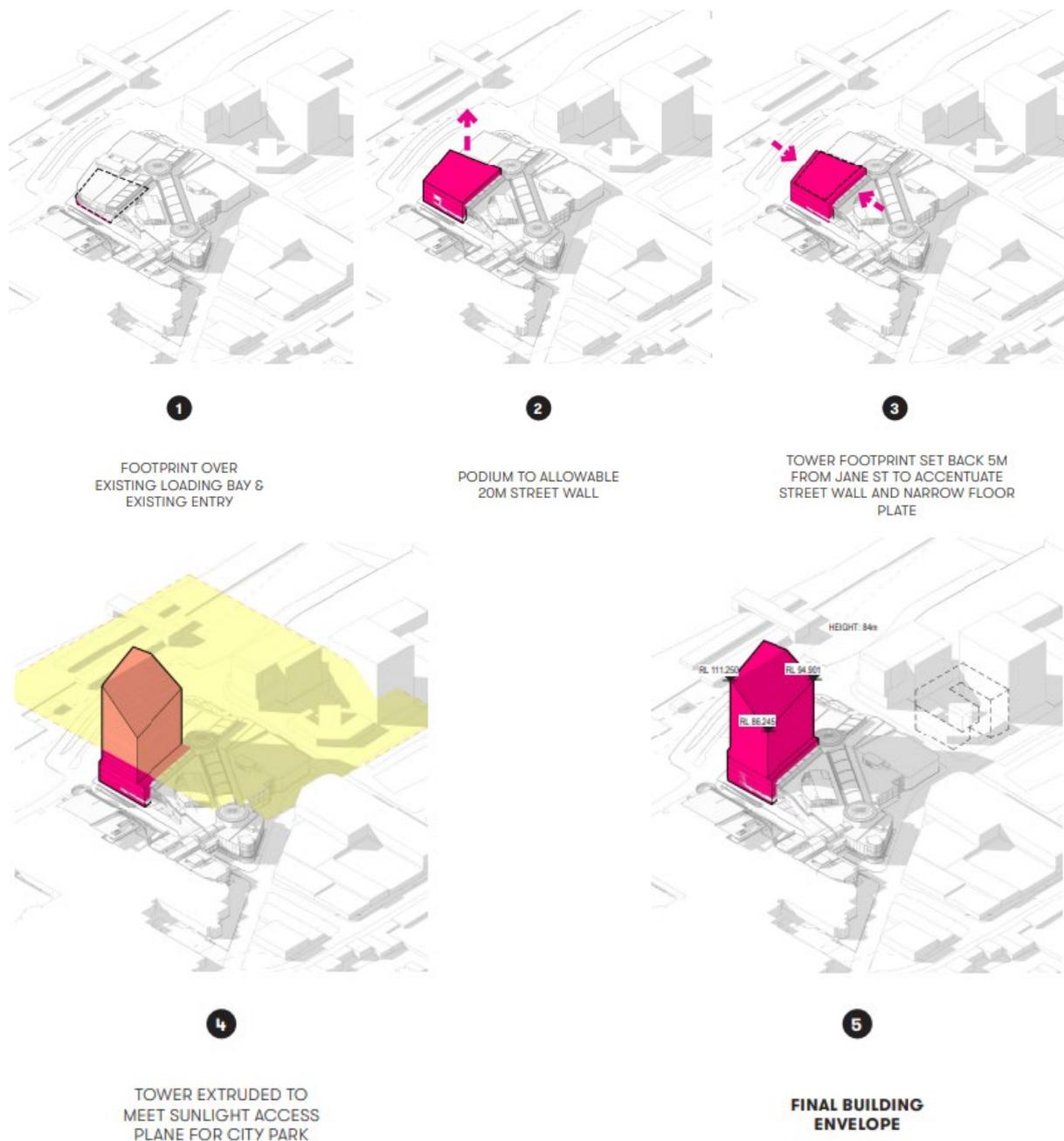
Figure 9 Proposed Building Envelope – Borec House



Source: Scott Carver

The proposed building envelope for The Hub has been designed to respond to the existing shopping centre conditions. A 20m street wall height is proposed, consistent with the current LEP height control. The built form above is set back 5m from the front and rear to accentuate the street wall condition and provide a narrower, more efficient commercial floor plate. The volume is then extruded to satisfy the sun access plane controls, resulting in a maximum envelope height of 84m (inclusive of plant/service equipment and lift overruns).

