Planning Proposal

Penrith Homemaker Centre
13-23 Pattys Place, Jamisontown NSW

Lot 10 DP 1046110

Amendment to Penrith Local Environmental Plan 2010

Submitted to

Penrith City Council

Prepared on Behalf of

Calardu Penrith Pty Limited

3 June 2025

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Executive Summary

Knight Frank Town Planning has been engaged by Calardu Penrith Pty Ltd (Harvey Norman) as the owners of the Homemaker Centre on Mulgoa Road, Penrith to prepare this planning proposal to amend the Penrith Local Environmental Plan 2010 (PLEP 2010).

The planning proposal is to enable the extension of the existing Penrith Homemaker Centre ("the Homemaker Centre") located at 13-23 Pattys Place, Jamisontown NSW**.** The lot subject to this planning proposal is zoned E3 Productivity Support by the PLEP 2010 and legally known as Lot 10, DP1046110 (hereinafter referred to as 'the site') – See **Figure 1.**

This planning proposal seeks to facilitate the use of vacant land to extend the existing Homemaker Centre to provide a greater retail offering consistent with the land use zoning of the Homemaker Centre. To achieve this outcome the planning proposal seeks an amendment to the PLEP 2010 to increase the maximum height of building control from 12 metres to 15 metres and 19 metres (on part of site).

In summary and as detailed in this planning proposal, the planning proposal has demonstrated strategic and site-specific merit and is both supportable and justifiable for reasons including the following:

- It will enable the expansion of the Homemaker Centre to provide additional specialised retail floorspace and support the ongoing viability of the Centre.
- It is consistent with strategic policy position, including the Region and District Plans, Penrith Local Strategic Planning Statement, and the requirements of State Environmental Planning Policies and Ministerial Local Planning Directions.
- The Greater Penrith to Eastern Creek (GPEC) Strategic Framework (2023) identifies the site as part of a short term renewal area, and within the east-west economic corridor.
- The planning proposal will minimise impacts on land with riparian and biodiversity values.
- The proposal will not impact the flood behaviour of the land.
- It will have negligible impact on land with scenic and landscape values.
- It will enable the expansion of an employment generating land use. The expansion will generate over 110 direct full-time equivalent ("FTE") jobs and 95 indirect FTE local jobs during the construction phase as well as 94 ongoing direct and indirect FTE jobs in the local economy once operational.
- It will make a positive contribution to the economy of Penrith.

This planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the requirements as set out in '*Local Environmental Plan Making Guideline'* (NSW Department of Planning and Environment, August 2023).

The planning proposal is supported by specialist reports that assess the site attributes and constraints and collectively these confirm the proposal is appropriate and any risks can be suitably mitigated and managed. Accordingly has site specific merit.

1. Introduction

Knight Frank Town Planning has been engaged by *Calardu Penrith Pty Ltd* (Harvey Norman) as the owners of the Homemaker Centre (Centre) on Mulgoa Road, Penrith to prepare this planning proposal**.**

The planning proposal relates to the Harvey Norman landholding located at 13-23 Pattys Place, Jamisontown which includes the existing Homemaker Centre. The land is currently zoned E3 Productivity Support in the Penrith LEP 2010 (PLEP 2010), and legally known as Lot 10, DP1046110- See **Figure 1**. The planning proposal relates to just part of this lot only (the site) - See **Figure 2.**

The planning proposal is required to enable the expansion of the existing Homemaker Centre to provide a greater retail offering, consistent with the objectives of the E3 Productivity Support zone**.** The planning proposal aims to increase the current Height of Building (HOB) control for part of the lot. This will enable the expansion of the existing building by approximately 6,577sq.m. to provide a greater specialised retail premises offering. See Preliminary architectural details - **Appendix 1.**

The planning proposal aims to:

- Outline how the proposal is consistent with the relevant strategic planning policies and plans and provide justification for any inconsistencies;
- Outline the merits of the use as a site-specific amendment to the PLEP 2010;
- Demonstrate that the proposal is supportive and justified in terms of both strategic and site-specific merit; and
- Seek the endorsement of Penrith City Council to amend the PLEP 2010 in the manner described in the Planning Proposal to support the ongoing role and expansion of the Penrith Homemaker Centre.

This Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and includes the requirements as set out in '*Local Environmental Plan Making Guideline'* (NSW Department of Planning and Environment, August 2023). This planning proposal addresses the requirements of this Guideline, as follows:

- **Part 1** – A statement of the objectives and intended outcomes of the proposed LEP
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP
- **Part 3** – The justification of strategic and site-specific merit
- **Part 4** – Maps to identify the intent of the planning proposal and the area to which it applies
- **Part 5** – Details of the community consultation to be undertaken on the planning proposal
- **Part 6** – Project timeline to detail the anticipated timeframe for the LEP making process

The structure of the Planning Proposal is summarised below:

Section 1	Introduction
Section 2	Site description and context
Section 3	Existing planning framework
Section 4	Planning Proposal - An explanation of the proposed amendments and Justification of the Proposal (**Part 1-6**)
Section 5	Conclusion

This Planning Proposal is supported by the following updated technical documentation:

Table 1. Planning Proposal Supporting studies

Report	Prepared by	Appendix
Preliminary Architectural Plans (2024)	Architectus	1
Flood Impact and Risk Assessment (FIRA), and Stormwater Management Report (2025)	JW Prince (JWP)	2
Transport Assessment (2025)	Arc Traffic & Transport (Arc)	3
Biodiversity Development Assessment Report (2025 – V4)	Eco Logical Australia (ELA)	4
Bushfire Protection Assessment (2025)	Eco Logical Australia (ELA)	5
Visual Impact Assessment (2025 – Issue E)	Tract Consultants (Tract)	6
Economics Review (2024)	Deep End Services	7
Riparian and Watercourse Assessment (2025)	Franklin Consulting	8
Landowner lodgement consent letter	Calardu Penrith Pty Ltd. (Harvey Norman)	9

2. Site Context and Description

2.1 The Site

The lot subject to this planning proposal is located at 13-23 Pattys Place, Jamisontown and is legally knows as Lot 10, DP1046110 - See **Figure 1.**

The landholding subject to this planning proposal is 6.4 hectares in size and contains the Penrith Homemaker Centre, including basement and ground level parking. It is zoned E3 Productivity Support.

Access to the Centre is provided via Wolseley Street / Mulgoa Road and a secondary access via Pattys Place. Land to the northwest of the landholding contains vacant vegetated and grassed land and a detention basin constructed as part of the Homemaker Centre. In addition, there is an existing hardstand area used by service vehicles. This is the part of the landholding subject to this planning proposal and hereafter referred to as "the site" - See **Figure 2.**

It is noted that the landholding of 13-23 Pattys Place also includes Lot 11, DP1046110 (hereinafter referred to as Lot 11), a parcel of land zoned RU4 Primary Production Small Lots and also owned by Harvey Norman. An earlier planning proposal scheme intended to extend the Homemaker into Lot 11, however it is not subject to this planning proposal. Nevertheless, the planning proposal and supporting studies have in some parts referred to Lot 11 due to this earlier scheme, as well as both lots containing a connected mapped waterbody.



Figure 1. Lot 10, DP1046110 (SixMaps)

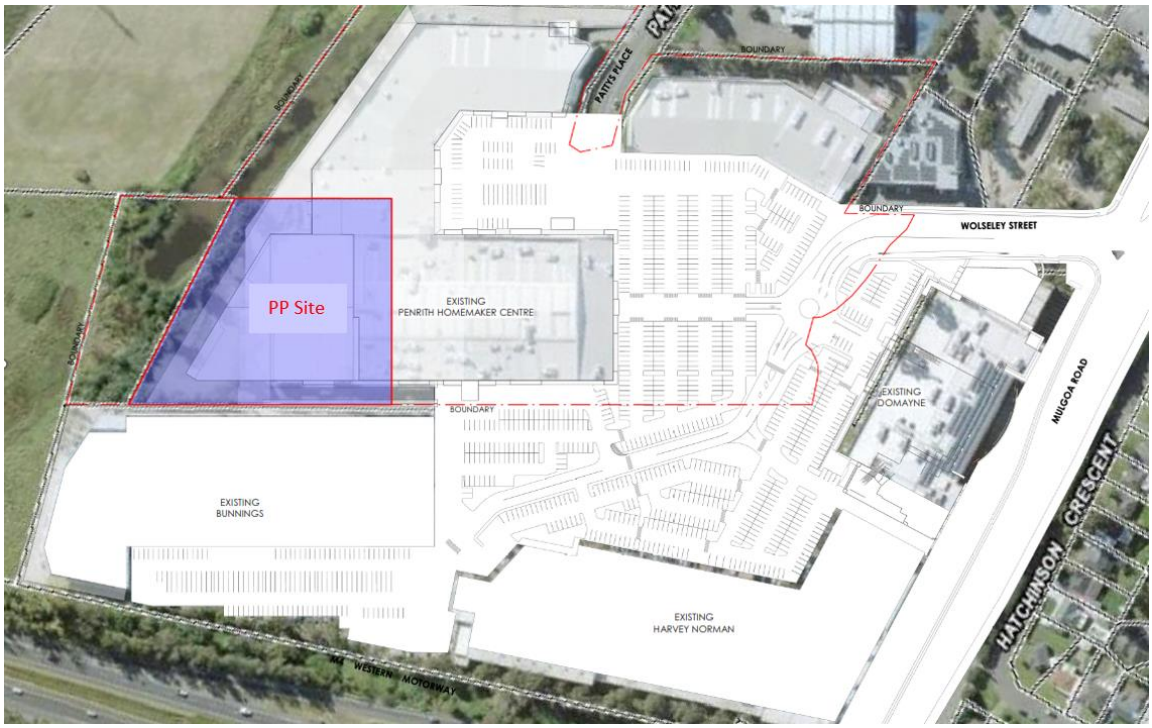


Figure 2. Part of lot subject to this planning proposal (Architectus)



Figure 3. Photos of the site and proposed extension area (KFTP and ELA)

2.2 Site Context

The landholding is located within the Penrith Local Government Area within the suburb of Jamisontown. It is bounded by Mulgoa Road to the south-east and the M4 Western Motorway to the south-west - See **Figure 4.**

The site is located approximately 3km to the south of Penrith centre. It forms part of an established mixed use economic corridor along Mulgoa Road, at the southern gateway to Penrith. The Centre is surrounded to the north, east and south by a mix of uses that are commercial in character comprising specialised retail, service station, medical centre and restaurants/take away foods. The Nepean River is located approximately 1km to the northwest of the site, and land zoned RU4 Primary Production Small Lots to the west.

The Centre comprises primarily specialised retail premises including furniture, white goods, home hardware, furnishings, and recreation equipment, etc. It also includes takeaway food and drink premises, and indoor recreation uses.

The Penrith Homemaker Centre is the third largest homemaker centre in Australia. Upon completion of the proposed extension, the centre will be the largest.



Figure 4. Homemaker Centre, Context Map (Google)

2.3 Proposed Concept

It is proposed to amend the PLEP 2010 planning controls to increase the height of building control on part of the landholding. This will enable the future extension of part of the existing Homemaker Centre to provide a second level at the south-western boundary of the site to support a greater retail offering. This planning proposal is seeking an amendment to the LEP height control only (on part of lot only).

There is an existing detention basin that was constructed as part of the Homemaker Centre within the planning proposal site. The proposed truck deck will be elevated above the basin via spaced columns – See **Figure 5.**

It is expected that this basin will remain in its current position and be augmented to increase the capacity of flood storage. This is further discussed in the accompanying Flood Impact and Risk Assessment and Stormwater Management Report provided in **Appendix 2**.

The future extension is expected to result in an increase of approximately 6,577 sq.m. of gross floor area (GFA) – See **Figure 6.** It is noted that this is a concept only and the actual extension area will be subject to detailed design, further consultation with Council, and development consent for any works will be sought by a development application.

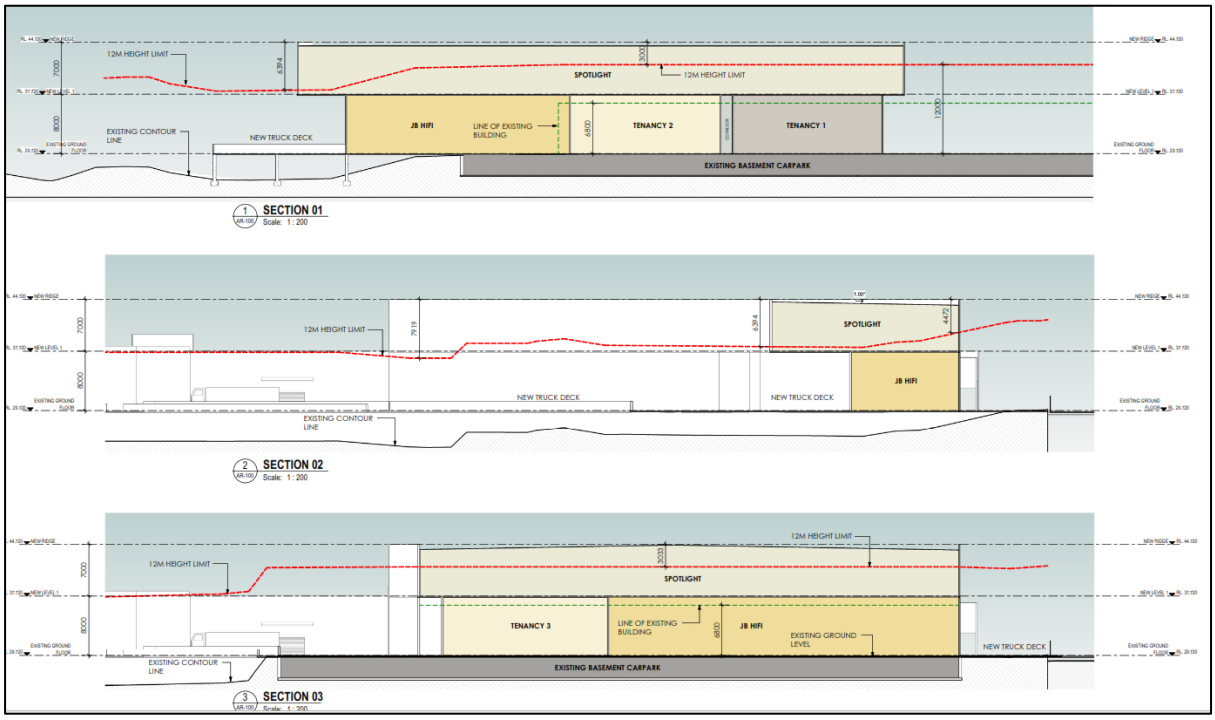


Figure 5. Section of proposed extension (Architectus)

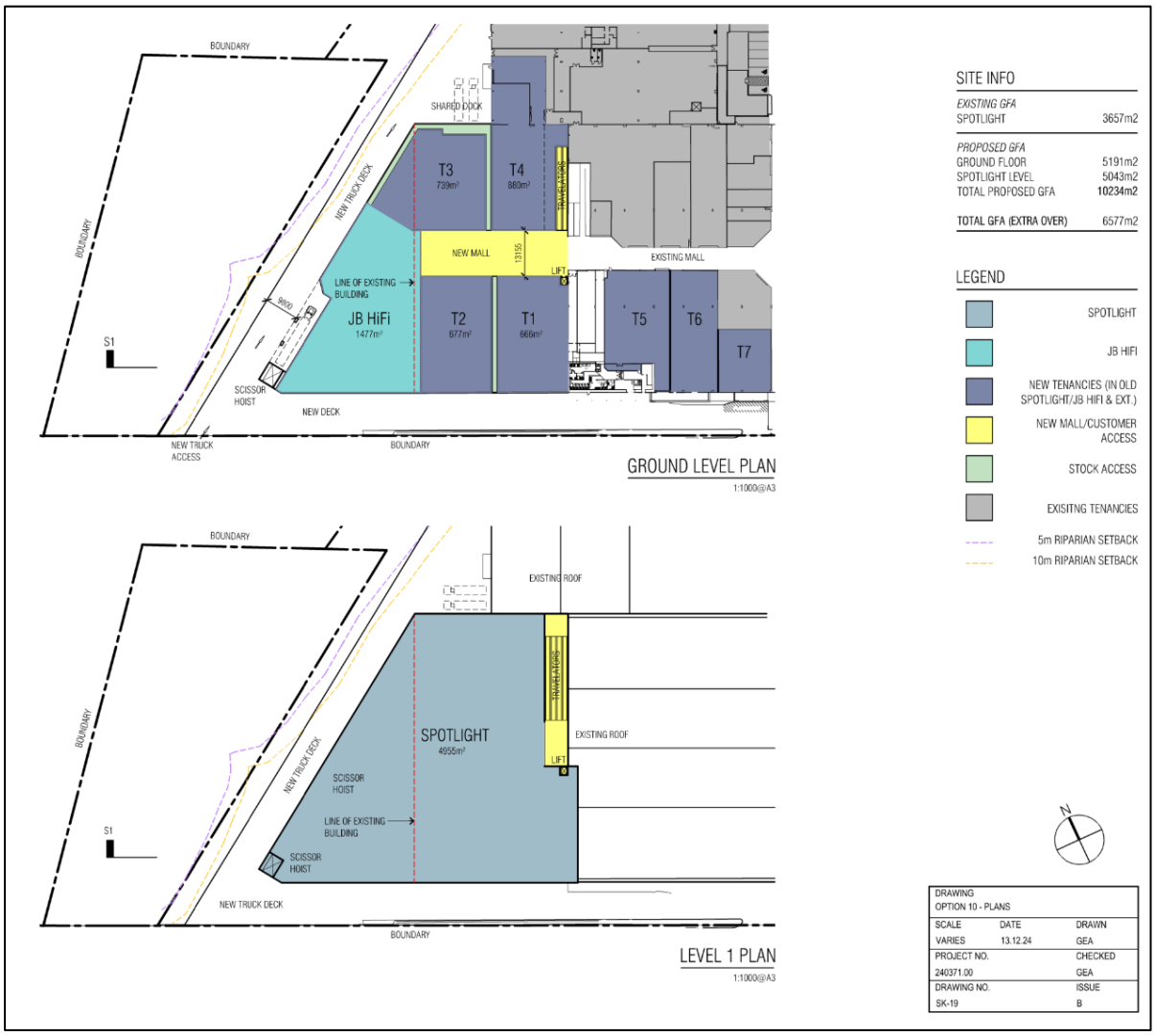


Figure 6. Preliminary concept plan of the proposed extension (Architectus)

3. Existing Statutory Planning Context

3.1 Penrith LEP

The Penrith LEP 2010 (PLEP 2010) is the relevant Local Environmental Planning Instrument that applies to the site. This section outlines the key PLEP 2010 controls applicable to the planning proposal.

Zoning

The site is zoned E3 Productivity Support – See **Figure 7**. The planning proposal does not propose any amendment to the zoning or land uses permitted on the site.

