

5 Planning Proposal for Penrith City Centre Park**Compiled by:** Alison Butler, Planner**Authorised by:** Paul Grimson, City Planning Manager

Outcome	<i>We plan for our future growth</i>
Strategy	<i>Ensure services, facilities and infrastructure meet the needs of a growing population</i>
Service Activity	<i>Maintain a contemporary framework of land use and contribution policies, strategies and statutory plans</i>

Executive Summary

On 2 November 2015, Council received a briefing on a Planning Proposal seeking to rezone land in the City Centre from B3 Commercial Core and RE1 Public Recreation to B4 Mixed Use. The purpose of this Planning Proposal is to rezone land to enable development of a City Park and expand the range of adjacent land uses to attract development within the vicinity of the City Park.

This report provides a summary of the draft Planning Proposal and seeks Council's endorsement to forward the draft Planning Proposal to the Department of Planning and Environment, seeking a Gateway Determination to commence the LEP amendment process and to commence a consultation program with public authorities and the community as will be required by the Gateway Determination.

A copy of the draft Planning Proposal is provided as Attachment 1 to this report for the information of the Councillors.

Background

High quality urban spaces have a significant impact on the overall liveability of cities. They help local businesses thrive and attract people to live, visit and work in a location. As cities increasingly compete with one another to attract investment, the presence of good civic spaces and public parks becomes a vital economic lever to first attract and then retain new businesses.

The development of a City Park has been considered an important component in the transformation of the Penrith City Centre since 2006. It was recently identified, together with the Living Well Precinct, as the first priorities in the *Penrith Progression Action Plan*. When delivered, the City Park will represent a significant infrastructure investment by Council for the benefit of the Penrith community.

Worldwide, successful city parks integrate urban elements such as cafes, alfresco dining areas, galleries, art installations, programmed events and active recreation including water play. Each of these urban elements, do not, by themselves, activate the spaces – thriving open spaces are surrounded by activated adjacent uses that complement one another and the civic space to increase vibrancy.

The current B3 Commercial Core zone applying to most of the site does not support the range of activities required to attract viable development. To enable the types of land uses needed to stimulate economic activity around the City Park, a Planning Proposal to apply a B4 Mixed Use zone to the land surrounding the Park site must be prepared.

The Penrith City Park Review

Council received a report at the 1 June 2015 Councillor Briefing on the *Penrith City Park Review* undertaken by consultants Hames Sharley Pty Ltd. This review established the context for the development of a new city space that will enhance the public realm of the Penrith City Centre and foster redevelopment of private land within its precinct.

Through research, analysis and benchmarking, the consultants determined that the City Park in Penrith should be around 7,500m². The study also confirmed that the City Park should address Station Street and Henry Street and receive adequate activation from adjacent and adjoining land uses. The importance of a mix of hard and soft surfacing was highlighted as a common feature of exemplar open spaces, offering the flexibility of shared spaces for community events while also incorporating leisure recreation in an attractively landscaped setting.

Further investigation and detailed design work for the City Park itself is currently being undertaken. To fully achieve the vision and development of a broader Central Park Village Precinct as described in the *Penrith Progression Action Plan*, the next step in the process is rezoning the land in and around the City Park site. The rezoning will accommodate mixed use development and introduce opportunities for housing density in the precinct.

A copy of the *Penrith City Park Review* is provided as Attachment 2 to this report.

Description of the Proposal

To ensure the right mix of uses are provided around the City Park, the Planning Proposal seeks to rezone part of the block bound by Station Street, Henry Street, Woodriff Street and the Allen Place Carpark to B4 Mixed Use. The current RE1 Public Recreation zone would be retained on the corner of Station and Henry Street, responding to the principles outlined in the City Park Review and include the land that has already been acquired by Council, as well as other parcels yet to be acquired.

It is important to note that rezoning the Allen Place Carpark from RE1 to B4 Mixed Use does not restrict the future potential to deliver a park on the site. Recreation areas, which includes parks, are a permissible land use in the B4 Mixed Use zone. Applying the B4 zone will allow greater flexibility through the design process, allowing opportunities for the final layout, particularly the configuration of the boundary, of the park and location of surrounding land uses to evolve.

The proposal seeks only to rezone part of the site to B4 Mixed Use in order to expand the permissible uses, specifically introducing residential land uses. It does not at this stage propose to remove any car parking currently provided within the Allen Place Carpark. Any future development proposal for the site would need to account for the current car parking through retention, or relocation and replacement.

This Planning Proposal reduces the extent of the City Centre's commercial core zone by approximately 4%. The reduction in the extent of the B3 zone is considered appropriate, as retention of the existing zone would fetter the near term potential of the land so that it could not likely be developed concurrently with the Park. This would not be in the broader public interest, which achieves benefit from the Park and surrounding active uses.