Figure 10 Proposed Building Envelope – The Hub



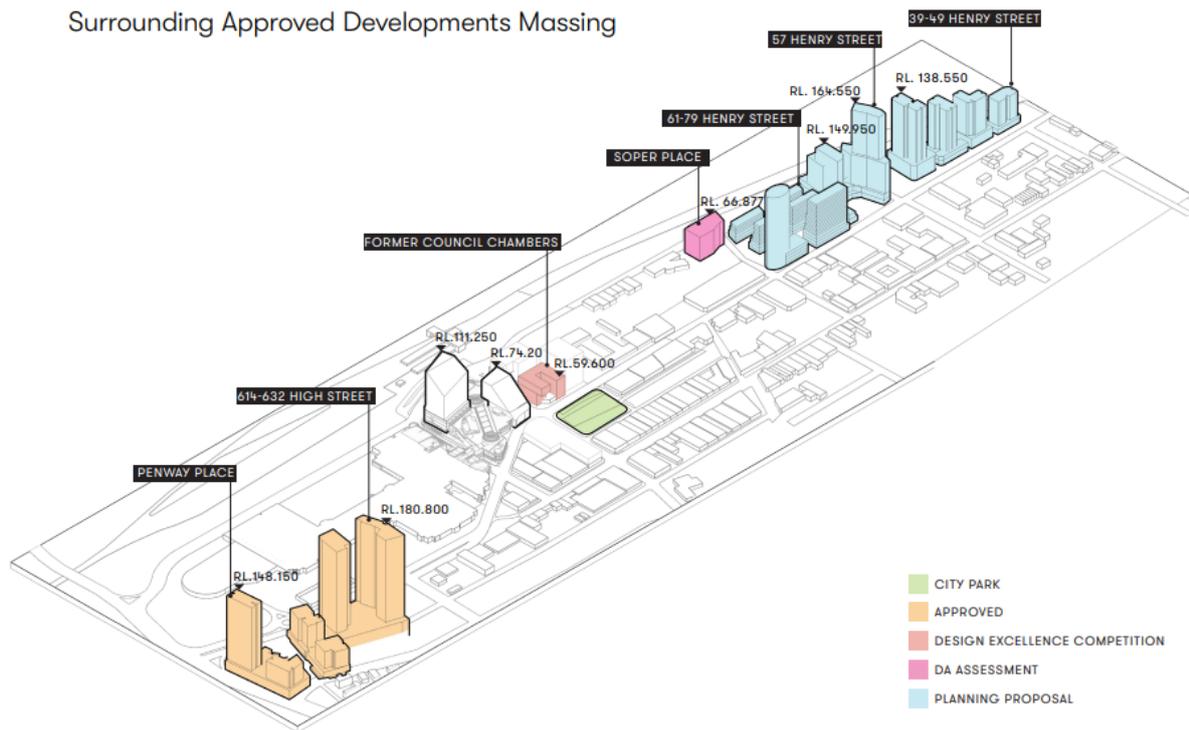
Source: Scott Carver

The height and form of the proposed building envelopes are appropriate within the surrounding context and are suitably integrated into the broader strategic planning direction for the Penrith City Centre, including the opportunity areas / sites identified within the Penrith Progression Plan 2015.

The multiple developments under construction and the various DA's and planning proposals within the surrounds reflect the emerging built form context of the Centre as illustrated in Figure 11 below.

Figure 11 Surrounding Built Form and Massing Context

Surrounding Approved Developments Massing



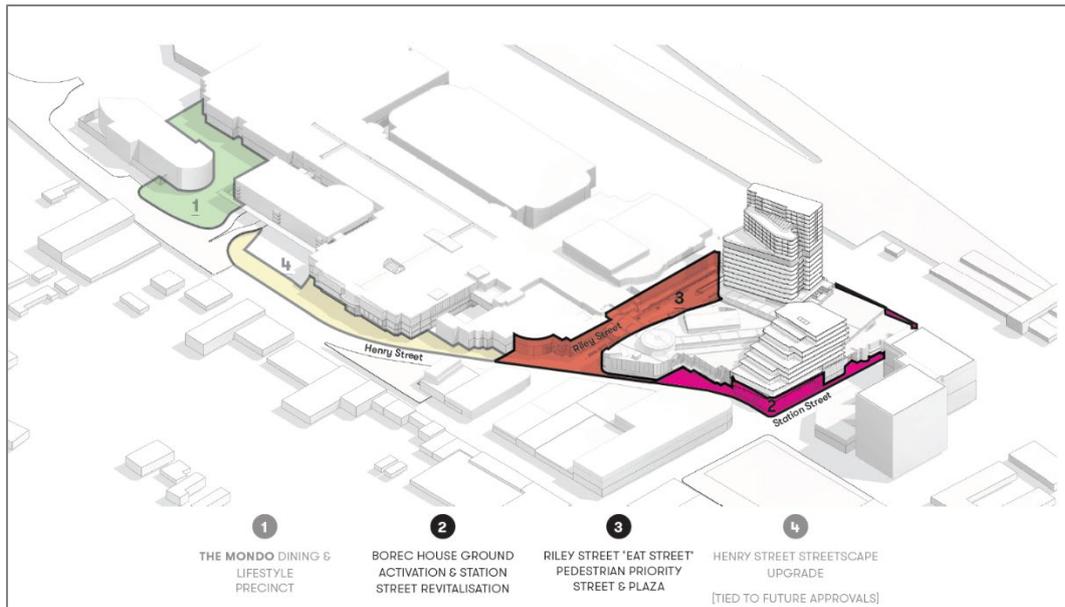
Source: Scott Carver

Public Domain and Landscape Outcome

The Planning Proposal is accompanied by a Letter of Offer. It is anticipated that Scentre Group will enter into a Voluntary Planning Agreement to deliver upgrades to community facilities and infrastructure. The development of the site provides an opportunity to improve areas of public domain and connect precincts across Penrith through consistent design and high public amenity. Scentre Group wish to confirm their intent to improve the public domain in and around the site and are committed to working with Council to achieve this at the most appropriate time and in a mutually agreed form. Proposed public domain and landscape opportunities identified by Scentre Group include:

- Provision of public domain upgrades to key interfaces along Henry Street, Station Street, Riley Street and Jane Street including the provision of the following:
 - Upgraded pavement.
 - Provision of additional public space.
 - Improvements to the Public Domain and Pedestrian experience within Riley Street.
 - Provision of smart poles/ lighting and other smart city infrastructure.
 - New and improved landscaping and contribution to Henry Street green corridor.