Table 2. Current Land Use Zoning (PLEP 2010)

Zone E3 Productivity Support	
1. Objectives of zone	• *To provide a range of facilities and services, light industries, warehouses and offices.* • *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.* • *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity* • *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.* • *To provide opportunities for new and emerging light industries.* • *To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.* • *To maintain the hierarchy and economic strength of commercial centres in Penrith by limiting the size and scale of office and business premises development.*
2. Permitted without consent	*Nil*
3. Permitted with consent	*Animal boarding or training establishments; Boat building and repair facilities; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Environmental protection works; Flood mitigation works; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Pubs; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Roads; Rural supplies; Service stations; Signage; Small bars; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies*
4. Prohibited	*Any other development not specified in item 2 or 3*

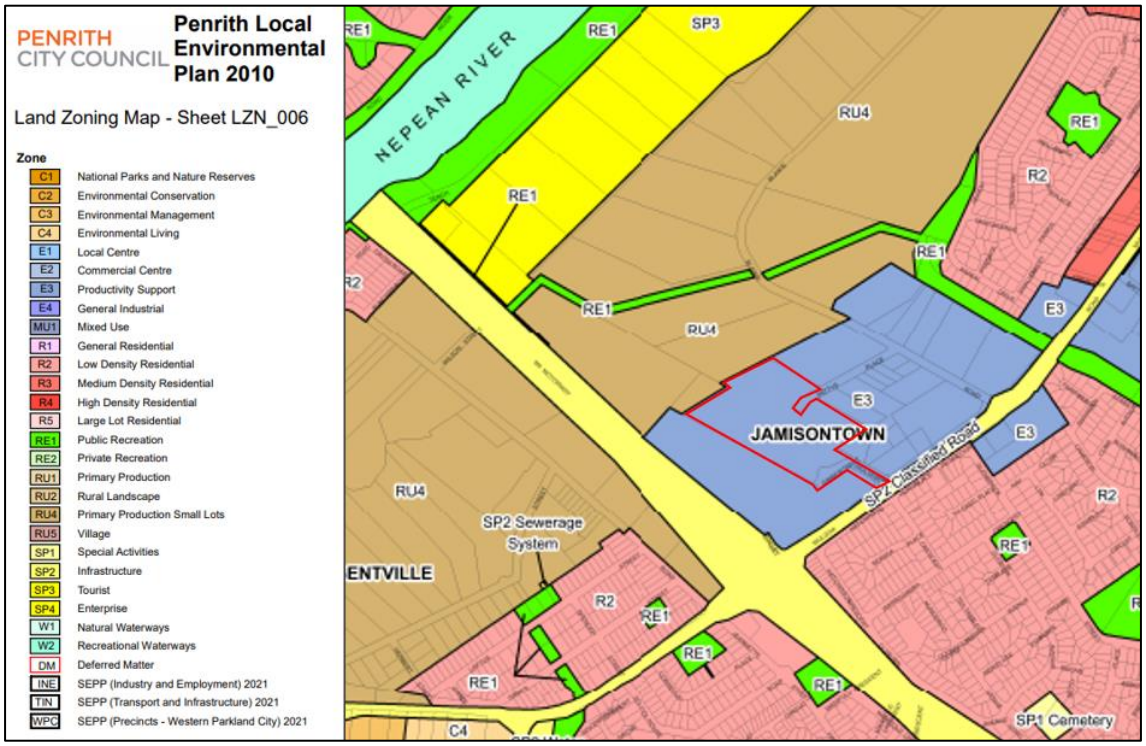


Figure 7. Zoning Map (PLEP 2010) – Site outlined in red

Height of Building (HOB)

The site currently has a maximum permissible height of building (HOB) control of 12 metres – see **Figure 8**. The planning proposal intends to increase the HOB control from 12m to 15m and 19m (part site) to enable an additional level of specialised retail floorspace. This is further discussed in Part 2 (Explanation of Provisions). The consistency of the proposal will the objectives of clause 4.3 (Height of buildings) of the PLEP 2010 is provided in section 4.3.2 (Site specific merit) of this planning proposal.



Figure 8. Existing Height of Buildings Map (PLEP 2010) – Site outlined in red

Scenic Landscape Values

The land is identified as "Land with Scenic and Landscape Values" – see **Figure 9**. Accordingly, the site is subject to the requirements of Clause 7.5 (Protection of scenic character and landscape values) of the PLEP 2010. The impact of the proposal on scenic and landscape values is further discussed in Section 4.3.2 (Site specific merit – Built Form and Visual Impacts), and the accompanying Visual Impact Assessment – See **Appendix 6.**



Figure 9. Scenic and Landscape Values Map (PLEP 2010) – Site outlined in red

Aims of the LEP

The consistency of the proposal with the aims of PLEP 2010 are provided in the following table:

Table 3. Aims of PLEP 2010

LEP Aims	Planning Proposal Consistency
(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,	The proposal will not impact on the use and development of land for these uses.
(a) to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,	The proposal enables the expansion of the retail offering of the centre. This will ensure the orderly economic development of land already zoned for specialised retail uses.
(b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,	The planning proposal will enable the extension of an existing specialised retail centre as a significant contributor to the economy of Penrith, while not impacting on the qualities of the surrounding rural land and aiming to minimise impact on land with environmental values.
(c) to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the	The proposal will deliver jobs close to homes to meet the employment needs of Penrith. The proposal will facilitate an expansion of an existing specialised retail premises centre

LEP Aims	Planning Proposal Consistency
current and emerging needs of Penrith's communities and safeguard residential amenity,	and increased retail offering to support the population of Penrith.
(d) to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,	The proposal will provide jobs during the construction phase as well as direct and indirect jobs once operational. The expansion of the centre will result in significant investment in the economy of Penrith, that will support the role of Penrith fulfilling as a regional city in the Sydney Metropolitan Region.
(e) to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,	The proposal will not impact upon the ongoing use of the surrounding rural lands nor its values.
(f) to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,	The planning proposal will minimise impacts on land with environmental values. In considering the location of the development adjoining the existing Homemaker, it is unlikely to have a significant impact on the surrounding rural character.
(g) to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,	The proposal will not increase the flood risk of the land, and bushfire risk will be appropriately mitigated and managed. Specialist Flooding and Bushfire reports have been prepared to support this planning proposal.
(h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.	The future extension of an existing specialised retail premises will contribute to a balanced approach to social, economic and environmental outcomes. The Flood risk report has considered the likely impacts of climate change.

3.2 Other Relevant Controls

Flooding

Part of the lot is identified as being within the Flood Planning Area – See **Figure 10.** This related to the site levels in the western boundary of Lot 10 around the existing OSD basin which are below the Flood Planning level, The accompanying Flood Impact and Risk Assessment prepared by JWP assesses the proposal against relevant flood related policies – See **Appendix 2**. This is further discussed in section 4.3.2 (site specific merit – Flooding).

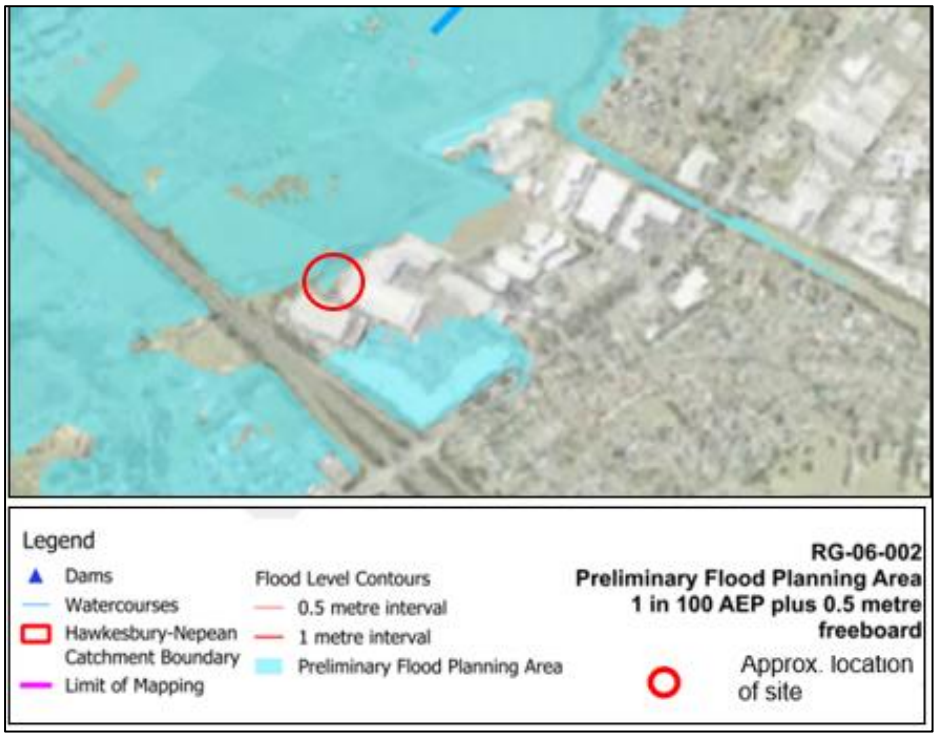


Figure 10. Flood Planning Area (Hawkesbury Nepean River Flood Study 2024)

Bushfire Risk

The northern boundary of part of the landholding is identified as Bushfire prone land and containing a vegetation buffer – see **Figure 11.** The accompanying Bushfire Protection Assessment prepared by ELA assesses the proposal against relevant bushfire related policies – See **Appendix 5**. This is further discussed in section 4.3.2 (site specific merit – Bushfire).

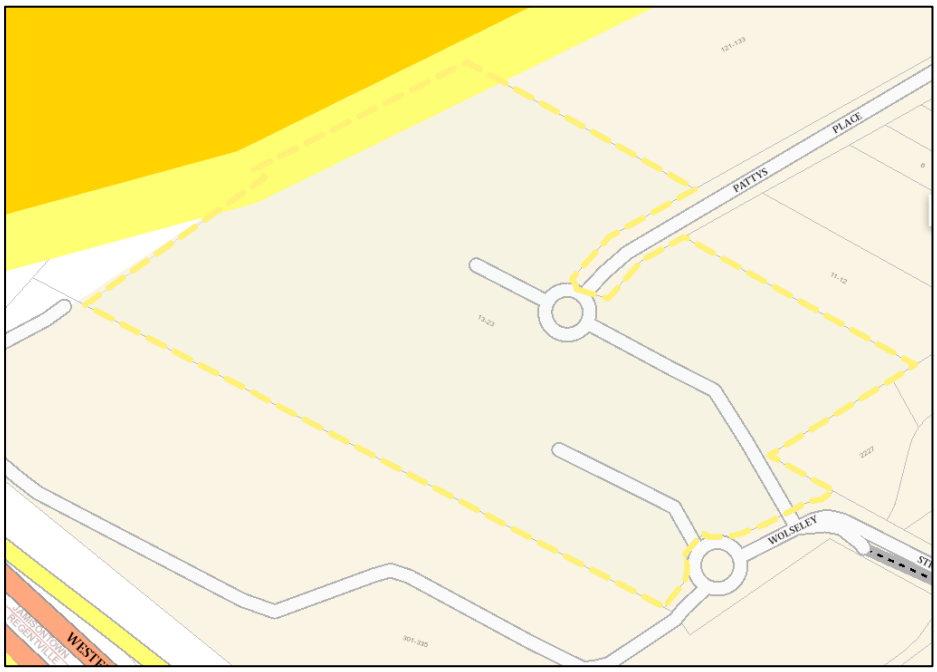


Figure 11. Bushfire Prone Land (NSW Planning Portal Spatial Viewer)

Mapped Waterbody

There is a mapped waterbody on the northwestern boundary of the landholding, which consists of a constructed dam and tributary of the School House Creek. It is also located within Lot 11 – see **Figure 12.** The accompanying BDAR and Riparian and Watercourse Assessment addresses the impact of the proposal on the riparian values of this waterbody – See **Appendix 4 and 8**. This is further discussed in Section 4.3.2 (Site specific merit – Biodiversity and Riparian Values).



Figure 12. Mapped waterbody (NSW Planning Portal Spatial Viewer)

Biodiversity Values

The land subject to this planning proposal does not contain land mapped as Biodiversity Values – see **Figure 13.** The land does contain some planted native vegetation. Impacts on ecological values are addressed in the accompanying BDAR prepared by ELA – see **Appendix 4**. This is further discussed in Section 4.3.2 (Site specific merit – Biodiversity Values).

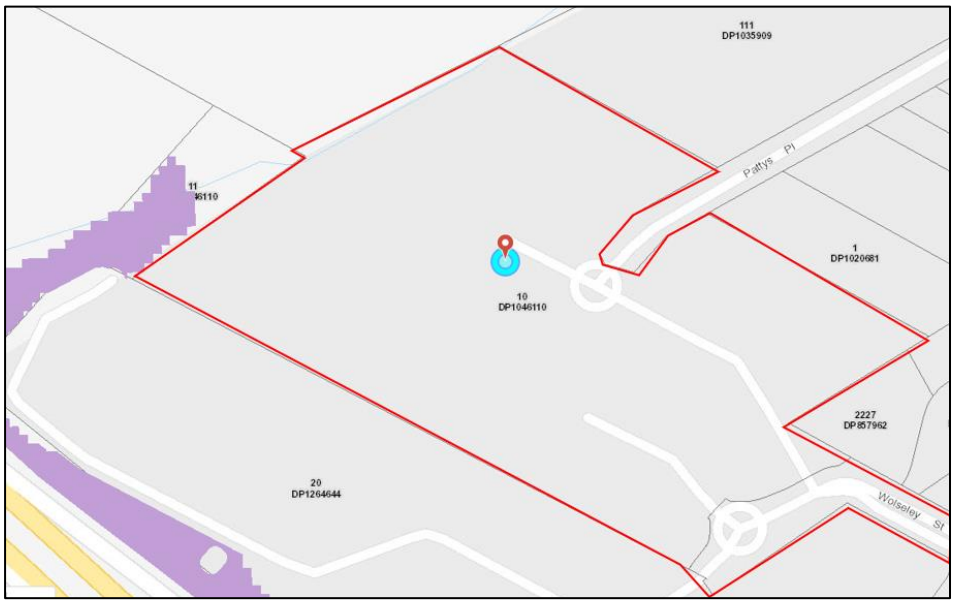


Figure 13. Biodiversity Values Map (NSW April 2024) – Landholding outlined in red

3.3 Penrith Development Control Plan 2014

The Penrith Development Control Plan 2014 (Penrith DCP) provides built form controls for land within the Penrith LGA, and supplement the provisions of the PLEP 2010 with more detailed planning and design guidelines. The future development of the site will be assessed against the relevant controls contained within the Penrith DCP at DA stage to ensure consistency with the requirements.

This will include the following controls which are referred to in this planning proposal:

- C1 Site Planning and Design Principles (Key Areas with Scenic and Landscape Values)
- C3 Water management (Riparian Corridors and Flood Planning)
- C10 Transport, Access and Parking

4. Planning Proposal

This planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and includes the requirements as set out in 'Local Environmental Plan Making Guideline' (Guideline) published by the Department of Planning and Environment in August 2023, as follows:

- **Part 1** – A statement of the objectives and intended outcomes of the proposed LEP
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP
- **Part 3** – The justification of strategic and site-specific merit
- **Part 4** – Maps to identify the intent of the planning proposal and the area to which it applies
- **Part 5** – Details of the community consultation to be undertaken on the planning proposal, and already undertaken with Council
- **Part 6** – Project timeline to detail the anticipated timeframe for the LEP making process

4.1 Part 1 – Objectives or Intended Outcomes

The objective of the planning proposal is to amend the Penrith LEP 2010 to enable the future extension of the Penrith Homemaker Centre. The intended outcomes of this Planning Proposal are to:

- Provide additional specialised retail premises floorspace
- Amend the height of building control for part of the site only
- Make use of E3 Productivity Support zoned land that is currently vacant.

The proposal is consistent with the E3 Productivity Support zone objectives as follows:

- It will enable a vacant part of the site to be used for a specialised retail premises, a use that is permissible with consent
- It will support the growth of the existing centre
- It will enable the Centre to better meet the needs of the community, businesses and industries
- It will consolidate the role of the Centre as an important contributor to the economy of Penrith and western Sydney.

4.2 Part 2 – Explanation of Provisions

The existing Height of Building (HOB) control allows a maximum height up to 12 metres. It is proposed to extend the building at ground and first level to increase the specialised retail floorspace.

Based on the preliminary architectural section plan, due to the grade/fall of the site, the future extension is expected to encroach the current HOB control by 3 metres from ground level for the majority of the extension and increasing to a maximum of circa 6.4m, as shown on Figure 5 and the plans provided in **Appendix 1.**

The maximum height has been taken from the nadir of the man-made detention basin which we consider to be the worst case scenario.

Accordingly, it is proposed to amend the HOB control to allow for a height of 15 metres and 19 metres for part of the lot to account for the changes to the local topography. The area this change of planning control will relate to is approx. 11,400sq.m. – See **Figure 2.**

The Planning Proposal seeks to achieve the above objective and intended outcomes by amending the Penrith LEP 2010 (PLEP 2010) height of building control (part of lot). It is intended to achieve this

outcome by amending PLEP 2010 Height of Building Map Sheet HOB_006, as show below and in Part 4 (mapping) of this planning proposal.



Figure 14. Existing and Proposed Height of Building

4.3 Part 3 – Justification of strategic and site-specific merit

The Strategic and Site-Specific Merit of the proposal is discussed in the following sections of this planning proposal. A Summary of the Strategic and Site-Specific Merit of the proposal is provided in Section 4.3.3.

4.3.1 Strategic Merit

A. Section A – Need for the planning proposal

Q1 – Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Planning Proposal is not the result of any specific strategic study or report. Nevertheless, due regard has been given to the strategic studies and reports outlined in Section B of this Planning Proposal.

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

An alternative approach to give effect to the intended outcome of the planning proposal would be seeking to vary the height of building development standard via clause 4.6.

Furthermore, the Planning Proposal as originally lodged sought an increase to the height of building to 15m. Advice from the Local Planning Panel dated 30th April 2025 confirmed that it was 'highly desirable' to avoid adoption of a Planning Proposal that is then still dependent on the use of a clause 4.6 variation at the Development Application stage. The Planning Proposal has since been amended to seek a split maximum height of building (15m and 19m) which is site responsive and addresses the advice of the Panel.

A planning proposal, in the form proposed, is therefore considered the most efficient approach to delivering the desired outcome due to the work already undertaken on the planning proposal to date, including receiving Council feedback on an earlier scheme which has been revised. In addition, it is considered the best approach to provide certainty that the desired outcome will be supported by Council at the Development Application stage.

Accordingly, a planning proposal is considered the best means of achieving the intended outcome.