Since the land use zonings were applied to the Penrith City Centre by the NSW Government's Cities Taskforce, it has been recognised that the extent of the B3 Commercial

Core zone is excessive for any future needs. This has had the effect of stifling legitimate land uses needed to revitalise the City, which are available in the B4 Mixed Use zone.

A copy of the draft Planning Proposal is provided at Attachment 1 to this report for the information of Councillors. Council officers will continue to work on the draft Planning Proposal prior to forwarding it to the Department of Planning and Environment.

The City Park EOI

Council is currently inviting Expressions of Interest for the development of two City Centre sites at Reserve Street and Union Road, which along with the City Park were identified as catalyst projects within the *Penrith Progression Action Plan*.

It is intended that a third Expression of Interest process for the concurrent delivery of the City Park and an adjoining mixed-use development will be pursued in the new-year. This scenario involves using Council's land as a catalyst to achieve the planned outcomes for the Central Park Village.

An important step in facilitating the development of these sites is ensuring that development opportunities are not limited by current zones. This Planning Proposal will enable the EOI for the City Park to progress by ensuring that the correct zoning applies to the site, thereby providing the necessary flexibility in land uses needed to attract the right kind of investment within the City Park Precinct.

Council's consideration of the City Park EOI process will be sought early next year.

Next Steps

Should Council endorse the recommendation tonight, the following steps will occur in accordance with the Environmental Planning and Assessment Act 1979:

1. Council officers will continue to update the Planning Proposal, written instrument and associated maps.
2. Council will forward the Planning Proposal to the Minister for Planning, seeking a 'Gateway Determination' and authorisation that the LEP plan making process may proceed.
3. Council officers will liaise with the Department of Planning & Environment and negotiate any changes sought by the Department in the lead up to the Gateway Determination.
4. The Gateway Determination will, amongst other things, authorise a list of public authorities that Council must consult prior to finalisation of the Planning Proposal for public exhibition.
5. The Planning Proposal will be publicly exhibited.
6. Submissions to the Planning Proposal exhibition will be reviewed, and recommendations prepared for Council's consideration.
7. The Planning Proposal will be presented to Council for endorsement.

During these processes, amendments to the draft Planning Proposal will continue to be made. These changes may result from further consultations (such as with relevant government agencies), directions or suggestions from the DP&E or additional technical information, that subsequently affect the draft Planning Proposal.

Council officers will update Councillors of any significant changes to the draft Planning Proposal through briefings and relevant reports.

Community Consultation Strategy

Should the Department of Planning and Environment issue a Gateway Determination for the Planning Proposal, it will outline the community consultation requirements. An indication of the proposed community consultation strategy is outlined below:

- Letters to individual land owners, residents and tenants advising of the exhibition and how to make a submission.
- Advertising through local media to inform the community that the exhibition has started, how long it will run, how information can be obtained and how to make a submission.
- Fact sheets available at exhibition points highlighting key features of the Planning Proposal, the closing date for the exhibition and how to make a submission.
- Targeted consultation with relevant public authorities.
- Staff available to answer enquiries.

A number of supporting documents will be exhibited with the Planning Proposal to assist in understanding the planning documents. The supporting documents will include:

- A full list of the relevant State Government policies, plans and directions, which have been taken into account when developing the Planning Proposal.
- Fact sheets, as described above.
- Technical studies and supporting documentation.

It is expected that the Planning Proposal will be publicly exhibited for a minimum of 28 days. Notwithstanding, the required exhibition timeframe will be confirmed within the Gateway Determination.

Conclusion

The objectives of the Planning Proposal are directly aligned with the strategic planning, economic analysis and detailed design work undertaken for the City Park to date. The proposed rezoning is a key step in realising the vision for this important precinct in the City Centre.

It is recommended that Council resolve to commence a Gateway process through the Department of Planning and Environment for the ultimate consideration of the Planning Proposal.

RECOMMENDATION

That:

1. The information contained in the report on Planning Proposal for Penrith City Centre Park be received.
2. Council endorse the Planning Proposal for Penrith City Park being forwarded to the Department of Planning and Environment to commence the LEP plan making process under s56 of the Environmental Planning and Assessment Act 1979.
3. The General Manager be granted delegation to update and finalise the Planning Proposal, written instrument and associated maps before submitting it to the Department of Planning & Environment seeking a Gateway Determination.
4. Council publicly exhibit the Planning Proposal for the Penrith City Park in

accordance with the community consultation requirements under s57 of the EP&A Act, and in a form consistent with any revisions of the Planning Proposal directed by the Department of Planning & Environment as part of the s56 Gateway determination.

5. The Minister be requested to delegate his authority for Council to finalise and make the proposed amendment to Penrith Local Environmental Plan 2010.
6. A further report be presented to Council following the public exhibition of the draft Planning Proposal advising of the outcomes of the consultation program and any recommendations relating to the adoption of the final Planning Proposal.

ATTACHMENTS/APPENDICES

1. Planning Proposal for Penrith City Park 198 Pages Attachments Included