Figure 12 Future opportunities for public domain improvements



Source: Scentre Group

Figure 13 Public Domain Improvement Opportunities

Proposed Amenity Opportunities



Source: Scentre Group

Overshadowing & Solar Access

Detailed overshadowing modelling has been undertaken as part of the Planning Proposal (Appendix 2). The overshadowing analysis considered the cumulative impact of the potential built form outcomes and key impacts on public spaces, open spaces, and heritage items. The site does not impact on these sensitive land uses, although it is noted that overshadowing impacts would also need to be considered as part of a future development application on the site. The proposed building envelope has been tapered to minimise overshadowing to the new City Park and comply with Clause 8.2 – Sun Access of PLEP.

The proposed controls and envisaged tower forms have been designed to minimise overshadowing on adjoining development and are capable of complying with the solar access provisions within PLEP. The reference design accompanying this Planning Proposal also provides an indication of future setbacks and podium heights to assist in minimising shadow impacts.

Contamination

A Preliminary Site Investigation has been prepared by JBS&G Australia and submitted at Appendix 7. The PSI found:

- The site was used for residential purposes up until circa 1970s, when it was redeveloped for commercial purposes and used as a carpark. In the early 2000s, the site building within the south-eastern portion was integrated with the surrounding Penrith Westfield Shopping Centre to the north and west (including the north-western portion of the site);
- Based on an assessment of the history, environmental setting and a detailed site inspection, potentially contaminating activities include fill used for site levelling prior to construction, potential previous hazardous building materials (which may have been improperly demolished during redevelopment of the site in the 1970s) and the former dry cleaners located upgradient and in close proximity to the site;
- The assessment did not identify the potential for gross or widespread contamination;
- The overall risk for on-site migration of contamination from the upgradient dry cleaners is low to moderate;
- The overall risk for migration of contamination from the site is low to moderate;
- It is considered unlikely that activities at the site will have contaminated the land to a degree that would prevent the redevelopment of the site for commercial land-use; and
- In the event that contamination is identified at the site, it is anticipated that the site can be made suitable for the proposed land-use.

Based on these conclusions, JBS&G recommends completion of a targeted intrusive investigation of the site in accordance with a Sampling, Analysis and Quality Plan to provide a quantitative assessment of contaminant levels as associated with the areas of environmental concern identified above.

Traffic and Access

A Transport and Traffic Assessment has been undertaken by SLR Consulting to inform an assessment of the surrounding road network performance and possible external impacts that may be attributable to the proposed redevelopment. The assessment also considers the following traffic and transport matters:

- Vehicular site access;
- Car parking;
- Traffic;
- Public transport;
- Active transport facilities;
- Development servicing;
- Riley Street form and function.

Vehicular site access

The Planning Proposal does not propose any changes to the location and form of existing vehicular access points to Westfield. The redevelopment would be accommodated via the existing vehicular access located on High Street, Jane Street and Riley Street.

Car parking

Upon completion of the Mondo redevelopment works (DA 19/0744), the shopping centre will provide 3,536 car spaces. The reference design proposes a reduction in 50 spaces to accommodate various structural additions resulting in a total of 3,486 spaces.

Penrith DCP specifies parking rates for a variety of land uses however does not include any 'graduated' (reducing) parking rates which respond to the non-linear parking demand nature of very large shopping centres. The following table summarises the acceptable solution parking supply that SLR derived in accordance with the DCP rates.

The anticipated future parking supply is 3,486 spaces which complies with the above parking rates. The proposed parking is considered sufficient to meet anticipated demand without discouraging use of public transport and active modes of travel.

In addition to the above DCP assessment, SLR have undertaken a 'dynamic' car parking assessment that considers how parking demands associated with each component land use would differ across the day and week. With consideration of the reduced temporal demand for office parking occurring on the weekend (assumed 25%), the dynamic parking demand of 3,311 spaces is approximately 175 spaces lower than the anticipated post-redevelopment 3,486 space supply.

In summary, the proposed redevelopment car parking supply exceeds that specified by the Council DCP and is considered sufficient to accommodate peak temporal demands without encouraging private car use and discouraging public transport.