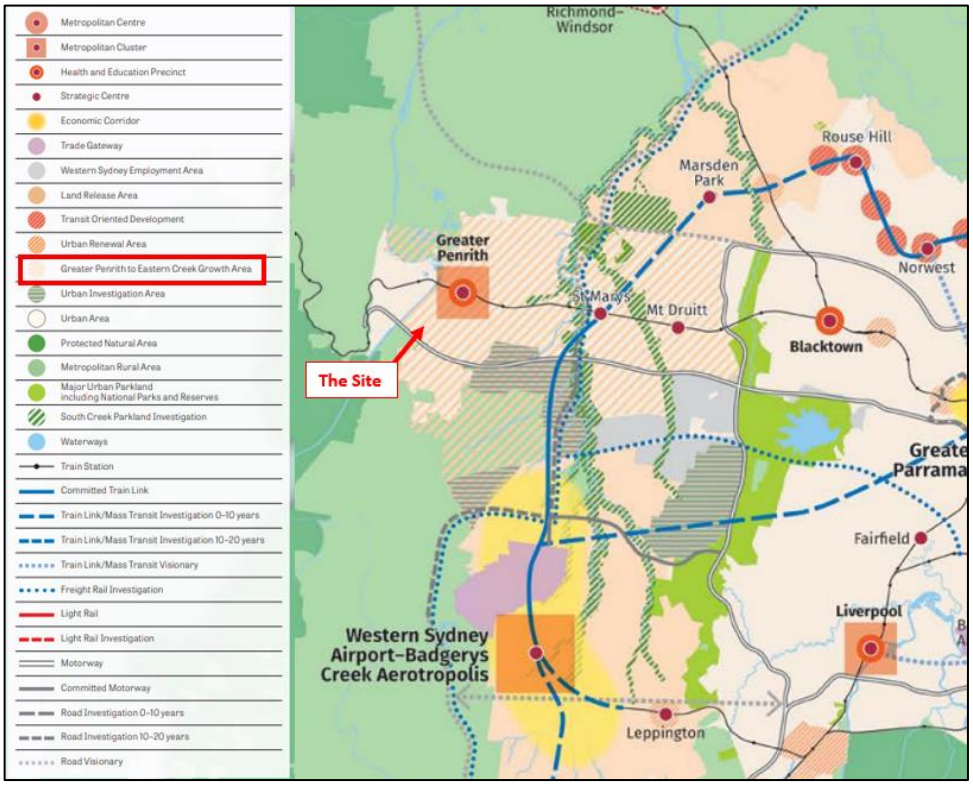
B. Section B – Relationship to Strategic Planning Framework

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)?

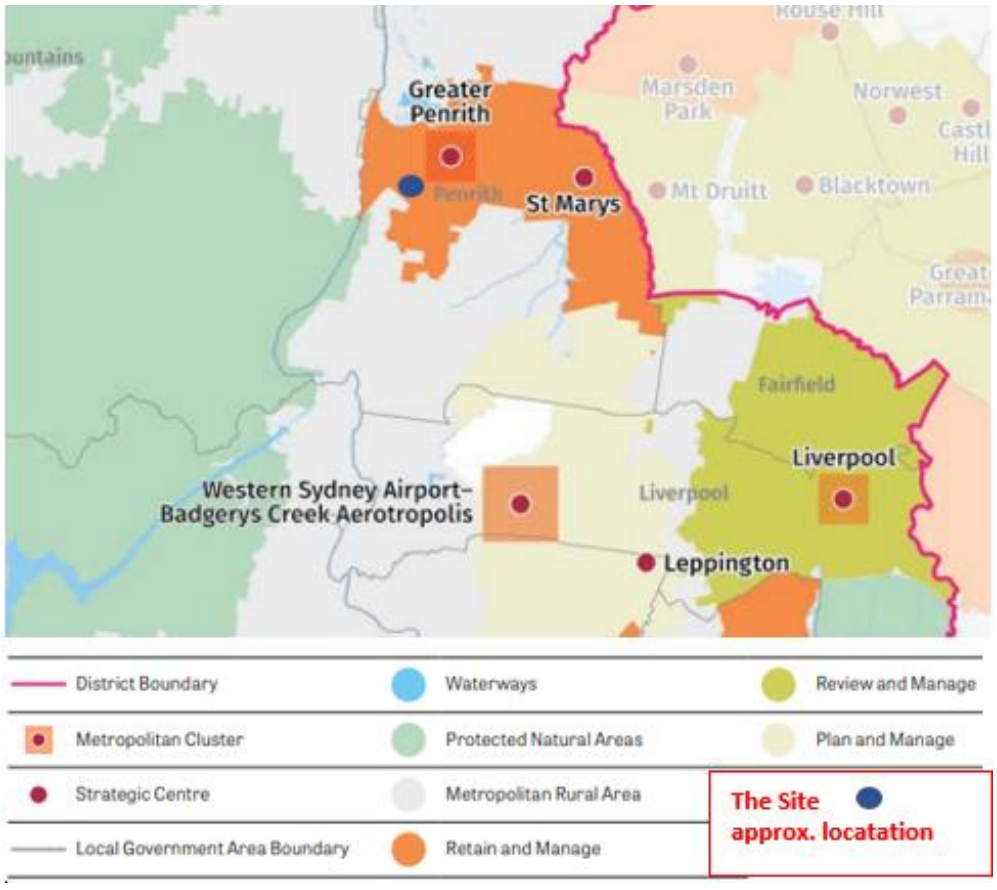
As summarised below, the Planning Proposal is entirely consistent with the objectives and actions of the Greater Cities Commission's *A Metropolis of Three Cities: Greater Sydney Region Plan* (2018) and the *Western City District Plan* (2018).

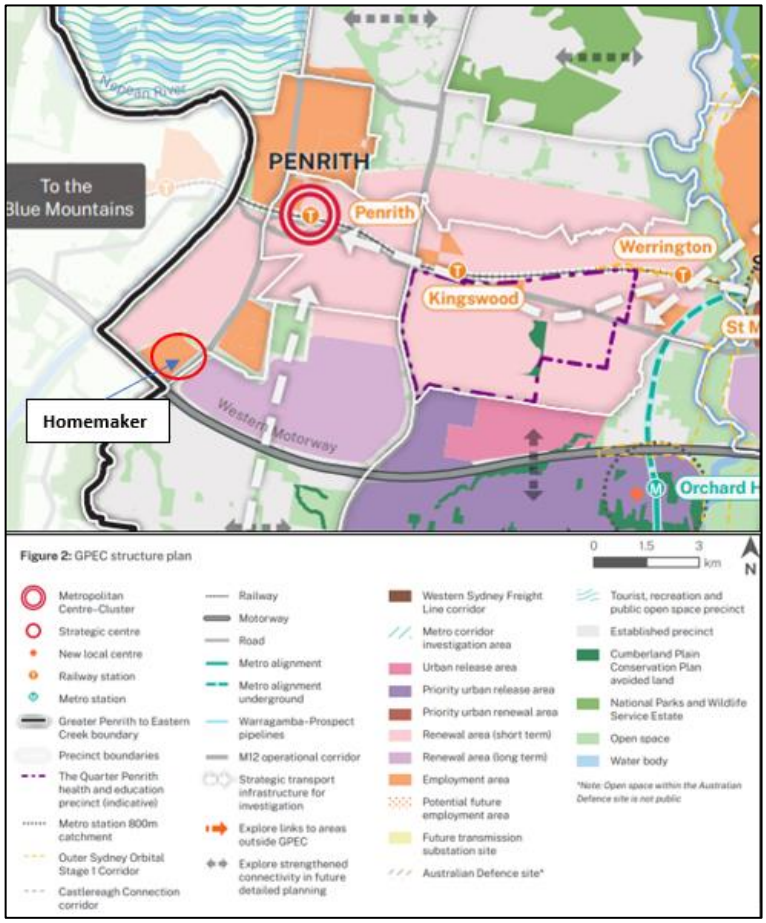
Table 4. Relationship to Strategic Planning Framework

Strategic Plan	Consistency
A Metropolis of Three	The Greater Sydney Commission adopted 'A Metropolis of Three Cities – The Greater Sydney Region Plan' (Region Plan) in March 2018. The Region Plan is the overarching

Strategic Plan	Consistency
Cities: Greater Sydney Region Plan (2018)	guiding document setting actions for housing, population and employment growth across metropolitan Sydney. Greater Penrith is located within the Western Parkland City, which is projected to grow from 740,000 people in 2016 to 1.1 million by 2036. The new Western Sydney Airport and Aerotropolis will be economic catalysts for the Western Parkland City. The site is identified in the Region Plan as being located within an urban area and the 'Greater Penrith to Eastern Creek Growth Area – See **Figure 15**. A key priority of the Region Plan is the Greater Penrith to Eastern Creek Growth Area which will "*support and manage land release development and urban renewal in association with investment in transport infrastructure connecting the Western Economic Corridor*". The industrial and urban services land of Penrith, including the site, are identified to be retained and managed. The Plan states that "*the management of these lands should accommodate evolving business practices*". The planning proposal will support the existing centre to evolve to provide additional employment uses. The Region Plan states that "*Clusters of large format retail should be treated as part of the retail network, and planning for new clusters of large format retail should be done in the same way other new centres are planned. This includes ensuring centres are places that can grow and evolve over time, and have adequate access to transport services and quality public domains."*  Figure 15. Greater Penrith to Eastern Creek Growth Area (Region Plan, GSC 2018) The planning proposal is consistent with the Region Plan, as it will:

Strategic Plan	Consistency
	○ Facilitate the use of land identified as industrial and urban services land. ○ Ensure the expansion of the Centre is aligned with existing infrastructure in place to support the proposal. ○ Support the viability of the Homemaker Centre, an important contributor to the economy of Penrith and the Western Parkland City. ○ Provide additional employment opportunities close to housing. ○ It will not impact the retail hierarchy of Penrith but will provide for specialised retail uses to support the Greater Penrith Collaboration Area. Accordingly, the Planning Proposal responds to the following Region Plan objectives and actions: • **A city supported by infrastructure** ○ Objective 1: Infrastructure supports the three cities • **A city for people** ○ Objective 6: Services and infrastructure meet communities' changing needs • **A well-connected city** ○ Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities • **Jobs and skills for the city** ○ Objective 22 Investment and business activity in centres ○ Objective 23: Industrial and urban services land is planned, retained and managed
Western City District Plan (2018)	The Western City District Plan applies to the subject site and Penrith LGA. Consistent with the Region Plan, the site is identified in the District Plan as being located within an urban area, and the 'Greater Penrith to Eastern Creek Growth Area'. The site is also identified by the District Plan as 'industrial and urban services land' to be 'Retained and Managed' – See **Figure 16** below. The Planning Proposal is consistent with this objective as it is not proposed to amend the land use zoning, and will support the growth of the centre. The District Plan states: *"Clusters of large format retail should be treated as part of the retail network, and planning for new clusters of large format retail should be done in the same way other new centres are planned. This **includes ensuring centres are places that can grow and evolve over time** and have adequate access to transport services and quality public domains". (page 96)* The proposed extension will support the specialised retail premises centre and ensure that it continues to adapt to evolving retailing and remain a major contributor to the economy of Penrith. The proposal will provide an expansion of jobs, and accordingly is consistent with the following Directions of the District Plan: • ***Planning Priority W1 – Planning for a city supported by infrastructure***

Strategic Plan	Consistency
	The proposal will provide jobs and retail services in a location where transport infrastructure investment is proposed (Mulgoa Road upgrades), and an area that is already serviced. • ***Planning Priority W7 – Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City*** The proposal will provide jobs and retail services close to homes, contributing to achieving a 30 minute city. • ***Planning Priority W10 - Maximising freight and logistics opportunities and planning and managing industrial and urban services land*** The proposal will retain land available for industrial and urban services land, and expand the existing centre. • ***Planning Priority W11 –*** *Growing investment, business opportunities and jobs in strategic centres* The proposal will support investment in the Homemaker Centre, and expansion of the current business as well as providing jobs in an existing employment centre.  Figure 16. Industrial and urban services land (District Plan, GSC 2018)
Greater Penrith to Eastern Creek	The Greater Penrith to Eastern Creek (GPEC) Strategic Framework was adopted in June 2023 and sets a vision for the Greater Penrith to Eastern Creek (GPEC) area.

Strategic Plan	Consistency
(GPEC) Strategic Framework (2023)	The framework guides the planning for new homes and jobs, close to transport, schools and public spaces. The GPEC structure plan, identifies the site as being within an 'Employment area', and RU4 zoned land to the west as a short term renewal area– See **Figure 17.**  Figure 17. Structure plan extract (GPEC Framework, DPE 2023) The strategic framework states that *"Planning proposals should consider the strategic framework and demonstrate that the key actions and outcomes have been incorporated in the planning and design process".* The following are of relevant to the proposal: ***GPEC Priority 1 – Connect with and care for Country*** Penrith West is identified as a Cranebrook Terrace Formation – See **Figure 18.** The Cranebrook Terrace Formation is referred to in the plan as "*A landform located within 300-800 m of the Hawkesbury-Nepean River, between Castlereagh and Mulgoa. It has the potential to contain intact and deep sediments with evidence of Aboriginal occupation in the form of cultural material from 36,000 years ago to the present."* There are no known Aboriginal heritage items in the vicinity of the site, as confirmed by an AHIMS online search.

Strategic Plan	Consistency

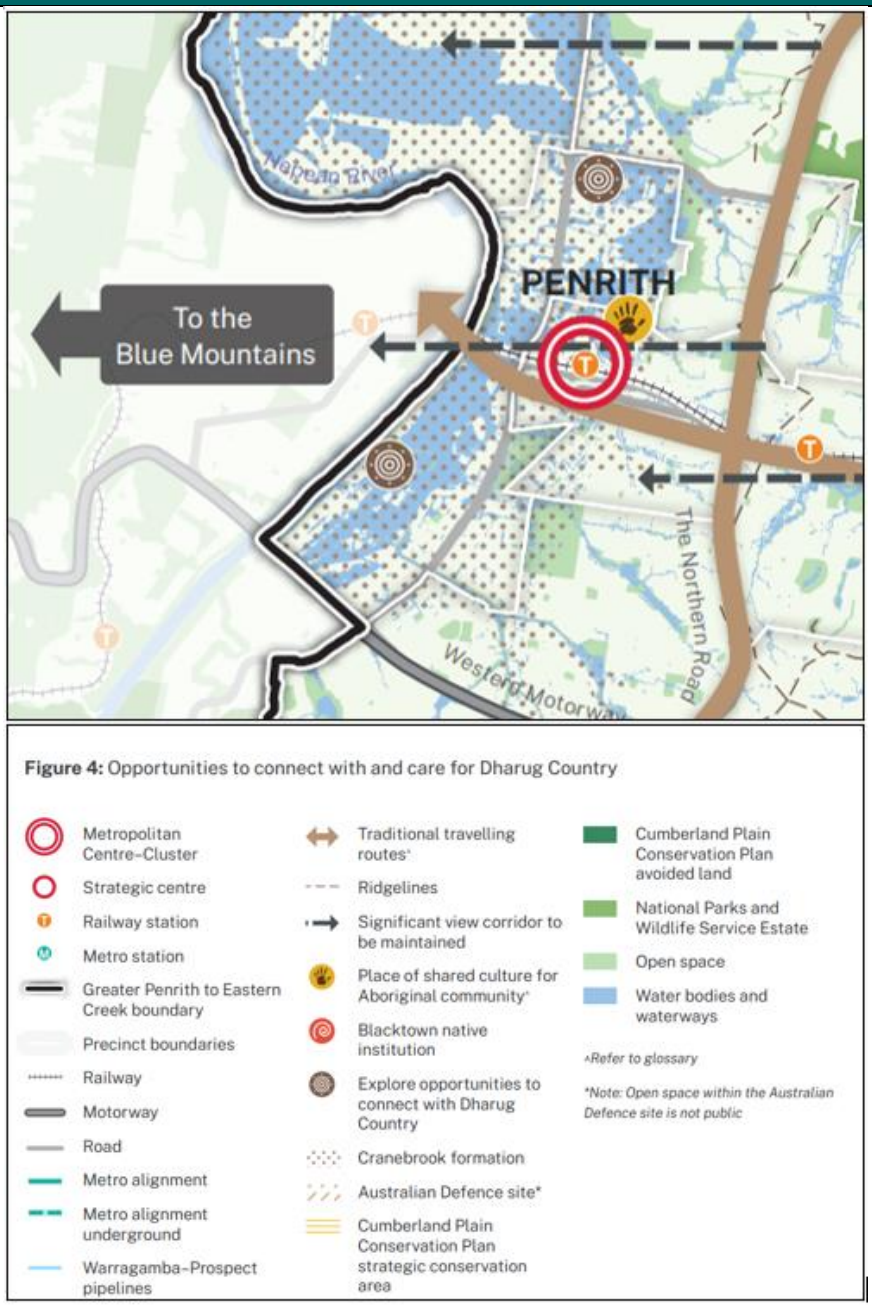


Figure 18. Connecting with and caring for Country (GPEC Framework, DPE 2023)

GPEC Priority 3 – Diverse and accessible employment: Employment opportunities are boosted in major GPEC centres, and people can connect to jobs within and outside of GPEC, strengthening the 30-minute city

Penrith West is identified as being located within the East-West Economic Corridor where employment will be focused, this includes the subject site and Homemaker centre which is identified as an employment area, as shown in **Figure 19**. The planning proposal will support employment growth within the East-West Economic Corridor.

