

4 PP-2025-356 Harvey Norman Penrith Homemaker Centre

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Outcome	<i>We plan and shape our growing City</i>
Strategy	<i>Undertake strategic planning that will ensure balanced growth and liveability</i>
Principal Activity	<i>Facilitate appropriate land use outcomes for our city that are consistent with our Local Strategic Planning Statement</i>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

The purpose of this report is to seek Council's endorsement of a Planning Proposal for the Harvey Norman Homemaker Centre to be submitted to the Department of Planning, Housing and Infrastructure's (DPHI) for a Gateway determination. The Planning Proposal seeks to amend the Height of Building control in Penrith Local Environmental Plan 2010 (Penrith LEP 2010) to provide additional specialised retail premises floorspace.

The Planning Proposal assessment includes a visual analysis which explores five viewpoint locations of the proposed height increase of the building. It concludes that the impact of the development would be moderate to low. The assessment also demonstrates consistency with local and state strategic framework.

The Planning Proposal has been reviewed and supported by the Local Planning Panel (the Panel) and is considered to be consistent with all relevant strategic plans, including Council's Local Strategic Planning Statement (LSPS).

It is recommended that Council endorse the Planning Proposal to be forwarded to the DPHI with a request to issue a Gateway Determination.

Background

The subject site is located at 13-23 Pattys Place, Jamisontown, Lot 10 DP 1046110. The site is zoned E3 Productivity Support and has a current Height of Building control of 12 metres applicable to the entire site.

In April 2024, a Planning Proposal was lodged by Caladru Penrith Pty Ltd c/o Knight Frank seeking changes to Penrith LEP 2010 to facilitate an extension of the Homemaker Centre by increasing the retail floorspace. The Planning Proposal sought to amend Penrith LEP 2010 to rezone the adjacent land from RU4 Primary Production Small Lots to E3 Productivity Support and apply a Minimum Lot Size control consistent with the E3 Zone. The proposal also sought to increase the Maximum height of Building control from 12 metres to 13.5 metres on the existing Homemaker Centre site. However, due to flooding on the adjacent RU4 land it was recommended that the expansion into the adjacent land would not be supported. As a result, the Planning Proposal was withdrawn.

In March 2025 a revised Planning Proposal was submitted by Caladru Penrith Pty Ltd c/o Knight Frank for assessment. The revised Planning Proposal is seeking changes to the Height of Building control for part of the site only.

The Planning Proposal has responded to matters raised in the previous Planning Proposal lodged in 2024. The flood issue has been addressed by only increasing the height on the existing building rather than the extension of the building into the adjoining RU4 land.

Planning Proposal

The Planning Proposal and its supporting Appendices are provided as separate enclosures to this report. It is proposed to amend the Penrith LEP 2010 Height of Building (HOB) control over part of the site to enable the extension of the existing Homemaker Centre to provide a second level of retail offering at the south-western boundary of the site. The Planning Proposal initially proposed to increase the building height control from 12 metres to 15 metres. However, in response to advice received from the Panel, the Planning Proposal was amended to increase the height from 12 metres to part 15 metres and part 19m to facilitate the extension. This is discussed in more detail within this report. The future extension is expected to result in an increase of approximately 6,577m² of gross floor area.

The proposal will enable efficient use of the E3 Productivity Support zone by further enabling specialised retail premises, a use that is permissible with consent and consistent with the land use zone objectives. It is understood that while the Planning Proposal will facilitate additional height, it will also enable an expansion of the building footprint. This will be subject to detailed development assessment at the appropriate time and is likely to require an expansion of the existing detention basin on the site.

Visual Analysis

The Visual Analysis explored five different viewpoint locations of the building, which illustrate the potential proposed height increase on the development. Three of those viewpoint locations, identified as viewpoint 1, 2 and 4, were from the rural zoned land to the east of the subject site. Viewpoint locations and images are provided at Attachment 1.

Viewpoint location 1 is from 85-91 Blaike Road and looks southwest towards the project across the RU4 land. The overall impact of the project on this viewpoint is Moderate to low.

Viewpoint location 2 is from 96-120 Blaike Road looking southwest towards the project across the RU4 zoned land. The overall impact of the project on this viewpoint is Moderate to low.