Table 4 DCP Parking Assessment

Scenario	Land Use	Yield	DCP Car Parking Rate	DCP Car Parking Supply Acceptable Solution
Existing Centre + Mondo Redevelopment + Planning Proposal	Retail	93,401sqm	1 space per 30sqm GFA	3,113 spaces
	Commercial	20,000sqm	1 space per 166.6sqm of GFA	120 spaces
	Hotel	161 rooms	1 space per room	168
		5 managers*	1 space per manager	
20 employees*	1 space per 6 employees			
Total:				3,401 spaces

(1) The on-site component of the Office car parking total based on the DCP maximum 60%, beyond which financial contributions are sought for external (off-site) provision

* Hotel Manager and Employee Numbers are estimates only and are subject to change.

Traffic

In order to accurately assess the impact of the incremental peak hour traffic movements attributable to the proposal, the following peak periods were assessed to capture the hour before the primary AM peak hour and hour after the primary PM peak hour:

- 7:00AM – 9:00AM
- 4:00PM – 6:00PM

The following scenarios were modelled using AIMSUN (microsimulation) for the abovementioned peak hour periods:

- 2018 Base - to quantify existing network operation
- 2018 Base + Development - to establish development traffic impacts on the operation of the existing network
- 2036 Base - to establish future year network performance in absence of the proposed development
- 2036 Base + Development - to identify network deficiencies and project impacts at the nominated design horizon

With regards to the 2036 base traffic demand, Council officers advised that a 2036 model demand matrix should be adopted using a 2% (linear) per annum growth factor applied to the 2018 matrix. The AIMSUN and SIDRA operational assessment has been revised by Bitzios Consulting and SLR Consulting on the basis of the revised 2% annual growth assumption. The AIMSUN model is provided at Appendix C of the Traffic Report, while the revised SIDRA model is provided at Appendix D. The AIMSUN and SIDRA models have been revised in line with the recently completed intersection layouts, and phasing information received from TfNSW.

The 2018-2036 Base traffic growth has two components:

- External Traffic Growth: Trips that travel through the study area but have origins and destinations outside the study area.
- Internal Traffic Growth: Trips that have an origin and/or destination within the study area.

It is understood that Council is in the process of finalising a draft land use plan for the study area. Accordingly, the projected future 2036 development potential could not be confirmed at this time. For the purpose of this study, the Council directed 2% (linear) per annum growth rate was adopted which equates a 36% increase in traffic between 2018 and 2036. The total modelled traffic movements suggest an annual growth rate of 1.7% for the period 2018-2036. This will be confirmed upon completion of Council's 2036 model.

The following table summarises the incremental traffic demands that are anticipated to be generated by the subject redevelopment during the peak periods. The traffic demands take into account the Mondo redevelopment (DA 19/0744).

Table 5 Incremental Traffic Generation Increase Summary

Land Use	Yield	7-8AM	8-9AM	4-5PM	5-6PM
Commercial	+21,820m ² GLA	283vph	283vph	240vph	240vph
Retail (Mondo)	+1,114m ² GLA	10vph	26vph	91 vph	89 vph
Retail (Commercial Towers)	+1,500m ² GLA				

Land Use	Yield	7-8AM	8-9AM	4-5PM	5-6PM
Hotel	+152 Rooms	61vph	61vph	61vph	61vph
TOTAL		+354vph	+290vph	+355vph	+353vph

A review of the 2036 model performance indicates that without any road network improvements beyond the 2018 Base, the study area experiences frequent gridlocks in the Base PM scenario. The 2036 PM model is not sufficiently stable enough to draw robust conclusions from and therefore the results have not been included in this assessment.

It would be prudent to adopt the future planned road network that forms part of Council's 2036 modelling prior to the models being completed and available for release.

Intersection Performance

2018 base with development

The modelled development traffic will not have a significant impact on the road network operations at 2018. The modelling does however indicate that the development will have an impact on the Parker Street / Derby Street intersection during the 5-6PM peak hour period.

2036 base with development (AM)

As noted earlier herein, the 2036 PM results are not reported as the model performance was not considered sufficiently stable enough in order to draw robust conclusions. The modelled development traffic will not have a significant impact on the road network operations at 2036 AM. The modelling does indicate that some intersections (Parker Street / Derby Street and Mulgoa Road/Jamison Road) are operating above typically accepted performance thresholds, however this is the case for the Base scenario also.

The above findings will be explored further as the Planning Proposal progresses, particularly at the 2036 modelled time horizon at such time that Council's modelling of the future planned/committed road network is available.

Travel Route Times

2018 base with development

The proposed redevelopment will not introduce significant increases in travel time along the evaluated routes. The one exception being Route 2 (Jane Street / Great Western Highway) where in the PM peak period, the travel time in the eastbound direction is indicated to increase by approximately one minute. This increase is attributed to additional delays at (and between) the High Street and Parker Street intersections.

2036 base with development (AM only)

The results indicate that the proposed redevelopment will not introduce significant increases in travel time along the evaluated routes.

In summary, the traffic modelling undertaken to date indicates that the existing road network can accommodate the incremental traffic demand attributed to the proposed redevelopment. The modelling will be progressed pending receipt of Council's 2036 models which are necessary in order to establish the future network performance inclusive of planned/committed external capacity enhancements.