Strategic Plan	Consistency

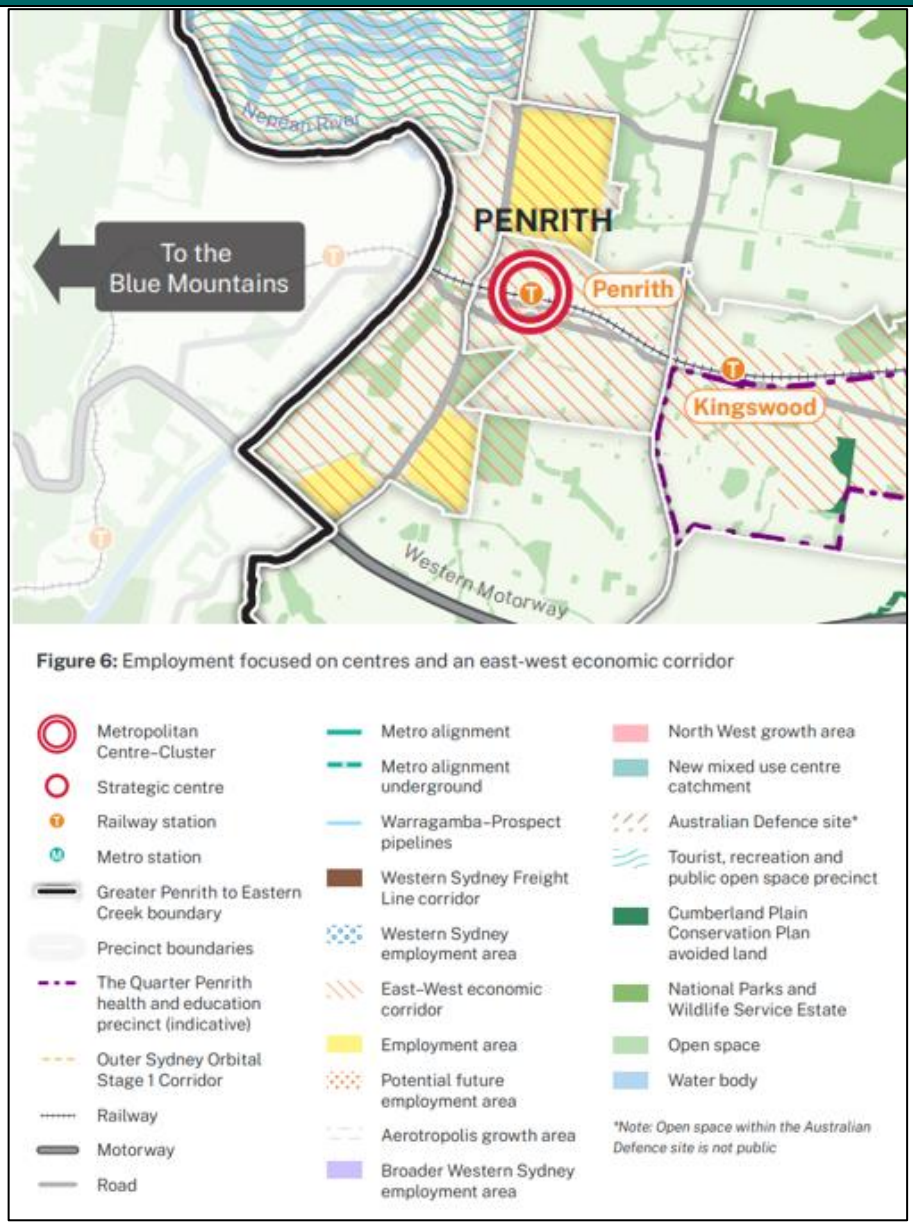


Figure 19. East – West Economic Corridor (GPEC Framework, DPE 2023)

GPEC Priority 5 – *Public open space, biodiversity, and landscape*

The biodiversity values of the site have been assessed Eco Logical Australia. The planning proposal will not impact on land with biodiversity values.

GPEC Priority 6 – *Resilience to natural and man made hazards is boosted*

Direction 6.3 (Manage place-based risks responsibly) of the GPEC includes the following relevant actions:

> *Action (3.1): 'Avoid urban development or intensification of development in areas of high flood and or bushfire risk by carefully locating development, distributing land uses and siting built form and new infrastructure to minimise risk to ongoing operability."*

Strategic Plan	Consistency
	The planning proposal will facilitate an extension of an existing use in an already urban area. The development is appropriate for the flood behaviour of the land. A small portion of the site is also identified as a low risk of bushfire (vegetation category). These risks can be appropriately managed and mitigated as confirmed in the accompanying specialist reports. *Action (6.3.3) to "implement recommendations from the regional flood evacuation work undertaken by the Hawkesbury Nepean Valley flood risk management directorate".* The 2024 Hawkesbury-Nepean River Flood Study has been considered, as detailed in the accompanying Flood Impact and Risk Assessment and Stormwater Report (**Appendix 2**) and section 4.3.2 of this planning proposal**.** The site is part of an existing urban development (Homemaker Centre), and is located at the key intersection of Mulgoa Road and the M4 which is a flood evacuation route. Evacuation is readily available in accordance with the route that applies to the existing centre. *Action (6.3.7) to Ensure planning proposals and precinct planning:* *i. align with Ministerial Direction 4.1 Flooding* *iii. adopt a risk-based approach to planning in flood affected areas by preparing a flood impact risk assessment (FIRA), and ensure rezoning responds to flooding constraints by considering the cumulative impact of fill and development up to the probable maximum flood level* *iv. demonstrate adequate emergency management strategies, such as evacuation, from hazard events such as bushfire and flooding through consideration of the requirements of the NSW Reconstruction Authority and State Disaster Management Plan* Consistency of the proposal with Ministerial direction 4.1 Flooding is described in this proposal and as confirmed by JWP the proposal is fully compliant. There will be no change to the flood behaviours of the land. Evacuation is readily available for the extension in accordance with the existing centre's routes and the proposal will not increase the parking requirements of the centre. Bushfire and flooding have been considered by the planning proposal and relevant supporting consultant reports. Accordingly, the risk associated with the proposed extension is low. In summary, the planning proposal is consistent with the GPEC Framework as it will support jobs within the Economic corridor and an employment area. The site is in a location where there is investment in strategic transport infrastructure to support the integration of transport and land use planning. Natural hazards (bushfire and flooding) have been considered in the preparation of the planning proposal, and it is considered possible to extend the existing building with minimal risk to life and property. Furthermore, the site's natural and biodiversity values can be appropriately managed, and will be assessed further at DA stage.

Q4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Yes, the planning proposal will give effect to the following endorsed local strategies and plans:

Local Strategic Planning Statement 2020

The Penrith Local Strategic Planning Statement (LSPS) applies to the site and the Penrith LGA. The LSPS provides the baseline land-use planning and will shape how the development controls in the local environmental plan (LEP) evolve over time to meet the community's needs, with the LEP being the main tool to deliver the council and community's plan.

The LSPS identifies the Homemaker Centre as an Urban Area. Furthermore, the site is located within the Greater Penrith to Eastern Creek Growth Area – See **Figure 20** (Structure plan). The Growth Area is *"identified for its potential to capitalise on significant transport and infrastructure investment".* This is consistent with the Greater Penrith to Eastern Creek Growth Area identified as a corridor of economic activity in the 2018 Greater Sydney Region and Central District Plans 2018.

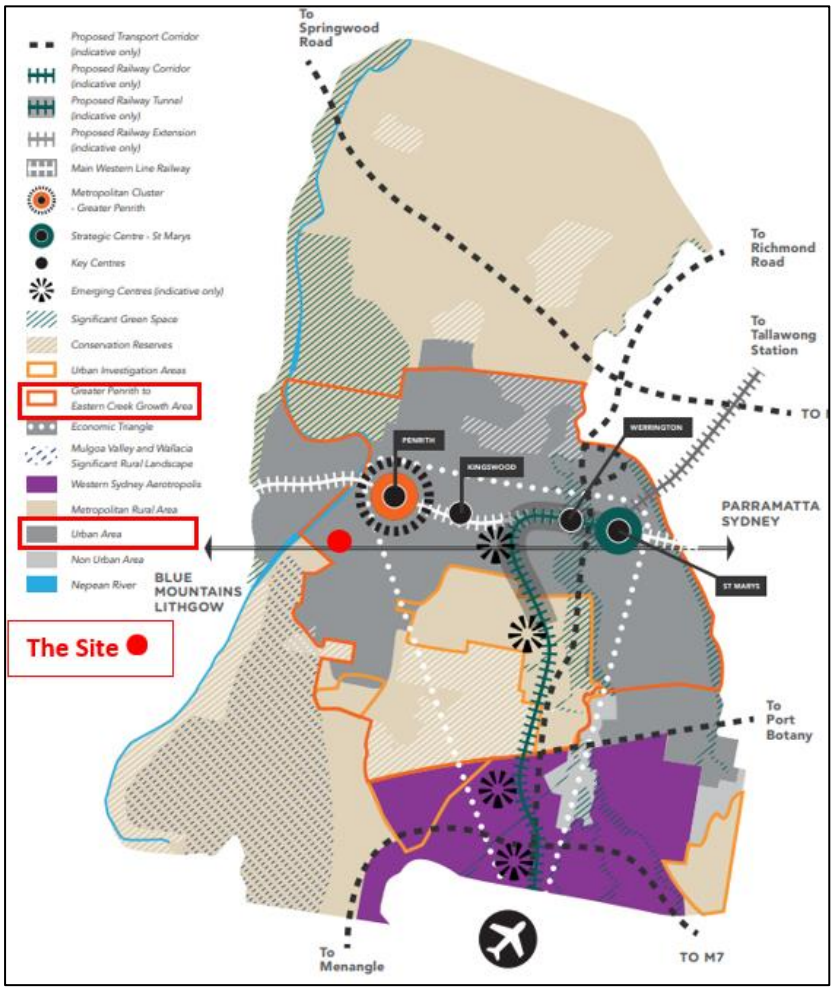


Figure 20. Structure plan (Penrith LSPS)

The site is also included within the 'East West Economic Corridor', an area identified "*to provide jobs closer to home, arising from the Western Sydney Airport*" - See **Figure 21** (Penrith's Economic Triangle).

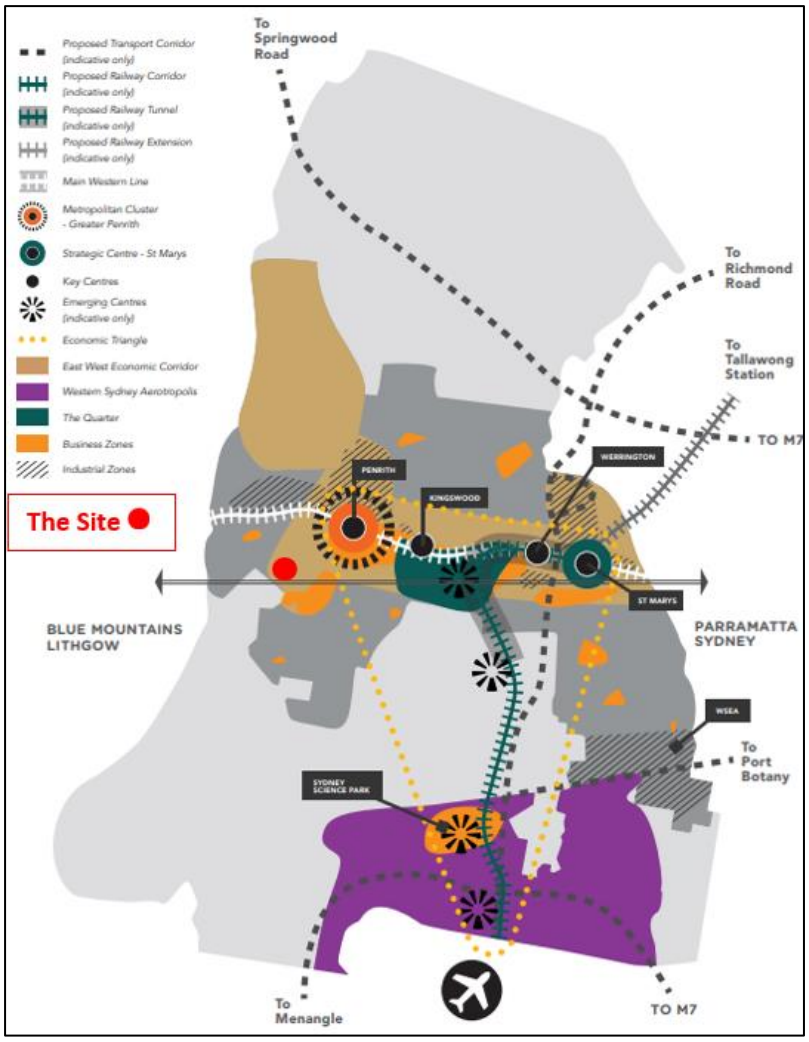


Figure 21. Penrith's Economic Triangle - East West Economic Corridor (Penrith LSPS)

The Planning Proposal is consistent with the following relevant Planning Priorities of the LSPS:

Table 5. Consistency with LSPS

LSPS Priorities	Planning Proposal Response
Planning Priority 1 – Align development, growth and infrastructure	The Homemaker Centre is an existing specialised retail premises in an urban area, located at the key intersection of Mulgoa Road and the M4. The expansion of the centre will be supported by existing and soon to be upgraded infrastructure (Mulgoa Road). The LSPS acknowledges the Mulgoa Road upgrades to this major corridor.
Planning Priority 10 – Provide a safe, connected and efficient local network supported by	The Homemaker Centre is located at the key intersection of Mulgoa Road and the M4. The LSPS acknowledges the Mulgoa Road upgrades to this major corridor.

LSPS Priorities	Planning Proposal Response
frequent public transport options.	
Planning Priority 12 - Enhance and grow Penrith's economic triangle.	The planning proposal will contribute towards strengthening the economy of Penrith's economic corridor and employment.
Planning Priority 16 - Protect and enhance our high value environment lands	As detailed in the accompanying BDAR **(Appendix 4**) , the proposed development is unlikely to result in any impact to any threatened species. The proposed concept development is expected to encroach the riparian corridor 5-10m setback by just 45sq.m. To offset this area, land to the north of the riparian corridor (75sq.m) is proposed to be offset under the averaging rule, and managed in accordance with a vegetation management plan (to be prepared). This will result in a greater biodiversity environmental outcome by enhancing an area not currently managed. The site is identified as land with Scenic and Cultural Landscape values in the PLEP 2010. These values will be retained, and as detailed in the VIA (**Appendix 6).** Impacts can be appropriately mitigated to ensure the development has negligible or low impact on the visual amenity of the area .The VIA concluded that the development will not impact the Scenic and Cultural Landscape values of the land.
Planning Priority 17: Define and protect the values and opportunities within the metropolitan rural area	The site is located within a defined urban area, and will not impact on Penrith's rural areas.
Planning Priority 20 – Manage flood risk	The proposed development will not have an adverse impact on the existing flood risk of the land. The accompanying Flood Risk and Impact Assessment Report confirms that there will only be incremental increases in extreme flood events. *Consequently, the risk to life and associated building and other property damages would not be measurably increased by the increased flood levels in these circumstances.*

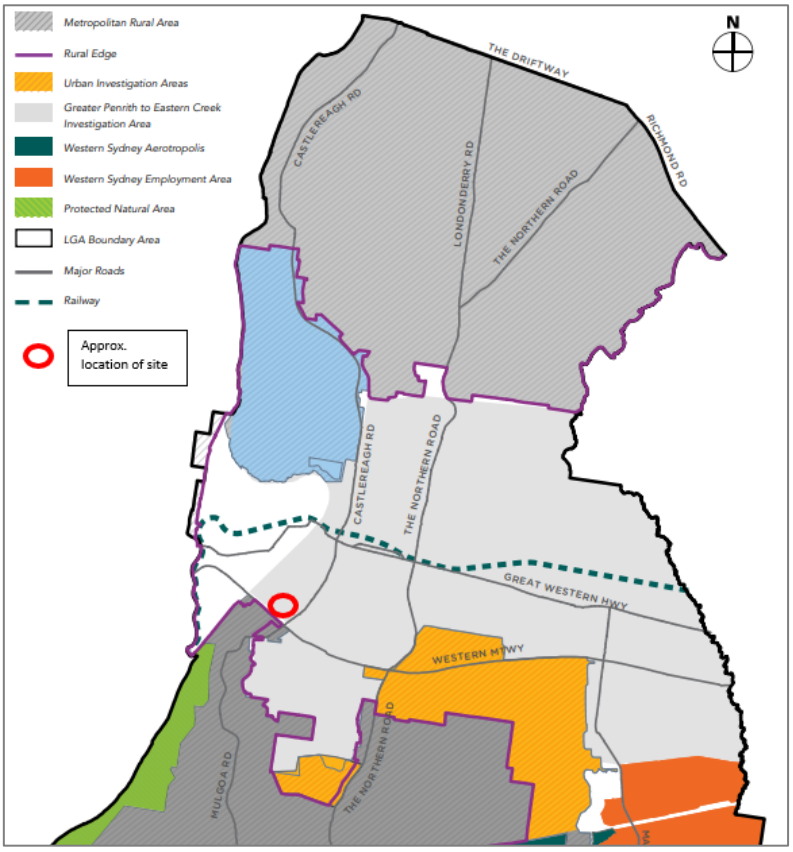
Local Housing Strategy 2022

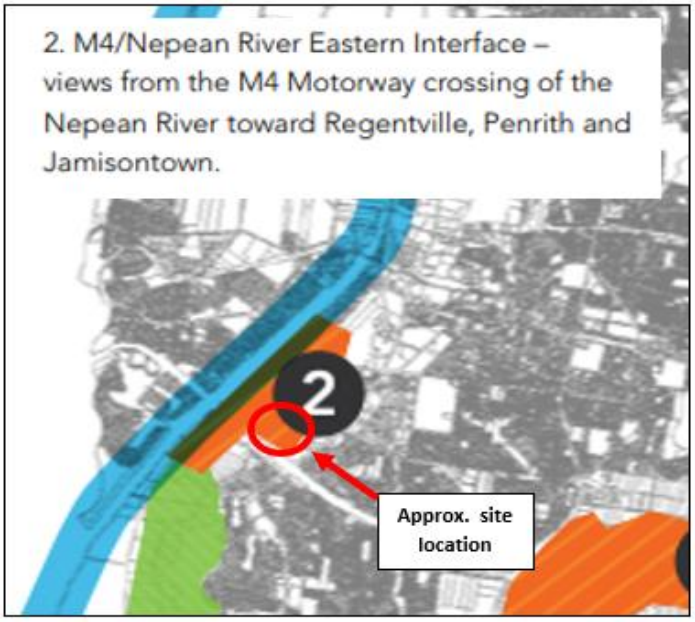
Penrith Council's Local Housing Strategy (LHS) was finalised in August 2022. It establishes a strategic planning framework to guide housing change in Penrith City over a period of 20 years. The site is located in an area where limited change is expected for housing growth**.** The planning proposal will not result in any changes to residential zoned land and therefore the LHS is not considered to be of particular relevance to the expansion of the Homemaker Centre.

Rural Land Strategy 2022

The Penrith City Council Rural Land Strategy (RLS) was adopted in August 2022. The Rural Lands Strategy identifies five priorities and subsequent outcomes for the rural lands of Penrith. The planning proposal consistency with these priorities and outcomes is discussed below.