Viewpoint location 3 is from Wolseley Road where the proposed development would not be visible due to the existing build form and therefore considered negligible.

Viewpoint location 4 is from 66-76 Tench Avenue looking southeast towards the project. The overall impact is considered low.

Viewpoint location 5 was from the M4 motorway on Regentville Bridge travelling south. The project would not be visible due to the existing vegetation. This viewpoint is considered negligible.

In conclusion, the overall outcome of the impacts is moderate to low. Given this, it would be acceptable for the Height of Building to be increased from 12 metres to part 15 metres and part 19 metres. A height of 19 metres is needed in locations where height will be measured from natural ground level and the existing basin results in a lower natural ground level. Adjusting the height for part of the site means that the overall visual impact will be minimal,

but it will avoid the need for a clause 4.6 variation to the height control at the time of development assessment.

Biodiversity Values

The BDAR has documented the efforts to avoid and minimise impacts on biodiversity values. The report concluded that the proposed development will not result in a significant impact on any threatened ecological communities, species or their habitats.

Parking

The proposal will result in the loss of approximately 20 parking spaces to provide for appropriate service vehicle access infrastructure for the new floorspace. While a small number of parking spaces will be removed, the site will retain an excess of the total parking required, being approximately 1 space per 42m² GFA. The Penrith DCP 2014 requires 1 space per 50m². The parking would be further assessed at Development Application stage.

Strategic Merit

The Planning Proposal has demonstrated consistency with relevant Strategic Plans.

The Planning Proposal is consistent with the objectives of the Greater Sydney Region Plan.

The relevant objectives are:

- Objective 1: Infrastructure supports the three cities
- Objective 22: Investment and Business activity in centres
- Objective 23: Industrial and urban services land is planned, retained and managed

The planning proposal is consistent with the Region Plan, as it will facilitate the use of land identified as industrial and urban services land. It will ensure that the expansion of the centre is aligned with the existing infrastructure in place to support the proposal. It will also support the viability of the Homemaker Centre, an important contributor to the economy of Penrith and the Western Parkland City.

The expansion of the centre will provide additional employment opportunities close to housing. It will not impact on the retail hierarchy of Penrith but will provide specialised retail uses to support the Greater Penrith Area. Accordingly, the Planning Proposal responds to the Region Plan's objectives and actions.

Western City District Plan

The Planning Proposal is consistent with the planning priorities from the Western City District Plan.

The relevant planning priorities are:

- Planning Priority W1 – Planning for a city supported by infrastructure
- Planning Priority W7 – Establishing the land use and transport structure to deliver a livable, productive and sustainable Western Parkland City
- Planning Priority W10 - Maximising freight and logistics opportunities and planning and managing industrial and urban services land

- Planning Priority W11 - Growing investment, business opportunities and jobs in strategic centres

Local Strategic Planning Statement (LSPS)

The relevant Planning Priorities in the Local Strategic Planning Statement are:

- Planning Priority 1 – Align development, growth and infrastructure
- Planning Priority 12 - Enhance and grow Penrith's economic triangle
- Planning Priority 16 - Protect and enhance our high value environment lands

The site is within the Greater Penrith to Eastern Creek Growth Area which is identified for its potential to capitalise on significant transport and infrastructure investment. It is also within the East West Economic Corridor, which is to provide jobs closer to home, arising from the Western Sydney Airport. The proposal is consistent with the LSPS as it will contribute towards Penrith's East West Economic Corridor and will not impact Penrith's rural areas or result in any impact to any threatened species.

Rural Lands Strategy

The Planning Proposal is consistent with the priorities identified in the Rural Lands Strategy.

The relevant priorities in the Rural Lands Strategy are:

- Priority 1 – Secure the rural edge
- Priority 3 – Preserve Open Space, Natural Beauty and Cultural Connections
 - Outcome 3.1 – Scenic and cultural landscapes are identified and protected
 - Outcome 3.2 – Quality visual outcomes are achieved in highly visually sensitive landscapes
 - Outcome 3.3 – Design outcomes are enhanced in visual gateways
 - Outcome 3.4 – Important rural vistas are maintained

The proposal is consistent with the Rural Lands Strategy as it does not impact on the adjoining rural land, and it will protect the scenic and cultural landscape and it retains important vistas and visual gateways.