Development servicing

A porte-cochere and/or valet facility for hotel guests will be explored as the Planning Proposal is progressed. This will enable a more legible arrival experience for patrons and guests and reduce the number of vehicles unnecessarily accessing the basement carpark for check-in and check-out. Subject to the resolution of the urban and road design outcome for Riley Street, the drop-off facility could be located on Riley Street. It is noted that any porte cochere will be required to be located wholly within the subject site not within public land.

On-site servicing is not proposed to be changed as part of the Planning Proposal. Servicing of the redevelopment component may be facilitated via the existing loading dock area accessed via Jane Street (Loading Dock 4) and a new service area within the redevelopment basement suitable for smaller vehicles.

On-street servicing within Riley Street will be explored as the Proposal is progressed. Such a facility may also accommodate passenger pick-up and set-down movements made by taxis and ride-share. Whilst the proposal does not include any new major servicing areas or loading docks, it would be reasonable that an updated site loading and refuse collection management plan be developed as a part of future stages to ensure no adverse impacts on the surrounding transport network.

Riley Street form and function

As part of the Planning Proposal future redevelopment, it is proposed that Riley Street would be reviewed to deliver significant improvements to the public domain outcome and pedestrian experience between High Street and Jane Street. Based on preliminary discussions with Council, it is understood that the principle of reducing vehicular traffic along Riley Street is supported, subject to detailed design and resolution of public transport services that currently utilise this segment of road. The following key principles and standards have been put forward by Council to guide the design of Riley Street.

The design of Riley Street needs to be reviewed based on the following key principles and standards:

- *Maintain a road carriageway with a bitumen surface for the trafficable portion to distinguish between vehicular movements and pedestrians.*
- *A speed limit of 40km/h is to be maintained however there is a view to reducing this to 30km/h in the future in line with TfNSW directions.*
- *Maintain bus services, taxi services, and emergency services parking.*
- *Maintain on-street parking wherever practical – consolidation, review of lengths of zones can be considered.*
- *The proposed porte-cochere and/or valet facility is required to be undertaken within the private land, not within public (council owned/managed) land.*
- *The existing on-street public parking spaces along Riley Street are a community facility and not allocated to a private landowner (Westfield Penrith Shopping Centre).*
- *Pedestrian elements and public domain embellishments that improve the amenity and place function of Riley Street can be built into the proposal, whilst maintaining the key movement elements outlined above.*
- *A transport consultant should identify where Riley St sits on the Movement and Place framework when it is fully developed and comment on supportable infrastructure to that end.*

We note that the future of Riley Street is subject to ongoing work and discussions with Council and may result in further refinement and revision of the above key principles and standards to deliver a positive outcome for Council, the community and the Proponent. These standards are noted by Council as a basis for discussions around the configuration of Riley Street and the other public domain upgrades and improvements that may be incorporated into a VPA.

It is Scentre Groups vision for Riley Street to be an activated, connected pedestrianised plaza that continues to support the role and function of Penrith CBD, whilst also delivering green community space for meeting and dwelling.

Regardless of the approach, a suitable technical outcome is considered likely and the benefits very likely to outweigh any negative impacts. Technical consultation with TfNSW and Council is recommended to resolve which approach should be progressed.

Summary

As per SLR's recommendations, the following will be considered and resolved as part of any future development application or conditions of approval:

- Resolution of the on-site and basement trafficable design including access, circulation and development servicing;
- Resolution of the future of Riley Street and the proposed public domain improvements;
- The reasonableness of the actual post-redevelopment car and bicycle parking supply;
- Preparation of a Green Travel Plan or similar.

Flooding

A Flood Management Report has been prepared by Infrastructure & Development Consulting (Appendix 4). The site is subject to flooding in both the localised catchment flood event and the Regional Hawkesbury Nepean River event. Generally speaking, the localised PMF flood has a faster rate of rise, shorter warning time, lower flood level and lower duration of inundation when compared to the regional flooding.

Localised Flooding

The localised flooding is caused from runoff from the mostly urbanised catchment to the east and south of the Site. The 2020 Molino Stewart Penrith CBD Floodplain Risk Management Study and Plan has analysed this flooding and confirms that the site is not affected by localised flooding for events up to and including the 0.5% AEP flood event. The site is subject to flooding in the PMF event. This inundation, at its worst is approximately 1.2m deep in Station St with a peak level of approximately RL. 28.20 (AHD) and has a duration in the order of 60 to 90 minutes.

Regional Flooding

The Hawkesbury-Nepean River Regional Flood Study confirms that the site is not affected by the regional 1 in 100 chance per year flood event, however is affected in the PMF. The PMF Flood Level applicable to the site is approximately RL. 32.7 AHD. This is considerably higher than the local PMF flood level (RL. 28.2 AHD). The rate of rise of flood waters would be in the order of 0.5m/hr, the time to rise 20 hours and time above critical level 60 hours.

Flood Management Strategies

The Flood Management Plan at Appendix 4 recommends the following strategies be employed during flood events to safely evacuate the public to safety. A detailed evacuation plan will be prepared at the detailed design development stage.