Table 6.Consistency with Rural Land Strategy (RLS)

Rural Land Strategy Priority And Outcomes	Planning Proposal Response
Priority 1: Secure the rural edge • *Outcome 1.2 – That Rural Lands Are Maintained and Protected*	The Strategy acknowledges that the site and surrounding lands are located in an urban area and 'non-focus area' for the Place-based precinct framework for rural lands (ref. Figure 10 of the Strategy). Furthermore, the RLS confirms the site's location within the Greater Penrith to Eastern Creek Investigation Area and outside the Metropolitan Rural Area – See **Figure 22.** The planning proposal will facilitate the extension of an existing specialised retail premises cente, in an identifed urban area on E3 Productivity Support zoned land. Therefore, there will be no significant impact on rural lands.  Figure 22. The Rural Edge (RLS 2022)

Rural Land Strategy Priority And Outcomes	Planning Proposal Response
Priority 2 – Protect Ecological Health and Biodiversity • *Outcome 2.1 – Natural areas are protected and connected* • *Outcome 2.2 – Waterways are maintained or improved*	Part of the site has environmental values including vegetation and a waterbody. The planning proposal aims to minimise impact on biodiversity values. This is further discussed in Section 4.3.2 (Site specific merit – Biodiversity values) and the accompanying Ecological BDAR (**Appendix 4**).
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 site landholding is identified as "highly visually sensitive landscape" in the RLS see **Figure 23.** In addition, "Important Rural Vistas" are identified in the vicinity of the site – see **Figure 24**.  Figure 23. Highly Visually Sensitive Landscapes (RLS 2022) 

Rural Land Strategy Priority And Outcomes	Planning Proposal Response
	Figure 24. Important Rural Vistas (RLS 2022) The RLS states that: ○ *Development within these visual gateways will be carefully managed to provide a safe, welcoming and positive experience that is definitely rural.* ○ *At the Nepean River crossing at M4 Motorway "Development is managed to preserve a rural outlook southward and vistas to the Blue Mountains.* ○ *Land uses and the form of development in these areas will be carefully managed to positively influence the broader scenic qualities of the LGA".* As concluded by the Visual Impact Assessment (VIA) prepared by Tract Consultants Pty Ltd (See **Appendix 6**): *"As part of the Project's assessment, impacts on specific areas with scenic and landscape values, as identified in Penrith City Council—Development Control Plan 2014, have been assessed. This includes areas such as the M4 Gateway over the Nepean River (viewpoint location VP05), which was assessed as having negligible impact. In addition, a rural outlook southward and vistas of the Blue Mountains from the M4 Gateway of Visual Sensitivity are preserved. Other viewpoint locations, including VP01, VP02, and VP03, are noted as maintaining background views of the Blue Mountains, which are unimpacted by the proposed works.."* This is further discussed in Section 4.3.2 (Site specific merit – Built Form and Visual Impact). Furthermore, we note that: • The planning proposal will facilitate the extension of an existing specialised retail premises located on a major roadway. • The Mulgoa Road Corridor from the M4 Motorway to the Penrith City Centre has emerged as the major tourism, recreation, large format retailing and mixed use corridor for the City and as such could be appropriately described as having a built up urban character rather than rural. • Important rural vistas will be maintained.
Priority 4 – Support A Diverse Rural Economy	The development will not detract from any rural economy and the site is not currently used for rural purposes.
Priority 5 – Provide Housing and Services To Meet The Needs Of The Community	The Homemaker Centre is an important centre in contributing to employment and the economy of Penrith. The planning proposal will facilitate the extension of the centre which will enable an expansion of retail services to meet the needs of the community.

Penrith Employment Lands Strategy (ELS) 2021

The Penrith Employment Lands Strategy (ELS) was adopted in October 2021, following the identification in the LSPS that there was a need for a strategy to provide direction to future growth. The Employment Lands Strategy sets out strategic directions with priorities and actions against each to work towards delivering a connected, healthy, innovative and balanced city.

Jamisontown is identified as a primary industrial precinct, described as including the following activities: *Low impact industry, smaller scale, light and/or niche manufacturing, new economy businesses and creative uses (*pg. 32).

The Homemaker Centre is identified as part of an Employment Precinct within Penrith's Economic Triangle, as shown below**.** According to the Strategy *"Penrith's existing and future employment precincts are located within the three arcs of Penrith's Economic Triangle".* This includes the East-West Corridor, which includes Jamisontown large format retail precinct (as stated on pg. 57 of the Strategy).

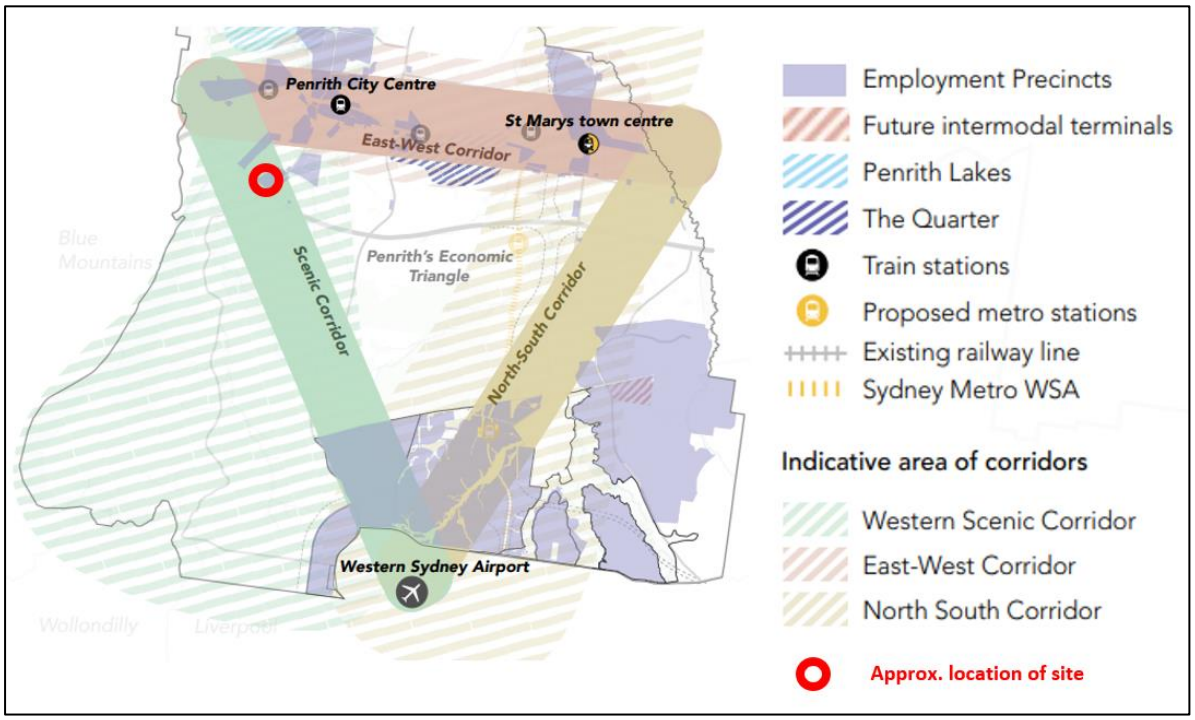


Figure 25. Penrith's Economic Triangle (Penrith ELS 2021)

The planning proposal response to the Employment Lands Strategy is provided below:

Table 7. Penrith Employment Lands Strategy (ELS)

Directions	Actions	Planning Proposal Response
Strategic Direction 1 – Deliver a safe, efficient and sustainable 30-minute city	*ACTION 6 – Planning future employment land with good access to motorways*	The site is located at the intersection of the M4 and Mulgoa Road (soon to be upgraded). This proposal will increase employment space at a location supported by good access to road infrastructure.

Directions	Actions	Planning Proposal Response
Strategic Direction 2 – Improve the health and wellbeing of residents, workers and visitors	*ACTION 7 – Preserving the environmental value of the Scenic corridor*	The proposal aims to minimse impacts on land with environmental values by avoiding construction on the adjoining RU4 Primary The impacts on land with scenic and landscape values, is considered in the VIA.
	ACTION 9 – Considering zoning for low impact businesses near centres and as a buffer between residential and industrial areas	The land is already zoned for employment use (E3 Producivty support), and the planning proposal will faciliate an extension of an exisitng business centre to provide additional specialised retail floorspace, a low impact use that is appropriate for this location.
Strategic Direction 3 – 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*	A minor change to height limit controls is required to facilitate the expansion of the centre to meet specilialised retail demand and offer greater flexibility for business operations. This can be achieved with no land use conflicts, and it is an appropriate use for the specialised retail centre.

Penrith Industrial Precincts Technical Report (2021)

The Penrith Industrial Precincts Technical Report was prepared to inform the Penrith Employment Lands Strategy (ELS) 2021. It includes an analysis of the Jamisontown industrial precinct, which includes the Homemaker Centre.

The following statements are of relevance to support the proposed expansion of the centre:

- *The Jamisontown industrial precinct is centrally located in the Penrith LGA and is well-connected to major roads near the intersection of Mulgoa Road and the M4 motorway.*
- *The precinct has traditionally been popular amongst 'bulky' goods or large retail format destination stores serving the Penrith, Hawkesbury and Blue Mountains LGAs.*
- *These businesses are generally well-positioned along Mulgoa Road – which affords high visibility and accessibility.*
- *Residential uses adjoining the precinct are limited.*
- *The precinct has very few remaining lots for future development, with just over 1.5 ha currently vacant.*
- *Jamisontown is also the most developed precinct within the Penrith LGA, with nearly 87 ha or 98% of developable land containing established developments. Just 2% (1.5 ha) of developable land is vacant or vacant land with storage.*
- *Retail Trade is the largest industry and provides 1,029 local jobs, representing 36% of all jobs in the precinct.*
- *The Penrith Homemaker Centre is the key anchor for the precinct and is occupied by 40 national bulky goods retailers.*

Penrith Economic Development Strategy 2023-2031

The Economic Development Strategy (EDS) was adopted in 2023. It aims to "focus on creating a favourable business environment, diversifying the economy, attracting investment and talent, and investing in infrastructure and services". The EDS includes five key priorities to focus the attention of Council and its strategic partners to nurture a strong, sustainable, adaptive, and thriving city economy. The consistency of the proposal with the relevant priorities is as follows:

- *Strategic Priority 1 - Attracting Investment*

  It is the aim of Harvey Norman to invest in the Homemaker to ensure that the Centre continues to adapt and remain a major contributor to the economy of Penrith. The expansion of the Centre will ensure that the Homemaker Centre continues to remain a major contributor to the economy of Penrith.

- *Strategic Priority 2 - Creating Vibrant Centres*

  The proposal will not impact on the centres of Penrith (Penrith City Centre or St Marys). It provides an extension of a specialised retail premises.

- *Strategic Priority 3 - Leveraging Employment Lands*

  It is proposed to extend the centre to provide a greater retail offering and enhance the attractiveness of the centre for customers. The expansion of the Centre will support and consolidate its role as a specialised retail premises and support jobs growth on land zoned E3 Productivity Support.

The EDS provides an analysis of the existing and expected population and required job targets for the Penrith LGA. It states that:

> *Setting a target of 23,000 additional jobs by 2031 is ambitious. Assuming a population of 260,000 by 2031, and no major economic disruptors like a pandemic or recession, we are likely to see a baseline of 18,000 jobs delivered in Penrith by 2031, based on market trends. But that is not enough. There still will not be enough jobs available in Penrith for our resident workers*
>
> *Analysis of both population and industry growth projections indicates an aim of 23,000 new jobs by 2031 is achievable through a combination of:*
>
> *• natural jobs growth (18,000 jobs) and*
>
> *• economic development actions of Council and its partners (+5,000 additional jobs).*

Penrith 2036, Community Strategic Plan (2022)

The Penrith Community Strategic Plan was formally adopted by Council in 2022. It outlines the community's vision for Penrith and identifies key social, economic and environmental priorities, as well as strategies to achieve them. The Plan includes the following outcomes:

- *Outcome 1 -We protect and enhance an ecologically sustainable environment*
- *Outcome 2 -We are welcoming, healthy, happy, creative and connected*
- *Outcome 3 -We plan and shape our growing City*
- *Outcome 4 -We manage and improve our built environment*
- *Outcome 5- We have open and collaborative leadership*

The objectives and intended outcomes of the Planning Proposal support the Community Plan by:

- Enabling the Centre to grow to meet retail market demand
- Providing an increase of retail services to meet the needs of the community

- Providing an increase of local jobs
- Minimising impacts on the environment
- Facilitating a sustainably designed development that is appropriate for this location
- Ensuring the community have the opportunity to be involved through public exhibition of the planning proposal.

Q5 – Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Future Transport Strategy: Our vision for Transport in NSW

The Future Transport Strategy was adopted by Transport for NSW in 2022. It sets out a vision for transport to support a growing state. The planning proposal is consistent with the following priorities of the Strategy:

- *Enhance 30-minute metropolitan cities*
- *Support growth around public transport*
- *Support thriving and healthy 15-minute neighbourhoods*
- *Existing infrastructure is optimised*

Q6 – Is the planning proposal consistent with applicable SEPPs?

An assessment of the Planning Proposal against the applicable State Environmental Planning Policies (SEPP) is provided below.

Table 8. Consistency with State Environmental Planning Policy

State Environmental Planning Policy	Comment
State Environmental Planning Policy (Sustainable Buildings) 2022	The future commercial development will comply with required sustainable building standards. This will be considered in the design of the development and development application stage.
State Environmental Planning Policy (Planning Systems) 2021	Not relevant to the proposed amendment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 6 of the SEPP relates to Water Catchments, including the Hawkesbury-Nepean catchment. The site is within the Hawkesbury-Nepean River Catchment. This includes controls relating to water quality and quality, aquatic ecology, flooding, and land within 100m of a natural waterbody. In response, we note that: • The subject lot includes a manmade dam and intermittent waterbody with no flow. • The proposed development is located on 'waterfront land' (within 40 m of the top of bank) and therefore the development will require a controlled activity approval under the Water Management Act 2000. Parts of the existing driveway already encroach on the 10m setback. The proposed development will also

State Environmental Planning Policy	Comment
	encroach the 5-10m setback (by just 45sq.m). To offset this area, land to the north of the corridor (75sq.m) is proposed to be offset under the averaging rule, and managed in accordance with a vegetation management plan (to be prepared). This will result in an improved environmental outcome as this area is currently not managed. This will be further detailed at DA stage. • A BDAR prepared by ELA confirms that there will be no impacts to water flow and associated hydrological processes. The location of the development footprint will not obstruct the modified watercourse or dam. Also, there will be no impact on remnant native vegetation • The Flood Impact and Risk Assessment and Stormwater Report prepared by JWP confirms that the proposal will have no material impact on flood risks affecting people or property, and stormwater controls will be implemented that ensure that the proposed development does not adversely impact stormwater flow rates and water quality of the stormwater system downstream of the site. • A Riparian Assessment has been prepared that provides detail of the watercourse key attributes and riparian vales. It confirms that the riparian values can be maintained during development of the site.
State Environmental Planning Policy (Resilience and Hazards) 2021	Not relevant to the proposed amendment
State Environmental Planning Policy (Transport and Infrastructure) 2021	The development is not expected to have any material impact on traffic generation as part of the Penrith Homemaker Centre. This is confirmed in the accompanying Transport Assessment (**Appendix 3**).
State Environmental Planning Policy (Industry and Employment) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Resources and Energy) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Primary Production) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Precincts – Central River City) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	The site is mapped on the Obstacle Limitation Surface Map as having a Maximum Height limit of 230.5 metres. The maximum permissible height of the extension is proposed

State Environmental Planning Policy	Comment
	to be a mix of 15 metres and 19 metres in height, and therefore is consistent with the SEPP height limits.
State Environmental Planning Policy (Precincts – Regional) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Housing) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not relevant to the proposed amendment.

Q7 – Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?

The planning proposal is consistent with the relevant directions for planning proposals issued by the Minister for Planning under Section 9.1 of the EP&A Act, as detailed below.

Table 9. Consistency with Ministerial Directions

Ministerial Direction	Comment
1. Planning Systems	
1.1. Implementation of Regional Plans *The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.*	The proposal is consistent with the Greater Sydney Region Plan as detailed previously in Table 4.
1.2. Development of Aboriginal Land Council land	NA
1.3. Approval and Referral Requirements	NA
1.4. Site Specific Provisions	NA
1.4A Exclusion of Development Standards from Variation	NA
Planning Systems – Place-based	
1.5. Parramatta Road Corridor Urban Transformation Strategy	NA
1.6. Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	NA
1.7. Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA
1.8. Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA

Ministerial Direction	Comment
1.9. Implementation of Glenfield to Macarthur Urban Renewal Corridor	NA
1.10. Implementation of the Western Sydney Aerotropolis Plan	NA
1.11. Implementation of Bayside West Precincts 2036 Plan	NA
1.12. Implementation of Planning Principles for the Cooks Cove Precinct	NA
1.13. Implementation of St Leonards and Crows Nest 2036 Plan	NA
1.14. Implementation of Greater Macarthur 2040	NA
1.15. Implementation of the Pyrmont Peninsula Place Strategy	NA
1.16. North West Rail Link Corridor Strategy	NA
1.17. Implementation of the Bays West Place Strategy	NA
1.18. Implementation of the Macquarie Park Innovation Precinct	NA
1.19. Implementation of the Westmead Place Strategy	NA
1.20. Implementation of the Camellia-Rosehill Place Strategy	NA
1.21. Implementation of South West Growth Area Structure Plan	NA
1.22. Implementation of the Cherrybrook Station Place Strategy	NA
2 Design and Place	
NA	
3 Biodiversity and Conservation	
3.1. Conservation Zones	NA
3.2 Heritage Conservation	NA
3.3 Sydney Drinking Water Catchments	NA
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	NA
3.5 Recreation Vehicle Areas	NA
3.6 Strategic Conservation Planning	NA
3.7 Public Bushland	NA
3.8 Willandra Lakes Region	NA
3.9 Sydney Harbour Foreshores and Waterways Area	NA

Ministerial Direction	Comment
3.10 Water Catchment Protection The objectives of this Direction are to: *(a) maintain and improve the water quality (including ground water) and flows of natural waterbodies, and reduce urban run-off and stormwater pollution* *(b) protect and improve the hydrological, ecological and geomorphological processes of natural waterbodies and their connectivity* *c) protect and enhance the environmental quality of water catchments by managing them in an ecologically sustainable manner, for the benefit of all users* *d) protect, maintain and rehabilitate watercourses, wetlands, riparian lands and their vegetation and ecological connectivity.*	The site is within the Hawkesbury-Nepean Catchment. The planning proposal is supported by specialist studies that assess the impact of the planning proposal on the waterbodies on site and associated aquatic species. The planning proposal is consistent with the objectives of this direction as follows: • The watercourse sits within a highly modified catchment. The waterbody has no permanent flows, and includes a manmade dam. The detention capacity of the existing stormwater basin will be augmented to manage any additional stormwater associated with future development. • The proposal will have no impact on periodic flooding that may affect wetlands and other riverine ecosystems. • It will have no impacts to water flow and associated hydrological processes. • The development will not obstruct the modified watercourse or dam. • The existing vehicle deck already encroaches the riparian corridor (5-10m setback), nevertheless, the proposal will explore opportunities to protect and enhance the riparian corridor vegetation through offset under the averaging rule This will maintain and enhance the environmental quality of the riparian corridor. • Stormwater controls will be implemented that ensure that the proposed development does not adversely impact stormwater flow rates and water quality of the stormwater system downstream of the site. • Riparian values can be maintained during development of the site. • Appropriate sediment and erosion control measures will be implemented during construction to protect the water quality during any future development construction phase.
4 Resilience and Hazards	
4.1 Flooding *The objectives of this direction are to:* *(a) ensure that development of flood prone land is consistent with the NSW*	The planning proposal does not aim to rezone the land. The planning proposal site and proposed development is zoned E3 Productivity support. It is not proposed to introduce a new use, or sensitive use, but extend an existing specialised