Employment Lands Strategy

The Homemaker Centre is identified as part of an Employment Precinct within Penrith's economic triangle. Jamisontown is identified as a primary industrial precinct.

The relevant priorities in the Employment Lands strategy are:

- Deliver a safe, efficient and sustainable 30 minute city
 - Action 6 – Planning Future employment land with good access to motorways
- Build on our strengths and facilitate new enterprise
 - Action 15 - Reviewing zoning, height limits and development controls to offer greater flexibility for business operations while preventing land use conflicts, and ensuring controls are appropriate to lot size and location.

The proposal aligns with the Employment Lands Strategy because of its accessibility to the M4 Motorway and Mulgoa Road, providing employment and retail, which is highly accessible. Further, a minor increase in the height of building control to facilitate employment opportunities and meet specialised retail demand without creating land use conflicts is consistent with the strategy.

Penrith Economic Development Strategy

The relevant priorities in the Economic Development Strategy are:

- Strategic Priority 1 - Attracting Investment
- Strategic Priority 3 - Leveraging Employment Lands

The proposal is consistent with the Economic Development Strategy as it promotes investment in the Homemaker Centre and will contribute to diversifying the economy by offering greater retailing options and opportunities, overall enhancing the attractiveness of the Centre.

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There are no risk implications for Council associated with this report.

Local Planning Panel Advice

On 30 April 2025 the Planning Proposal was presented to the LPP to obtain advice. The Panel considered the Planning Proposal and the preliminary assessment prepared by Council officers and recommended that the Planning Proposal be progressed through the Gateway as it is consistent with the Greater Sydney Region Plan, Western City District Plan, Penrith's Local Strategic Planning Statement, Employment Lands Strategy, Economic Development Strategy and Rural Lands Strategy. The Panel also supported the Planning Proposal as it responded to concerns about flooding and environmental issues raised during consideration of the previous Planning Proposal.

However, the Panel noted that the additional storey would exceed the proposed 15 metre height limit set out in the Planning Proposal at some locations as the ground level of the basin (from where height of building is measured by definition) is of varying depth. It was therefore recommended to avoid adoption of a development standard (height) that is then still dependent on the use of a clause 4.6 variation at the Development Application stage. The Planning Proposal should apply a conclusive height limit on the site considering the varying existing ground levels of the basin. The Panel also recommended that Council work with the applicant to ensure that there is no additional floor space than that proposed in the Planning Proposal.

Council officers consulted with the applicant regarding this matter, and it was agreed that a building height of 19 metres should be applied to certain parts of the site to address the Panel's concerns. Accordingly, a revised Planning Proposal was submitted which seeks to increase the height from 12 metres to part 15 metres and part 19 metres.

A copy of the Panel's advice is provided as Attachment 2 to this report for Councillor's consideration.

Conclusion

The Planning Proposal seeks to amend LEP 2010 to increase the Height of Building control on part Lot 10 DP 1046110, 13-23 Pattys Place, Jamisontown. This will support the expansion of the Harvey Norman Homemaker Centre to allow for an increase in specialised retail floor space. The Planning proposal is consistent with local and state strategic planning framework.

RECOMMENDATION

That:

1. The information contained in the report on PP-2025-356 Harvey Norman Penrith Homemaker Centre be received.
2. Council endorse the Planning Proposal and its supporting Appendices provided as enclosures to this report to be forwarded to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
3. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
 - prior to Council's submission of the Planning Proposal to the Minister for Planning to request a Gateway Determination;
 - as a result of negotiated changes sought by the Department of Planning, Housing and Infrastructure in the lead up to issuing a Gateway Determination; and
 - prior to public exhibition in response to the conditions of the Gateway Determination or negotiation with State agencies.
4. Council publicly exhibits the Planning Proposal for a period specified in the Gateway Determination and in accordance with the community consultation requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
5. A further report be presented to Council following the public exhibition.

ATTACHMENTS/APPENDICES

1. Viewpoint Location and Images 3 Pages Appendix
2. Local Planning Panel Advice 2 Pages Appendix