- Flood Watch - The centre team should carry out flood monitoring via the Bureau of Meteorology (BoM) website and ABC weather broadcasts.
- Flood Warning - The facilities team are to be placed on alert for all emergency call outs, security team briefed on all vehicular/pedestrian entry closures. The Centre Manager, Facilities Manager and Risk/Security Manager to consider discussing closure of the basement car park and de-energise switchboards in affected areas. All teams briefed on full alert for emergency installation if key flood levels are breached. Increased security patrols and facilities patrols required of basement entry ramps and constant monitoring of ABC weather and BoM Flood Watch website.
- Flood Warning Systems – Issue flood and evacuation orders by TV news, radio bulletins, fax/email, local wardens, door knocking and automatic telephone dialling.
- Evacuation considerations – Both the local and regional 1% AEP flood events do not impact on the site however the local and regional PMF events cause flooding that will inundate the basement and in the case of the regional PMF, the first floor.

- Localised PMF Flood – as discussed, the localised PMF is relatively short, sharp event with little warning time and a duration of inundation of approximately 60-90 minutes. The strategy is to remain in place and wait for waters to recede before safely evacuating the site.
- Regional PMF flooding – the regional PMF flood event is slowly rising and higher than the localised event. There will be adequate time to prepare and evacuate people from the site in advance of flood waters and vehicles that exit the site will be able to safely navigate to high ground. It is recommended evacuation occur along Henry Street to the east to higher ground.

As the detailed design of the proposed development progresses, a more detailed Flood Management Plan will be prepared. This will include key centre contacts, flood depths at which basement access and entry to the site will be locked, the visibility of structural measures such as hydraulic flood gates to prevent waters from entering the basement, detailed hydraulic hazard analyses of evacuation routes, location of entry ramps and evacuation route mapping.

Environmentally Sustainable Design

Scentre Group and GPT, as co-owners of Westfield Penrith, are committed to sustainability and have broad net zero emissions targets and minimum sustainability ratings in place across their whole operations. These commitments underpin the design approach for the Westfield Penrith Living Centre project and are well aligned with the broad principles of Green Star and NABERS, Scentre Group are also acknowledged as a Global Listed Sector Leader in sustainability, reinforcing their commitment as a responsible and sustainable business. Scentre Group's primary environmental target is net zero emissions by 2030 across their wholly owned portfolio.

An Environmentally Sustainable Design Strategy has been prepared by LCI Consultants which provides an overview of the ESD initiatives considered for the project and to address the ESD requirements of relevant planning instruments including Penrith DCP 2014 (Refer Appendix 9).

Environmental performance and sustainability measures will be explored as part of the detailed design of future development on the site.

Further detailed consideration of ESD targets and commitments will be incorporated into the future development of the site, as envisaged by this Planning Proposal.

Market Need and Economic Impact

A Market Need and Economic Benefits Assessment has been prepared by Urbis and submitted at Appendix 5. The Assessment considers the demand for the proposed land uses (hotel and commercial office) and economic benefits of the proposal.

Hotel Assessment

The Market Need assessment identified the following:

- Penrith has an undersupply of hotels, particularly higher-grade hotels.
- The current hotel offering is unable to meet the needs of the market, resulting in Penrith City Centre losing its market share.
- The demand for hotels and other short stay accommodation is to increase significantly with further growth in the market and developing business activity in western Sydney.
- There is a broad range of drivers underpinning demand for hotels in Penrith and there is an opportunity to establish a stronger role for Penrith as a short stay destination.

In addition to the above, there are a number of drivers increasing demand for short-stay accommodation including:

- Increased commercial activity in Penrith City Centre.
- Increased residential population in Western Sydney, forecast to grow by almost 80,000 residents. A larger base of residents will generate more short stay trips to the area and will drive demand for a greater level of business activity and employment, which will also have flow-on benefits to demand for hotels and other accommodation.

- Proximity to major tourist attractions such as the Blue Mountains which attracts some 4.6 million visitors annually including 1.4 million overnight visitors.
- Visitation associated with major sporting, event and recreation facilities including Panthers stadium, Penrith Panthers League club and Sydney International Regatta Centre.
- Major health and education hub. In 2016 Penrith Council adopted a strategic action plan for 'The Quarter' which outlined the development of Penrith as a key education and health precinct. The action plan placed emphasis on expanding the role and presence of education facilities in addition to expanding the health capabilities and capacity within the region.
- WSA and Aerotropolis which will include a multitude of employment and visitor generating land uses.

The assessment found that whilst there are a range of proposed hotel developments in Penrith City Centre, the subject site has the strongest attributes and would be expected to provide the greatest contribution to the hotel market in Penrith City Centre. The proposal will:

- **Address a key gap in the hotel offering in Penrith City Centre.** 'The Hub' will be a 152 room upper scale hotel and upon development will be one of the more premium hotel offer's within the City Centre. The development therefore addresses a key gap in the short stay accommodation that is expected to build the market and strengthen Penrith's role as a short stay destination.
- **Caters for and drives future growth in short-stay visits.** Between 2010 and 2019 the number of domestic and international overnight visitor nights in Penrith has grown by 36% and 5% respectively. With further growth in the resident population, tourists, business activity and developing employment nodes in Western Sydney, the proposal will contribute to the delivery of short stay accommodation in Penrith City Centre.
- **Optimal location within the City Centre.** The Hub's' integration and proximity to the main commercial and retail/dining functions of the City Centre will be appealing to potential visitors and drive demand for short stay visits.
- **Potential to deliver greater spin-off benefits for the Penrith City Centre.** The hotel will provide visitors with convenient access to the core amenities in Penrith City Centre. The proposal has the potential to deliver significant benefits to retail shops, entertainment facilities, services and cafes, restaurants and other food and beverage establishments. Greater levels of business activity will have flow-on benefits for the overall economic performance of the City Centre.