Ministerial Direction	Comment
Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and *(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.* *Direction 4.1 (2) states that a planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones.*	retail premises. The development will maintain the flood function of the land. A complete review of the planning proposal against the Local Planning Direction is addressed in the accompanying specialist Flooding and Stormwater Report (JWP 2025) provided in **Appendix 2.** Based on the flooding assessment undertaking by JWP, the planning proposal is considered to be fully compliant.
4.2 Coastal Management	NA
4.3 Planning for Bushfire Protection *The objectives of this direction are to:* *(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and* *(b) encourage sound management of bush fire prone areas.*	The site is identified as containing some land shown as bushfire prone. Bushfire is further addressed in Section 4.3.2 (Site-specific merit). This Direction is also addressed in the accompanying specialist Bushfire Protection Assessment – **Appendix 5.** The planning proposal is consistent with the objective of this direction and the Bushfire Protection Assessment concludes that: "*The proposed development (including the planning proposal to amend the height of the centre and DA) is consistent with the strategic planning principles outlined in chapter 4 of PBP, the specific objectives of PBP, and Ministerial Direction 4.3".*
4.4 Remediation of Contaminated Land	NA
4.5 Acid Sulfate Soils	NA
4.6 Mine Subsidence and Unstable Land	NA
5 Transport and Infrastructure	
5.1 Integrating Land Use and Transport *The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:* *(a) improving access to housing, jobs and services by walking, cycling and public transport, and*	This Direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for business purposes. A Transport Assessment was prepared by Arc Traffic + Transport to accompany this planning proposal – See **Appendix 3.** The planning proposal is consistent with the objective of this direction as it:

Ministerial Direction	Comment
(b) increasing the choice of available transport and reducing dependence on cars, and *(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and* *(d) supporting the efficient and viable operation of public transport services, and providing for the efficient movement of freight.*	• Will enable the expansion of an existing retail centre, providing jobs in an established employment precinct where there are existing services and infrastructure in place • Provide jobs close to homes • The centre is located at a key transport route, ensuring efficient movement of goods • Will not result in a substantial increase of traffic movements.
5.2 Reserving Land for Public Purposes	NA
5.3 Development Near Regulated Airports and Defence Airfields	NA
5.4 Shooting Ranges	NA
5.5 High pressure dangerous goods pipelines	NA
6 Housing	
6.1 Residential Zones	NA
6.2 Caravan Parks and Manufactured Home Estates	NA
7. Industry and Employment	
7.1 Business and Industrial Zones *The objectives of this direction are to:* *(a) encourage employment growth in suitable locations,* *(b) protect employment land in business and industrial zones,* *(c) support the viability of identified centres.*	This Direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone. The planning proposal is consistent with the objectives of this Direction, as it will: • Expand an existing commercial premises • Provide an increase of jobs in an appropriate location; and • Support the expansion and viability of the existing Homemaker Centre.
7.2 Reduction in non-hosted short-term rental accommodation period	NA
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	NA
8 Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	NA
9 Primary Production	
9.1 Rural Zones	NA
9.2 Rural Lands	NA
9.3 Oyster Aquaculture	NA
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	NA

4.3.2 Site Specific Merit

C. Section C – Environmental, Social and Economic Impacts

Q8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

Whilst the planning proposal does not seek to rezone the site nor seek development consent for any actual expansion of the current homemaker centre, an assessment has been undertaken to confirm the overall suitability of the site over which the proposed increase in building height is proposed. This is based on an indicative building footprint only.

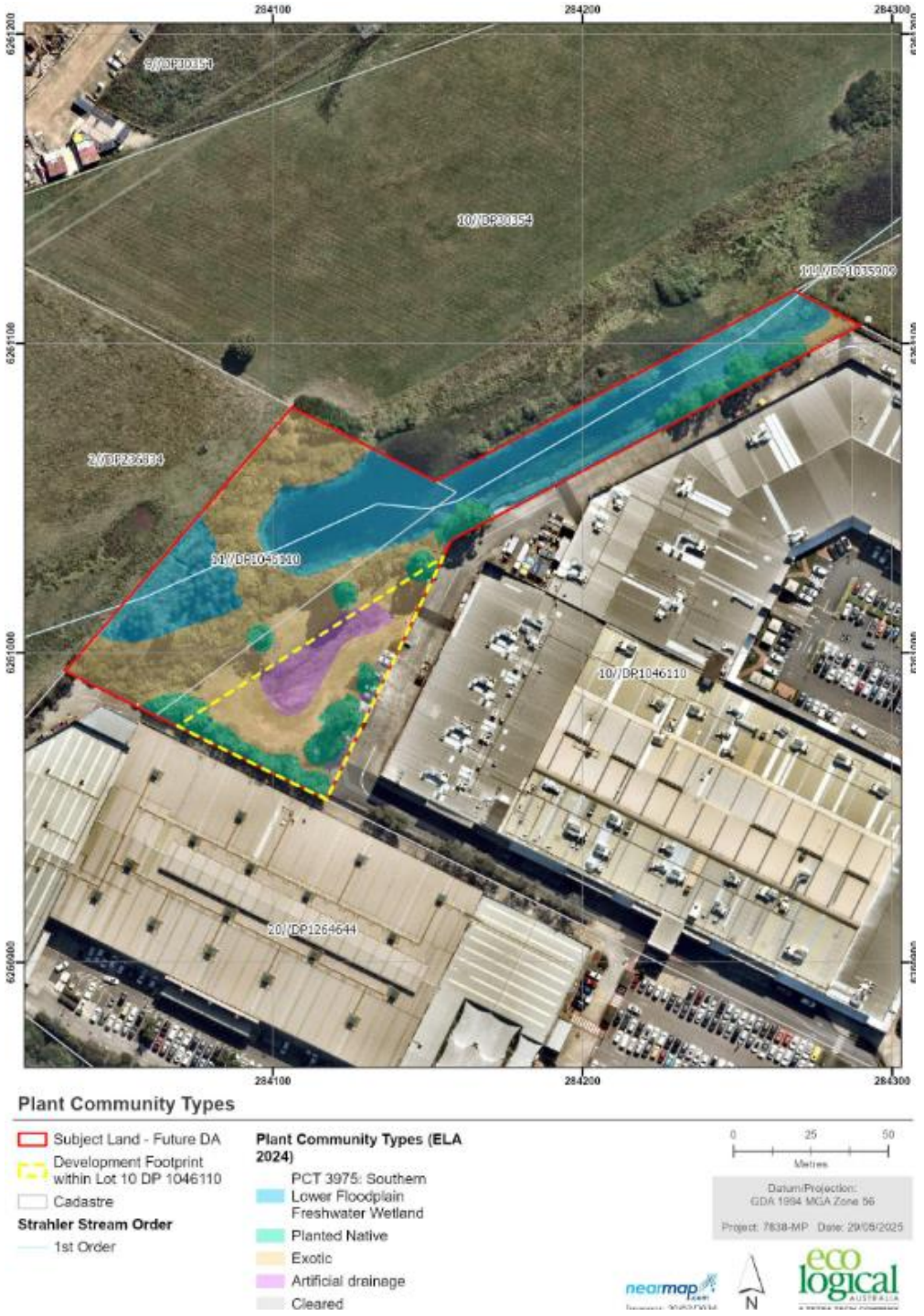
Biodiversity Values

A Biodiversity Development Assessment Report (BDAR) was prepared by *Eco Logical Australia (*ELA) to support the planning proposal – See **Appendix 4**. It demonstrates how the planning proposal aims to minimise impacts on land with high biodiversity values. It is noted that the BDAR assessed the impacts of development with regards to both Lot 10 and 11 of DP1046110 (referred to as the subject land in the BDAR), however the planning proposal site relates to Lot 10 only.

The following table provides a summary of the BDAR findings:

Table 10. BDAR Findings

BDAR Findings	
Biodiversity values	Following an amendment to the original development footprint, no land identified on the Biodiversity Values Map will be impacted by the proposed development. As such, the Biodiversity Offsets Scheme (BOS) will not be triggered and this BDAR has been prepared in line with the amended development footprint. The landholding of 13-23 Pattys Place includes Lot 10 and 11 of DP1046110. An earlier scheme proposed to extend the development footprint into Lot 11 DP1046110, which contains land identified on the Biodiversity Values Map. The subject revised scheme will be located within Lot 10 only (the planning proposal site), which does not contain any land identified on the Biodiversity Values Map - See **Figure 13.**
Native Vegetation	The native vegetation within the subject land, conforms to a single PCT, 3975 Southern Lower Floodplain Freshwater Wetland – See **Figure 26.** Land within and alongside the constructed dam is mapped as *PCT 3975 Southern Lower Floodplain Freshwater Wetland.* This is considered to be in moderate condition – See **Figure 27.** Measures to avoid and minimise impacts have been applied to the revised development footprint and the total area of PCT 3975 will be retained, with no areas of PCT 3975 occurring within the development footprint. The remaining vegetation on the site was mapped as planted native vegetation and a mix of exotic vegetation zones, with exotic vegetation comprising the largest component of the development footprint.

BDAR Findings	
	The proposed development will result in the clearing of 0.07 ha of planted native trees and 0.16 ha of exotic vegetation. No remnant native vegetation will be impacted by the proposed development.  Figure 26. Plant Community Types (BDAR, ELA 2025)

BDAR Findings	
	 Figure 27. Vegetation zones (BDAR, ELA 2025)
Threatened Species	No threatened flora species were identified on the site. The subject land is located within a highly disturbed and modified landscape. As such, there is limited available threatened species habitat within and outside of the subject land and connectivity to suitable habitat is limited.

BDAR Findings	
	Potential habitat areas for the Green and Golden Bell Frog was considered to include damp/inundated grassland areas and areas of vegetation mapped as PCT 3975: Southern Lower Floodplain Freshwater Wetland. ELA concluded that the proposed development is unlikely to result in a significant impact to any threatened species. Targeted threatened were undertaken by ELA on the site and adjoining lot for the following threatened fauna species / species groups: • *Litoria aurea (Green and Golden Bell Frog)* • *Threatened microbat species.* The results were as follows - ○ Potential habitat area for the Green and Golden Bell Frog were considered to include "*the dam, damp/inundated grassland areas and areas of vegetation mapped as PCT 3975: Southern Lower Floodplain Freshwater Wetland*". Green and Golden Bell Frog was not recorded during the targeted survey. ○ Chalinolobus dwyeri (Large-eared Pied Bat) and Micronomus norfolkensis (Eastern Coastal Free-tailed Bat) were confirmed as present. ○ Falsistrellus tasmaniensis (Eastern False Pipistrelle), Miniopterus orianae oceanensis (Large Bent-winged Bat), Myotis Macropus (Southern Myotis) Scoteanax rueppellii (Greater Broad-nosed Bat) and Vespadelus troughtoni (Eastern Cave Bat) were recorded as 'potentially present'. The BDAR concluded that there is unlikely to be a significant impact to the listed bat species. The construction of the truck deck and new building will not reduce the availability of foraging habitat above the waterbodies for threatened microbat species.
Water bodies, water quality and hydrological processes	There is a modified watercourse and constructed dam present within the subject land. This watercourse is a small tributary of School House Creek that traverses through the subject land and is mapped as Strahler Stream Order 1. The proposed development is located on 'waterfront land' (within 40 m of the top of bank) and therefore is considered a Controlled Activity and requires a Controlled Activity Approval (CAA) under the NSW Water Management Act 2000. As such, it is recommended that the riparian area is protected and rehabilitated under a Vegetation Management Plan (VMP).
Key Fish Habitat	There is no Key Fish Habitat (KFH) mapped within the subject land, however Surveyors Creek occurs approximately 500 m to the northeast of the subject land and School House Creek occurs approximately 500 m to the west of the subject land. Both these creeks are mapped as KFH. No permits or consultation under the Fisheries Management Act 1994 (FM Act) will be required, given the absence of marine habitat and natural fish habitat within the subject land.

Riparian Values

The site contains a constructed dam, and a mapped creek identified to be a small tributary of School House Creek– See **Figure 12**. It is identified as Stream order 1, and therefore requires a 10m vegetated riparian zone from the top of bank on both sides.

The impacts of the proposal on this waterbody are discussed in the following supporting specialist reports as summarises below:

- BDAR - Ecological Australia (**Appendix 4)**
- Riparian Assessment - Franklin Consulting (**Appendix 9**)

The consistency of the proposal with the requirements of Ministerial Direction 3.10 Water Catchment Protection is provided in **Table 9.**

BDAR - Ecological Australia (ELA)

As detailed above, ELA prepared a BDAR that assessed the impacts of the proposal on the biodiversity values of the land. With regards to the waterbody present on site, the BDAR concluded that:

- *There is a watercourse and constructed dam mapped within the subject land. This watercourse is a small tributary of School House Creek, approximately 500 m from the western boundary of subject land, and s mapped as Strahler Stream Order 1.*
- *The proposed development is located on 'waterfront land' (within 40 m of the top of bank) and therefore is considered a Controlled Activity and requires a Controlled Activity Approval (CAA) under the NSW Water Management Act 2000. As such, it is recommended that the riparian area is protected and rehabilitated under a Vegetation Management Plan (VMP).*
- *No permits will be required from DPI Fisheries, given the absence of marine habitat and natural fish habitat within the study area.*
- *The proposed amended development footprint encompassing the truck deck and new building will not cover the watercourse or constructed dam, therefore not directly impacting the banks of the watercourse or dam and vegetation present within.*

Riparian Assessment

Franklin Consulting Australia Pty Ltd was engaged to prepare a Riparian Assessment of the potential impact of the proposal on the current values of the riparian land – See **Appendix 9.** It states that the key attributes of the subject watercourse and riparian zone are as follows:

- *mapped as a 1 st Order Stream (Strahler method) in NSW Hydroline database,*
- *intermittent with no permanent flows,*
- *highly modified including two constructed instream dams and partial filling,*
- *extensively cleared for agriculture and adjacent urban development*
- *vegetation is dominated by exotic species with limited native vegetation, and*
- *the contributing catchment is highly modified with the main land use being agriculture and urban development.*

As detailed in the Riparian Assessment, the proposed development is expected to encroach part of the riparian corridor (5-10m setback) by just 45sq.m. Consequently, an area of 75sq.m. is proposed to be offset under the averaging rule – See **Figure 28**. This area will be managed in accordance with a Vegetation Management Plan to be prepared to accompany the DA and approval sought as a controlled activity.

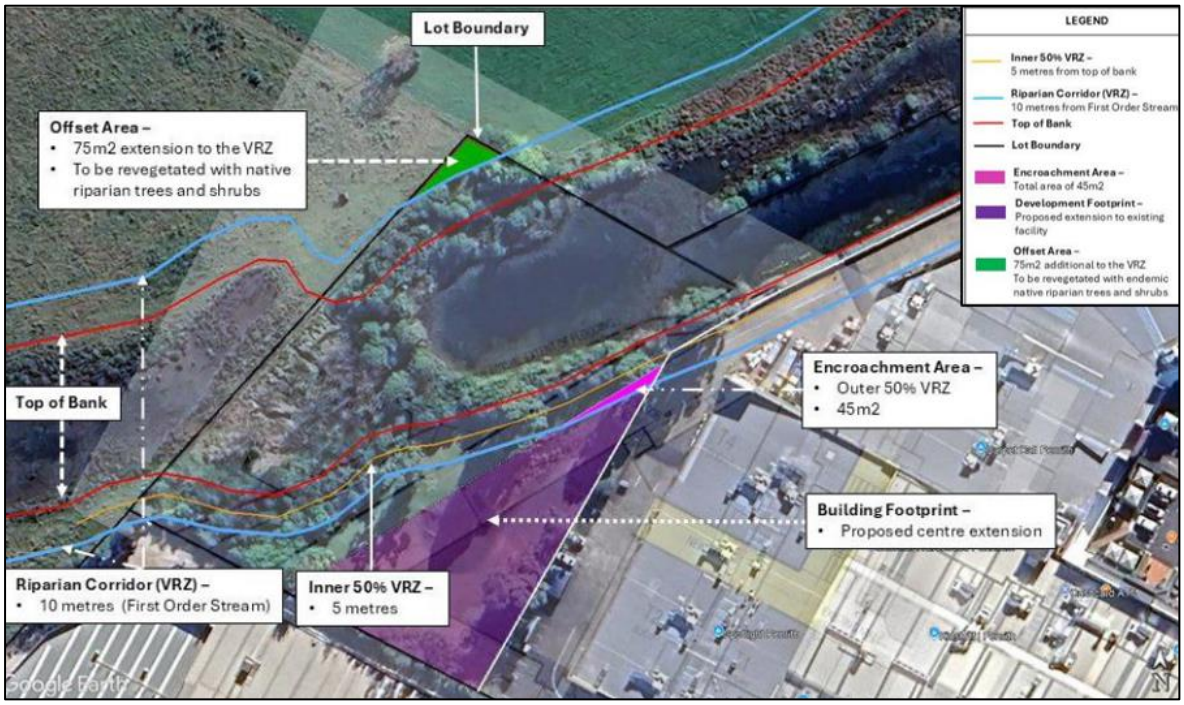


Figure 28. Averaging Rule (Soil and Water, Riparian Assessment 2025)

According to the Riparian Assessment, existing riparian values of the watercourse are likely limited to:

- *minor flood detention capacity provided by instream dams,*
- *minor sediment and associated nutrient detention capacity provided by instream dams,*
- *potential aquatic habitat provided by permanent water bodies in instream dams, and*
- *potential habitat provided by limited planted native vegetation within the riparian zone.*

The Riparian Assessment outlines how the riparian values could be maintained during development of the site, as follows:

- *maintaining the flood detention capacity of instream dam structures by keeping the existing dam structures, retaining comparable or increased flood detention capacity in modified structures,*
- *maintaining the detention capacity of the existing stormwater basin and augmenting capacity to manage any additional stormwater associated with future development on the site,*
- *maintaining the sediment and nutrient detention capacity of instream dam structures by keeping the existing structures or retaining comparable or sediment and nutrient detention capacity in modified structures,*
- *maintaining aquatic habitat by keeping the existing instream dams, or creating similar modified structures,*
- *maintaining riparian habitat provided by native vegetation by maintaining existing and/or comparable/increased areas of native vegetation of the same vegetation community type(s) within the riparian area.*
- *the site can be developed in a manner consistent with Controlled activities – Guidelines for riparian corridors on waterfront land (NSW Water) by utilising the averaging rule.*

The Assessment concludes that:

> *The watercourse is a minor, intermittent stream which has been extensively modified by previous construction of instream dams. The watercourse sits within a highly modified catchment dominated by agricultural and urban land use.*
>
> *The watercourse and riparian area provide limited flood, sediment and nutrient retention capacity. Instream dams provide potential aquatic habitat value. Limited native vegetation in*
>
> *the riparian area also provides potential habitat for endemic native species.*
>
> *It is considered that future development could be undertaken on the site without detrimentally impacting existing riparian and watercourse values.*
>
> *Using the averaging rule on the riparian corridor could deliver an improvement to existing riparian and watercourse values of the site by enabling a net increase in vegetated riparian area adjacent to the site.*

Penrith DCP Section 3.3 Watercourses, Wetlands and Riparian Corridors

Part C3.3 of the DCP includes relevant provisions that will be assessed in detail at the Development Application stage. A brief response to some of the objectives is provided below:

a) *To protect water quality and terrestrial and aquatic life forms by identifying a riparian corridor along identified waterways and establishing specific planning controls for land within those corridors;*

As detailed in the accompanying BDAR and Riparian Assessment, the development is unlikely to impact terrestrial and aquatic life forms.

b) *To minimise disturbance and/or impacts on natural waterbodies;*

The watercourse on the site includes a manmade dam, and tributary with no flow. As concluded by the Riparian Assessment, *the future development could be undertaken on the site without detrimentally impacting existing riparian and watercourse values*.

c) *To rehabilitate existing riparian corridors and ensure that width, buffers to development, quality of landscape and diversity of vegetation to support principles of ecological sustainability are provided*

It is proposed to seek approval as a Controlled Activity utilising the averaging rule, whereby the riparian corridor encroachment will be offset to the north of the riparian corridor. This offset area will be managed in accordance with a vegetation management plan (to be prepared for DA). The Riparian Assessment demonstrates that development on the site can be done in a manner consistent with Controlled activities - Guidelines for riparian corridors on waterfront land by using the averaging rule provisions. Accordingly, it will result in an improved outcome by rehabilitating the riparian corridor in an area currently not managed.