Commercial Office Assessment

Penrith City Centre is strategically important location given the quality of supporting transport infrastructure, its role as a commercial and employment node and extent of amenities and demand drivers that support office-based activities.

Forecast growth in office jobs across Western Sydney is expected to create demand for an additional 441,500 sqm of commercial office floorspace by 2028. The proposed net increase of 16,575sqm on the subject site will absorb less than 4% of this demand in 2028. The market can support an additional 25 developments of similar scale, indicating the proposed developments on the two sites can be absorbed easily.

The proposed development can service the short-term demand for commercial office in Western Sydney, removing the burden off the Aerotropolis which is likely to develop over the longer term. It is reasonable that other markets, such as Penrith, absorb the majority of available office space demand over the next 5-10 years.

The market need assessment found that the quality of existing office stock in the Penrith City Centre is low. The proposed A-grade developments will increase the quality of office stock, generate more 'white-collar' jobs in Penrith and grow the available spending market for local retailers. Better quality office space will attract higher value business activity which will have flow-on benefits for the balance of the City Centre.

Economic Benefits

The economic assessment identified the following:

- Construction employment: The development will support 78 direct and 118 indirect construction jobs.
- Operational employment: The development will support 2,145 jobs, including 1,361 direct and 784 indirect operational jobs.
- Construction Gross Value Add: The construction phase will contribute \$109M of GVA to the broader NSW economy.
- Operational Gross Value Add: The operational phase will contribute \$184M of GVA to the Penrith and broader NSW economy each year.
- Jobs Closer To Home: The proposed development will deliver white collar jobs to Penrith, combating the existing job leakage.
- Drive Additional Spend in Penrith City Centre: The 1,361 additional employees and hotel guests in Penrith will drive spin off benefits for retailers in the CBD in the order of \$10.1 million.

As outlined in the Market Needs and Economic Assessment, the proposal will facilitate a mixed-use hotel and commercial development that will provide a significant contribution to the jobs target for Penrith City Centre, respond to the demand for high quality short-stay accommodation, service the short term demand for commercial office in Western Sydney complimenting the Aerotropolis, increase the quality of office stock thereby attracting more white collar jobs to the City Centre and deliver economic benefits throughout the construction and ongoing operation stage. In summary, the proposed development can be 'absorbed' easily.

Q9. Has the Planning Proposal adequately addressed any Social and Economic effects?

Yes. The Planning Proposal is considered to have a number of social and economic benefits. Through realising economic benefits, a positive social on-flow effect can also occur, which the public can benefit through job creation and additional commercial and retail services.

The Planning Proposal has the following relevant social and economic considerations:

- The site has excellent access to surrounding retail, medical, education and other essential amenities in Penrith CBD including Westfield Shopping Centre, Joan Sutherland Performing Arts Centre, Penrith City Library, Nepean College Campus and Penrith Train Station.
- Subject to the resolution of a Voluntary Planning Agreement, Scentre Group are committed to contributing towards the provision of community infrastructure and public domain improvements, providing a benefit for the broader community.
- The interface of the site will be improved through the provision of retail, hotel and commercial premises to the street increasing casual surveillance and amenity.
- The Planning Proposal will provide much-needed employment floorspace and assist in meeting the employment targets for the Penrith LGA.
- The Planning Proposal will facilitate the development of a significant site in Penrith City Centre, providing employment generating land uses and enabling a major capital investment in the locality.
- The development will act as a catalyst to drive greater business activity and development in the City Centre. Greater levels of business activity will have flow-on benefits for the overall economic performance of the City Centre.
- The development will support 78 direct and 118 indirect construction jobs.
- The development will support a total of 2,145 jobs, including 1,361 direct and 784 indirect operational jobs.
- The 1,361 additional employees and hotel guests in Penrith will drive spin off benefits for retailers in the CBD in the order of \$10.1 million.
- The development will improve the public realm and create a safer environment for pedestrians and visitors.
- The development will assist in the creation of a vibrant night-time economy.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

Yes. The site benefits from all the services one could expect in a CBD location. It is served by existing utility services and is located to allow incoming visitors and workers to capitalise on the wide range of infrastructure and services existing and planned within the area. It will reinforce existing investment in public transport infrastructure, particularly via proximity to the Penrith train station. A range of established services are available within close proximity of the site, including health, education and emergency services networks.

In accordance with Walk Score, a public transport score which indicates a site's accessibility to public transport, the site is defined as "good transit" which suggests there are many nearby public transport options. There are approximately 45 bus services (including 2 coach services) that depart from Penrith Station. The site is also accessible to Penrith Train Station which is served by the T1 (Emu Plains or Richmond to City line) and BMT (Blue Mountains line).