Summary

In summary, the proposal is not expected to impact on the mapped waterbody on site. The existing vehicular access already encroached on the riparian corridor. Impacts will be further assessed at DA stage through preparation of a Riparian Impact Assessment and Vegetation Management Plan, as well as development approval being sought as a controlled activity approval.

Q9 - Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

Flooding and Stormwater Management

Part of the planning proposal site is identified as being within a flood planning area – See **Figure 10.**

This planning proposal, and accompanying Flood Impact and Risk Assessment and Stormwater Report prepared by JWP (See **Appendix 2**), assesses the proposal having regard to the requirements of the following:

- Hawkesbury–Nepean River Flood Study 2024 (HNRFS 2024)
- Peach Tree and Lower Surveyors Creeks Flood Study 2019 (PTLSCFS 2019)
- Ministerial Direction 4.1 Flooding
- Penrith LEP 2010 - Clause 5.21 Flood planning
- Penrith DCP 2014

The Hawkesbury–Nepean River Flood Study (HNRFS) was released in 2024. According to the NSW Reconstruction Authority, it is considered the most up-to-date and reliable source of flood information for the Hawkesbury-Nepean River and should be used to inform all flood-related decision making. The HNRFS has been addressed in the JWP Report, and includes the following extracted map:

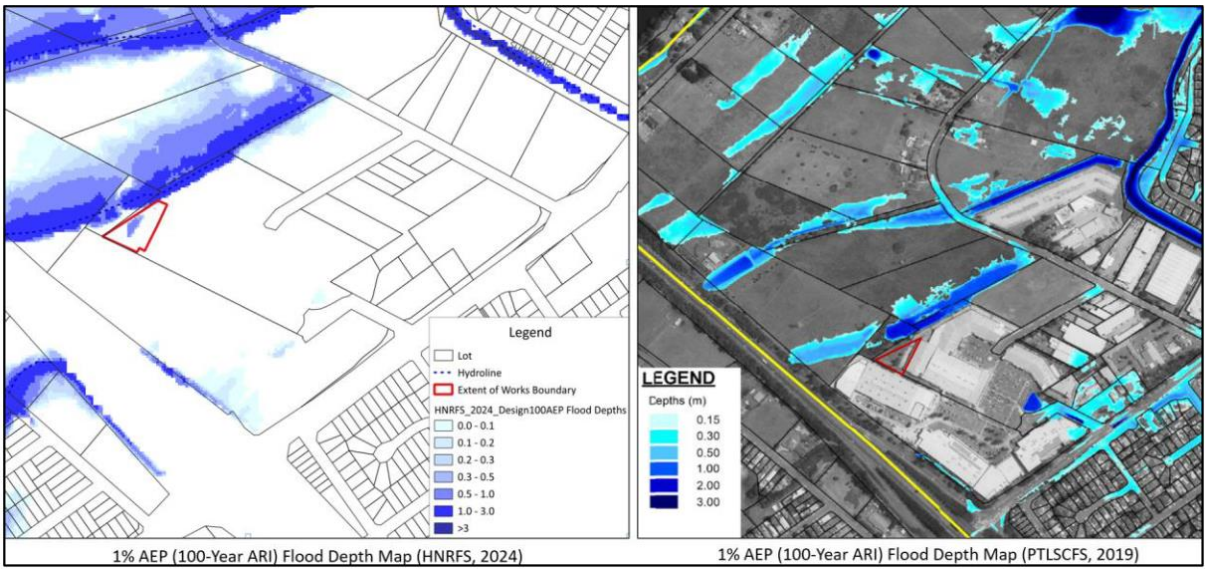


Figure 29. 1% AEP (100 Year ARI) (HNRFS 2024 and PTLSCFS 2019)

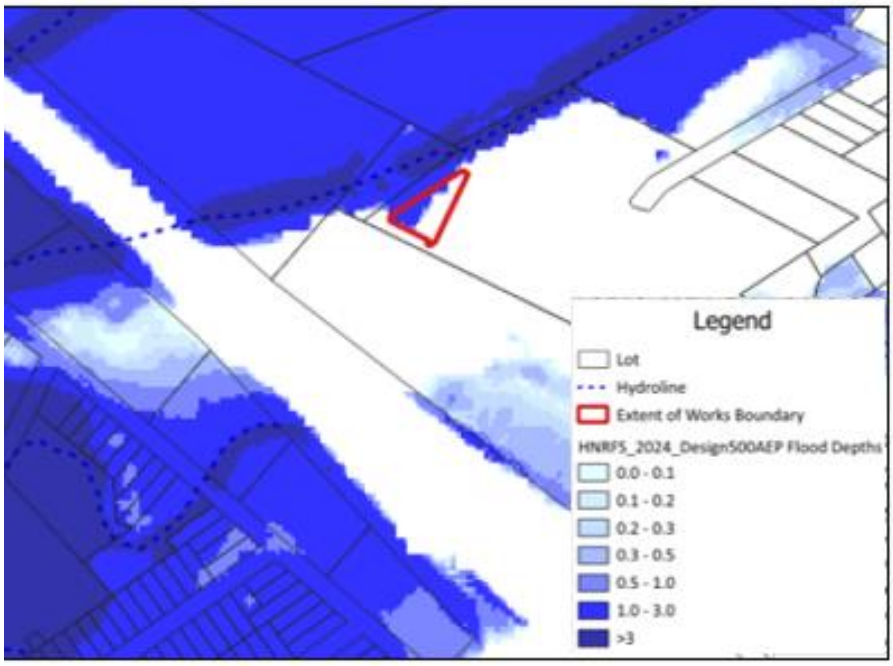


Figure 30. 0.2% AEP (500 Year ARI) (HNRFS 2024)

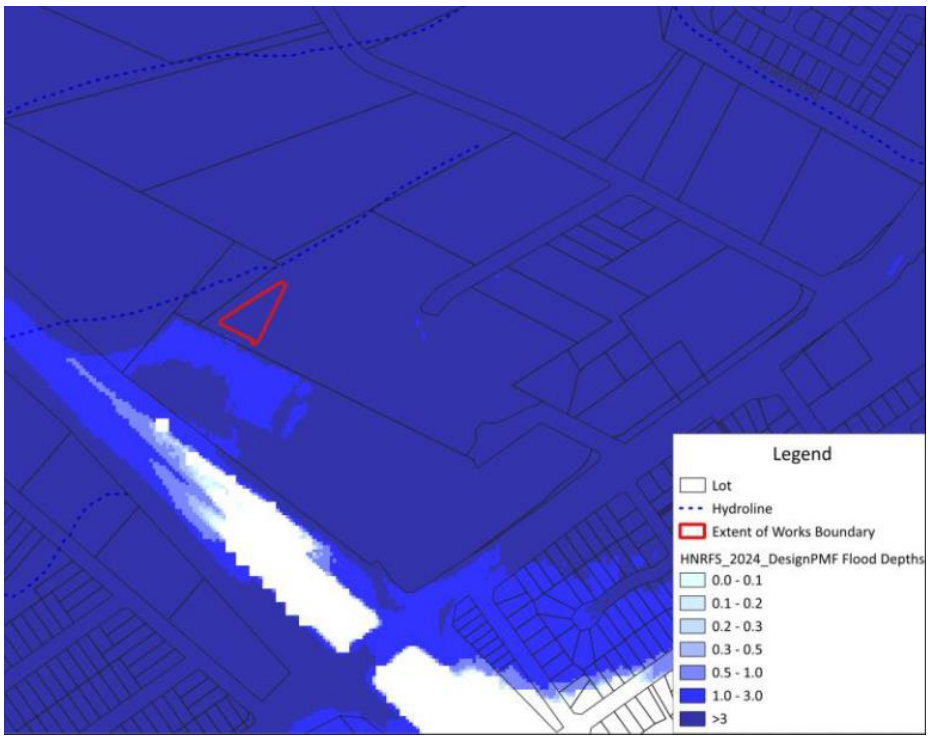


Figure 31. PMF (HNRFS 2024)

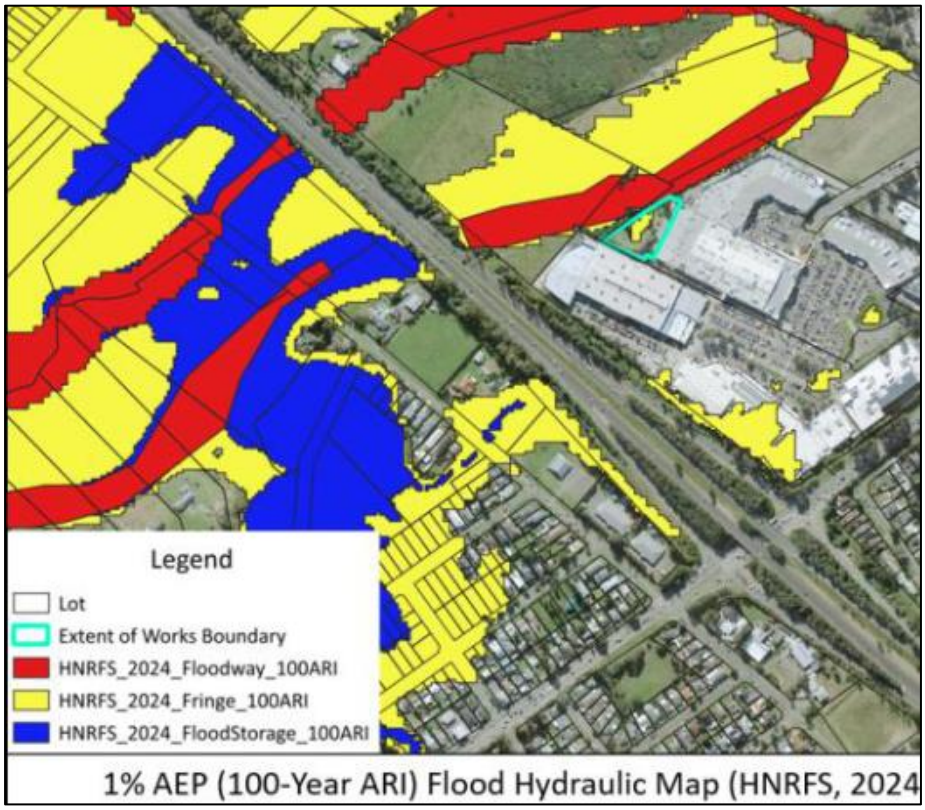


Figure 32. Flood fringe (HNRFS 2024)

The potential flood impacts for the Penrith Homemaker site were assessed for the 1% AEP (1 in 100 yr.), 0.2% AEP (1 in 500 yr.) and PMF flood events. A summary of the applicable flood levels affecting the site and relating these to existing site levels and Hazards are summarised in the table below extracted from the JWP report:

Table 11. Flood Levels Impacting the Site

Flood Event	Flood Levels (m)	Minimum Site Levels within Development Extents (m)	Depth of Max. Inundation (m)	Existing Flood Hazard
1% AEP	27.00	26.21	0.84	H3 - Unsafe for vehicles, children and the elderly
0.2% AEP	28.88	26.21	2.67	H5 - Unsafe for vehicles and people. All buildings are vulnerable to structural damage. Some less robust building types vulnerable to failure
PMF	32.81	26.21	6.60	H5 - Unsafe for vehicles and people. All buildings are vulnerable to structural damage. Some less robust building types vulnerable to failure

In summary JWP's Flood Risk and Impact Assessment, concluded as follows:

The assessment confirms that while a portion of Lot 10 is located within the relevant Flood Planning Area at this location, the proposed finished floor level of the Homemaker Centre extension is located well above the 1% AEP flood level with a freeboard of more than 2.7 m. It is noted that the portion of the development within the footprint of the Flood Planning Area is predominately a suspended slab supported on piers. Consideration of potential climate-related increases by adopting the current 0.2% AEP flood level as a proxy for a post-climate 1% AEP level, demonstrates that the facility will maintain its intended function in these changed circumstances. The stormwater management system currently in place for the Homemaker site can be expanded to remain compliant with Penrith City Council's requirements. This will be advanced at the next design stages of the project.

A flood impact assessment is outlined in this letter and demonstrates that the development would result in an incremental increase of 0.112 m and 0.035 m within the site in the 0.2% AEP and PMF flood events respectively. These are marginal increases in the overall significant depth of inundation in this part of the floodplain for these two events. Consequently, the risk to life and associated building and other property damages would not be measurably increased by the increased flood levels in these circumstances.

The stormwater management system currently in place for the Homemaker site can be expanded to remain compliant with Penrith City Council's requirements. This will be advanced at the next design stages of the project.

In addition, the proposal was assessed against the flood and stormwater-related requirements and controls contained within the NSW Ministerial Local Planning Directions and LEP Clause 5.21: Flood Planning and is fully compliant.

The HNRFS is further addressed in the accompanying flood report.

Penrith LEP - Flood Planning

Penrith LEP 2010 Clause 5.21 (Flood planning) sets out matters that the consent authority (Council) must be satisfied in relation to development within a flood planning area. Whilst the proposed extension would be subject to development consent and this clause, it is nevertheless considered appropriate to also be addressed at the planning proposal stage. The proposal is consistent with the objectives of the LEP clause as detailed below and in the accompanying Flood Impact Assessment:

Table 12. Penrith LEP 2010 Flood Planning Clause 5.21

LEP Flood Planning Clause	Planning Proposal Response
(1) The objectives of this clause are as follows—	
(a) to minimise the flood risk to life and property associated with the use of land,	The flood impact assessment demonstrates that the development would result in a marginal increases in the overall significant depth of inundation in this part of the floodplain for the 0.2% AEP and PMF flood events. Consequently, the risk to life and associated building and other property damages would not be measurably increased by the increased flood levels in these circumstances. (JWP)

LEP Flood Planning Clause	Planning Proposal Response
(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,	As concluded by JWP: • *The flood function and the behaviour of the land will remain relatively unchanged.* • *The flood impact assessment demonstrates that there are only incremental increases in extreme flood events.* • *It is concluded that the facility will maintain its intended function should the currently predicted degree of climate change-related impacts on flood events occur.*
(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,	As concluded by JWP, the development will maintain the flood function of the existing land.
(d) to enable the safe occupation and efficient evacuation of people in the event of a flood.	The extension will contain a perimeter servicing road on all three sides of the new building. Flood evacuation from the future extension will be readily available to Mulgoa Road and Pattys Place/Blaikie Road, as with the rest of the site.
(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—	
(a) is compatible with the flood function and behaviour on the land, and	*The proposed development does not propose any works on the existing watercourse on the site's western boundary. The development is to be supported by column structures elevated above the existing OSD basin and the surrounding floodplain. With the existing floodplain to be retained, the flood function and the behaviour of the land will remain relatively unchanged. (JWP)*
(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and	*The flood impact assessment demonstrates that there are only incremental increases in extreme flood events. These will have no material impact on flood risks affecting people or property. (JWP)*
(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and	*The assessment demonstrates compliance with this requirement. (JWP)*
(d) incorporates appropriate measures to manage risk to life in the event of a flood, and	*The proposed works are generally outside of the mapped 1 in 100-year flood extents. As the site is substantially inundated in more extreme floods, the evacuation of patrons and staff of the centre is required for these circumstances. As there are no additional parking spaces necessary to service the expanded development, the development does not impact the existing evacuation operations or add to the risk. (JWP)*
(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction	*The proposed extended OSD basin will ensure no increases in stormwater discharge to the downstream water course and as such should see no impacts on erosion, siltation or stability. Suitable water quality measures will also be implemented to*

LEP Flood Planning Clause	Planning Proposal Response
in the stability of river banks or watercourses.	*meet Penrith Council's requirements for the management of waterborne pollutants. (JWP)*
3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—	
(a) the impact of the development on projected changes to flood behaviour as a result of climate change,	As above the flood impact assessment demonstrates that there are only incremental increases in extreme flood. The Flood Impact Assessment concluded that "*the facility will maintain its intended function should the currently predicted degree of climate change-related impacts on flood events occur".*
(b) the intended design and scale of buildings resulting from the development,	The planning proposal will facilitate an extension to an existing commercial building and will not introduce a new use.
(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood	*The proposed works are generally outside of the mapped 1 in 100-year flood extents. As the site is substantially inundated in more extreme floods, the evacuation of patrons and staff of the centre is required for these circumstances. As there are no additional parking spaces necessary to service the expanded development, the development does not impact the existing evacuation operations or add to the risk. (JWP)*
(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion	The surrounding area is not expected to be severely impacted by flooding or coastal erosion.

The relevant LEP clauses will be addressed in further detail in the future development application.