An Engineering Services Infrastructure Availability Report has been prepared by Scentre Group (Appendix 8). The report outlines the existing infrastructure available to the site, serving the site and any amplification or extension of Authority services that may be required to carry out the new development. A summary of the available services and potential improvements required is provided below:

Sewer Drainage

- Borec House is already serviced by an existing sewer connection. The redevelopment will require a new sewer connection and a Sydney Water side line as part of the proposed works as per Sydney Water's current requirements. It is anticipated the 525VC main in Henry Street will have sufficient capacity to cater for the proposed development.
- The Hub location does not currently have direct connection to any sewer drainage infrastructure. If future subdivision is proposed, a new connection will be required. The Hub will require an extension of the Sydney Water main and a new sewer connection as per Sydney Water's current requirements.

Water Services (Potable)

- Borec House currently fronts a potable water main in Station Street. The proposal will require an amplification of the Sydney Water main and a new water connection as part of the upgraded water main works.
- The Hub currently fronts a potable water main in Riley Street. The proposal will require an amplification of the Sydney Water main.

Water Services (non potable)

- There is currently no non-potable reticulated water supply to Borec House or The Hub.

Stormwater Services

- Borec House does not appear to have direct connection to any existing infrastructure. A new stormwater connection and extension of the Authority infrastructure will be required.
- The Hub currently fronts stormwater infrastructure in Jane Street. The roof catchment from the centre appears to discharge within the proposed Hub location footprint and therefore will require coordination with the proposed development.

Gas Services

- Borec House currently fronts two gas mains on Station Street and Henry Street. The gas meter assembly and connection will require upgrading due to the increase in demand.
- The Hub does not currently front any gas main infrastructure. If future subdivision is proposed, a dedicated authority connection should be sought. The gas mains are expected to have sufficient capacity to cater for the proposed development.

High Voltage Infrastructure

- The site is surrounded by existing high voltage assets of which the majority are operated by Endeavour Energy.
- There are existing high voltage assets along Henry and Station Streets which surround Borec House. No substations are in the vicinity. It is anticipated a new substation will be required along Henry and Station Streets to serve the proposed development.
- The Hub is currently within the vicinity of an existing substation dedicated to Westfield Penrith however there would be limited capacity available to serve the proposed development utilising this substation. It is anticipated that a new substation will be required along Jane and Riley Street to serve the proposed development.

Low Voltage Systems

- New main switchboards will be required for The Hub and Borec House. These would need to be fed from the new dedicated Endeavour Energy Substations.

Telecommunications

- There are existing carrier pits in front of Borec House and therefore a new lead in (NBN) can be connected to Borec House.
- There are no telecommunication pits in front of Borec House. The proposed approach is to utilise existing pits and route lead-in through the shopping centre or alternatively request NBN to create a new pit in front of The Hub.

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

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal. It is acknowledged that Penrith City Council will consult with relevant public authorities following the Gateway Determination.

Part 4 – Mapping

The following map tiles are proposed to be amended as part of the Planning Proposal.

Map	Tile Number
Land Zoning	No change
Lot Size	No change
Land Reservation Acquisition	No change
Height of Buildings	Yes
Floor Space Ratio	No change
Scenic and Landscape Values	No change
Heritage	No change
Additional Permitted Uses	No change
Active Street Frontages	No change
Cause Application	No change
Urban Release Areas	No change

The proposed LEP 2010 map tiles are provided at Appendix 1.

Part 5 – Community Consultation

The Gateway Determination will outline the community consultation to be undertaken.

The planning proposal will be publicly exhibited at the Penrith Council Civic Centre, Penrith Library, Council's St Marys Office and St Marys Library. All exhibition material will be available on Council's website.

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

Consultation with public authorities will be undertaken in accordance with the requirements of the Gateway Determination.

In responses to Section 117 Direction 4.4, Council will consult the NSW Rural Fire Service on the planning proposal, which will provide the information to demonstrate compliance with the provisions of this Direction.

Part 6 – Project Timeline

Milestone	Timeframe
Council's sponsor of the Planning Proposal	May 2023
Submission to NSW Planning and Environment	July 2023
Gateway Determination issued	To be determined
Public exhibition and public authority consultation	Dates are dependent on Gateway determination. Anticipated timeframe for public exhibition is 28 days.
Consideration of submissions	6 weeks
Reporting of the Planning Proposal to Council	6 weeks
Submission to NSW Planning and Environment	To be determined
Publication of LEP amendment	To be determined

Appendices

APPENDIX 1

Existing and Proposed Penrith LEP 2010 Maps

APPENDIX 2

Urban Design

APPENDIX 3

Traffic & Transport

APPENDIX 4

Water Cycle & Flooding

APPENDIX 5

Economic Assessment

APPENDIX 6

European Heritage

APPENDIX 7

Contamination

APPENDIX 8

Servicing and Utilities

APPENDIX 9

ESD Strategy

APPENDIX 10

Penrith Development Control Plan Assessment