Penrith DCP - Flood Planning

Part C3.5 of the DCP includes flood-prone land provisions that will be assessed in detail at the Development Application stage. A brief response to some of the relevant controls is provided below:

Table 13. Penrith DCP Flood Planning

DCP Flood Planning provisions	Planning Proposal Response
Objectives: *a) To ensure floodplain risk management minimises the potential impact of development and other activity upon the aesthetic, recreational and ecological value of the waterway corridors;* *b) To maintain the existing flood regime and flow conveyance capacity and avoid significant adverse impacts on flood behaviour* *c) To avoid significant adverse effects on the floodplain environment that would cause erosion, siltation,*	The proposal is consistent with the DCP objectives, as follows: • The proposed works are generally outside of the mapped 1 in 100-year flood extents. • The development will maintain the flood function of the existing land • It will not result in a loss of flood storage, but will augment this existing detention basin

DCP Flood Planning provisions	Planning Proposal Response
destruction of riparian vegetation or a reduction in the stability of the river bank/watercourse; *d) To reduce the impact of flooding and flood liability on individual owners and occupiers;* *e) To limit the potential risk to life and property resulting from flood events;* *f) To contain the potential for flood losses in all new developed areas by the application of effective planning and development controls;* *g) To apply a "merit approach" to all development and building decisions, which takes account of social, economic and ecological factors as well as flooding considerations;* *h) To prevent the introduction of unsuitable land uses on land subject to the flood planning provisions of the LEP; and* *i) To deal equitably and consistently (where possible) with applications for development on land affected by potential floods, in accordance with the principles contained in the Floodplain Development Manual, issued by the NSW Government*	• Increases to flood levels are not measure able • Flood evacuation is readily available to Mulgoa Road as with the rest of the site. • As there are no additional parking spaces necessary to service the expanded development, the development does not impact the existing evacuation operations or add to the risk • The proposed use is for an extension of an existing use and will not introduce any new or sensitive uses.
2) Flood Hazard Classifications *a) Council will consider development on land subject to the flood planning provisions of the LEP but will not grant consent to new development in floodways or in high hazard areas. Flood hazard (high) or high flood hazard occurs when there is possible danger to life and limb; evacuation by trucks is difficult; there is potential for structural damage; and social disruption and financial losses could be high.* *b) Consideration will be given to such matters as depth and nature of flood waters, whether the area forms flood storage, the nature and risk posed to the development by flood waters, the velocity of floodwaters and the speed of inundation, and whether the development lies in an area classed as a 'floodway', 'flood fringe area' or 'flood storage area'.*	The land to be developed is not located in a floodway or a high-hazard area during the 100-year ARI flood event.
7) Industrial/Commercial - Extensions and Infill Development *a) Where the application is for an extension to an existing building on land at or below the flood planning level or for new development that can be classed as infill development, Council may approve of the development with floor levels below the 1% AEP (100 year ARI) flood if it can be demonstrated by the*	The proposal will facilitate the extension of an existing building in a commercial zone. The proposal will not include development that extend beyond the mapped 100-year ARI flood extents.

DCP Flood Planning provisions	Planning Proposal Response
applicant that all practical measures will be taken to prevent or minimise the impact of flooding. *b) Any portion of the proposed building extension subject to inundation shall be built from flood compatible materials.*	
15) Rezoning of Land *a) Council will not support the rezoning of any land located in a floodway or high hazard area.* *b) Council will generally not support the rezoning of rural land situated below the 1% AEP (100 year ARI) flood where the development of that land may require or permit the erection of buildings or works even if the surface of the land can be raised to a level above the 1% AEP (100 year ARI) flood by means of filling.*	The proposal will not alter the current zoning of the land. The site is not located in a floodway or a high-hazard area during the 100-year ARI flood event.

Planning Circular PS 24-001, Update on addressing flood risk in planning decisions (1 March 2024)

This circular supplements *PS 21-006 Considering flooding in land use planning: guidance and statutory requirements* and provides additional information to planning authorities in relation to addressing flood risk in land use planning and development assessment. It recommends applying a risk based approach when addressing flooding in planning decisions. This includes ensuring that:

- *the level of assessment undertaken for a planning proposal or development proposal is proportionate to the likely impacts of the proposal, including taking into account the relative flood risk of the proposal*
- *planning decisions are based on balanced consideration of the merits, risks and impacts of a given proposal, and that appropriate measures are in place to limit impacts to an acceptable level and achieve a tolerable flood risk level for flood-affected proposals.*

It provides advice on matters to consider when assessing flood-affected planning proposals, as provided below:

Table 14. Addressing flood risk in planning decisions

Planning Decisions - Matters to Address	Planning Proposal Response
Planning authorities assess planning proposals in line with existing flood related land use planning provisions:	
• *s 9.1 Ministerial Direction - 4.1 Flooding – for planning proposals affecting flood prone land*	Addressed in **Table 9.**
• *Planning Circular PS21-006 – Considering flooding in land use planning*	In accordance with this Circular, the planning proposal considers the flood risks of the land.
• *Considering flooding in land use planning guideline (2021)*	In accordance with this Guideline, flooding up to and including the PMF has been considered when undertaking this planning proposal. Risks associated with the development and its users and any offsite

Planning Decisions - Matters to Address	Planning Proposal Response
	impacts on the existing community have been considered and can be appropriately managed through appropriate design solutions. The design will not alter the flood behaviour of the land.
Risk based approach to include:	
whether the proposal is in a high-risk catchment	The flood impact assessment demonstrates that there are only incremental increases in extreme flood events. These will have no material impact on flood risks affecting people or property.
the location of the proposal in relation to flood behaviour and constraints including: • *floodway, flood storage area or flood fringe area* • *the hazard vulnerability classification of the land* • *o frequency of inundation*	The Hawkesbury Nepean Flood Study shows part of the site as flood fringe during a 100-year flood. This relates to the existing stormwater detention basin on site. It is proposed to augment the capacity of this to increase flood storage capacity.
whether the proposal provides for safe occupation and efficient and effective evacuation in flood events and how it is to be achieved	Flood evacuation for the future extension is readily available, as with the rest of the site. As there is no need to create any additional car spaces to support the proposed building extension there can be no increase in the potential traffic needing to evacuate the site during a flood emergency. Consequently, there is no impact on the Penrith regional flood evacuation capacity. The Hawkesbury Nepean Valley Flood Emergency Plan (SES, 2020) identifies flood evacuation routes for Penrith see **Figure 33** below. Flood Evacuation routes of relevance to the site include: • Eastbound on the M4 Motorway • East on The Great Western Highway Flood evacuation for the site is readily available by the following routes as shown on the map below. • Pattys Place/Blaikie Road access to Mulgoa Road, and south to the M4 motorway. • Direct access to Mulgoa Road, and south to the M4 motorway. In addition, there is also the potential for vehicles to travel north on Mulgoa Road to the Great Western Highway.
any known evacuation constraints such as the flood emergency response classification for the area and available warning times (including rate of rise and when the evacuation route is cut by floodwater)	As above, evacuation is readily available.

Planning Decisions - Matters to Address	Planning Proposal Response
whether the proposal is for a sensitive or hazardous land use, or other higher risk uses and what controls (if any) are proposed to reduce any identified risks	The proposed extension of a specialised retail premises is not a sensitive, hazardous or high risk use.
whether there may be adverse flooding impacts on surrounding properties	The proposed development is not expected to result in any impacts on the surrounding land uses or properties.
potential impacts of cut and fill and other building works on flood behaviour	There will be no filling within the floodplain. The existing detention basin on site will be augmented to increase flood storage capacity. As a result, the proposed development will not impact on the flood behaviour of the land.
ability of proposed development to withstand flood impacts.	The Flood Risk and Impact Assessment confirms that the development is well above the 1% AEP flood planning level with a freeboard of more than 2.5m to the proposed Finished Floor level. According to JWP, the development will result in marginal increases in the overall significant depth of inundation in this part of the floodplain for the 0.2% AEP and PMF flood events two events. Consequently, the risk to life and associated building and other property damages would not be measurably increased by the increased flood levels in these circumstances.

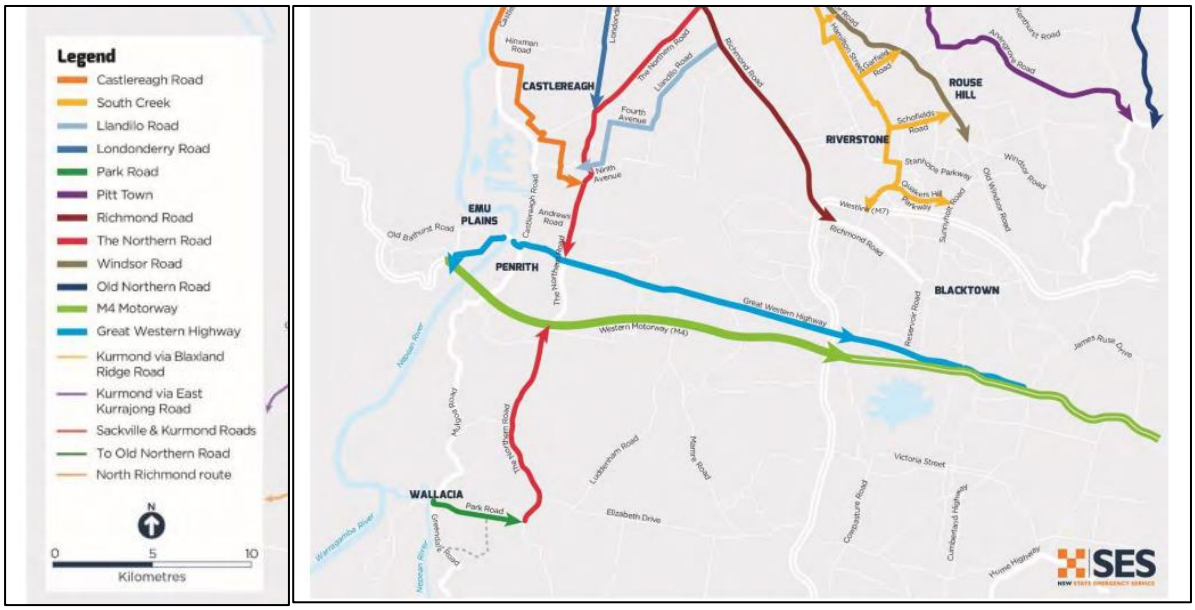


Figure 33. Hawkesbury Nepean Flood evacuation routes (SES 2000)

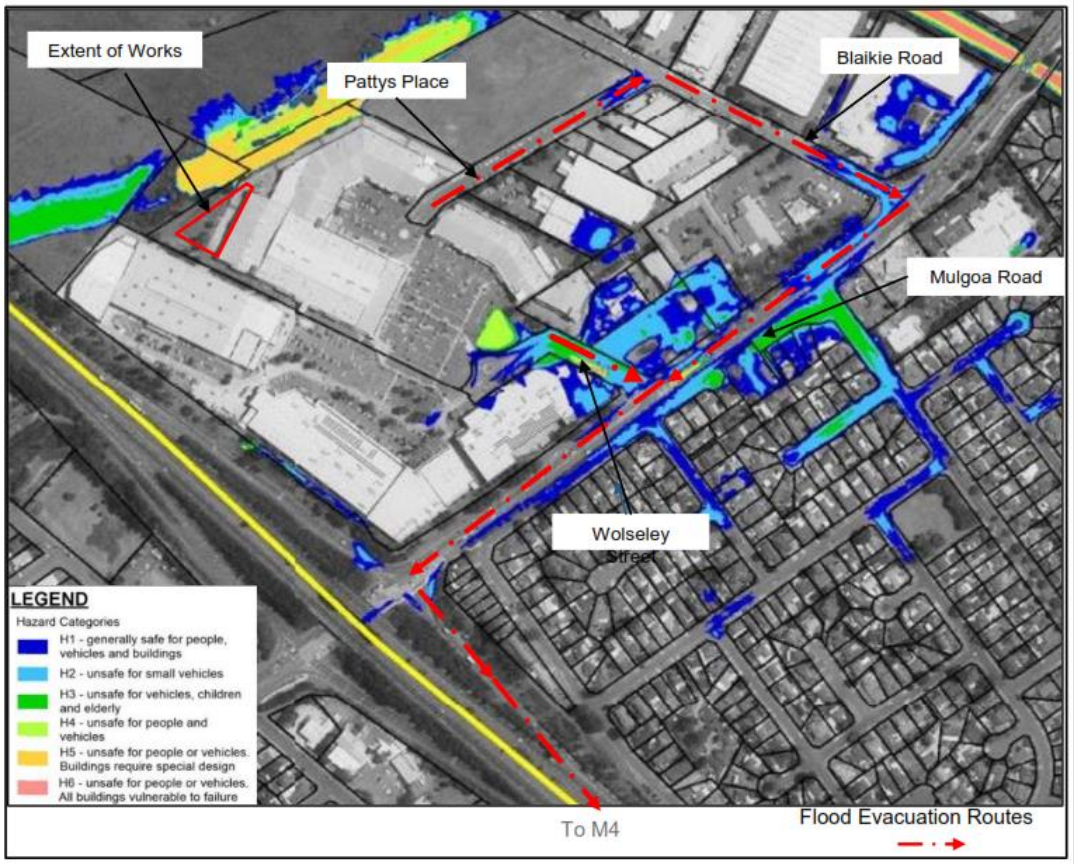


Plate 14 – Flood Evacuation Routes During 0.5% AEP Local Flooding (PTLSCS, 2019)

Figure 34. Site Flood evacuation routes (JWP 2024)

Traffic, Access and Transport

A Transport Assessment was prepared by Arc Traffic + Transport to accompany this planning proposal – See **Appendix 3.** The Arc Traffic + Transport Assessment concludes that:

- *The Site is provided with immediate and excellent access to the local and sub-regional road network.*
- *The Mulgoa Road Upgrade has specifically considered the access requirements of the Site, and will provide new lane and intersection infrastructure that appropriately accommodates Site traffic – including the additional traffic generated by the DA18/0339 approval – through 2036.*
- *The internal road infrastructure, including Wolseley Roundabout, Pattys Roundabout and key internal access aisles, have been designed to appropriately accommodate Site traffic – including the additional traffic generated by the DA18/0339 approval – through 2036.*
- *The Planning Proposal does not provide for any changes to the existing, approved, service vehicle routes across the Site, nor the relocation of any existing service areas. The only change will be the extension of the southern portion of Homemaker Service Lane to provide a new loading dock; service vehicle routes to the new loading dock will be identical to the service vehicle routes to other Homemaker loading docks, and preliminary swept paths indicate that*

20m articulated vehicles can be accommodated by the new loading dock without impact existing service vehicle movements.

- *The additional GLFA provided under the Planning Proposal would generate only a moderate amount of additional traffic in the Thursday PM and Saturday PM peak hours. Importantly though, new TfNSW guidance in the TfNSW Guide supports a contention that the trip generation of the Site will be much lower than previously assessed reference RMS trip rates, such that the total future trip generation of the Site further to the Planning Proposal will be much less than assessed in the Arcadis Report, which was instrumental to the approval of DA18/0339.*
- *Given that the Arcadis Report concludes that the road network would operate well through 2036 based on these much higher volumes, it can only be concluded that the Planning Proposal would have no impact on the operation of the road network.*
- *While a small number of parking spaces will be removed to provide additional service vehicle infrastructure to support PP 2024, the Site will retain well in excess of the total parking required with reference to DCP 2014, being approximately 1 space per 42m2 GFA compared to the DCP 2014 requirement for 1 space per 50m2.*
- *The Site is provided with excellent access to public transport services in Mulgoa Road, and internal pedestrian paths provide safe and direct access between Mulgoa Road and all sub-precincts.*
- *New bicycle parking areas for both staff and visitors will be provided, and end of journey facilities for staff will be investigated as part of the future Development Application.*
- *In summary, arc traffic + transport has determined that the Planning Proposal is entirely supportable further to access, traffic and parking considerations.*

A further detailed assessment of access, parking and service areas will be undertaken at the Development Application stage.

Bushfire

Part of the lot subject to this planning proposal is mapped bush fire prone land (BFPL) as shown on **Figure 35**. The proposed development area or part of the lot subject to the proposed change to height of building planning control is not mapped as bushfire prone land.

Eco Logical Australia Pty Ltd were engaged to prepare a Bushfire Protection Assessment to accompany this planning proposal – see **Appendix 5**. This report assesses the proposal having regard to the requirements of:

- Ministerial Direction 4.3 - Planning for Bushfire Protection
- Planning for bushfire protection (PBP)

The Assessment recommended that the proposed development is to incorporate a 10m APZ, to be provided by the new truck access and managed land located wholly within subject land boundary, as shown on **Figure 36.**

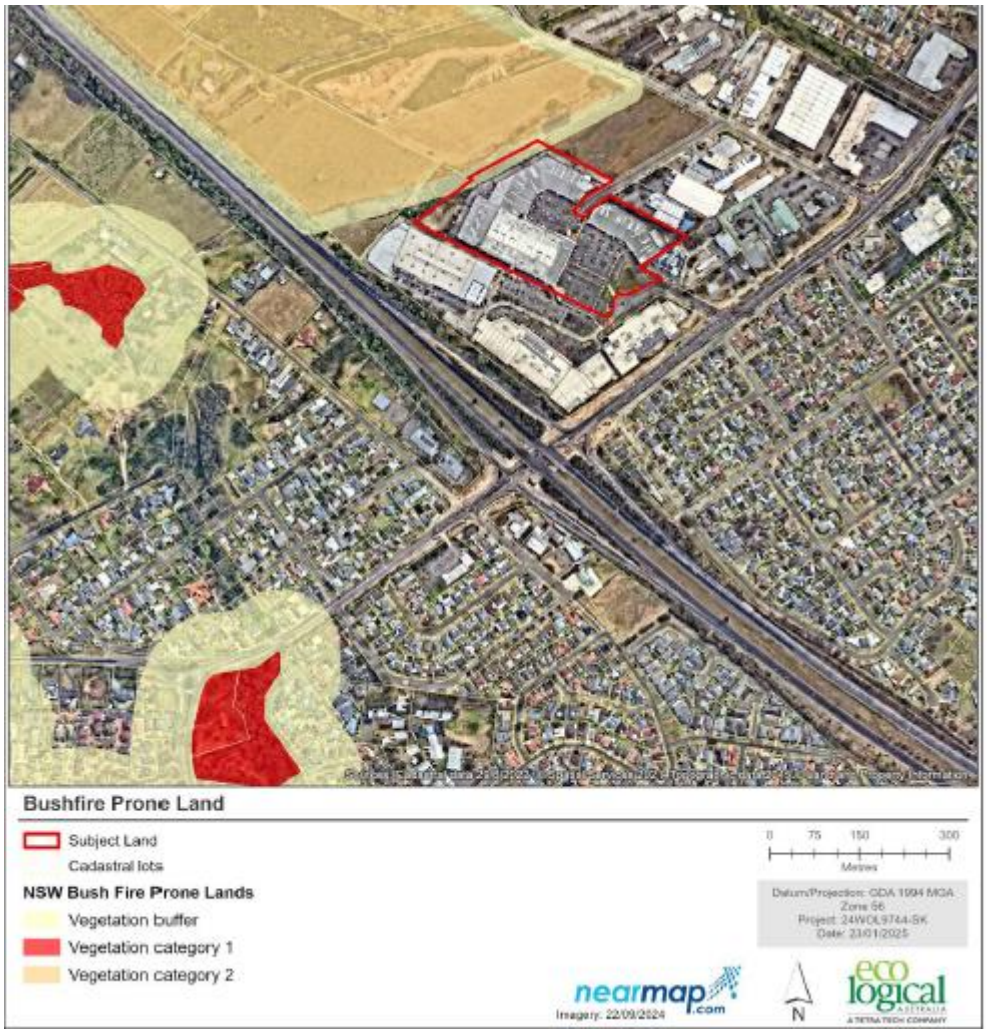


Figure 35. Bushfire Hazard Assessment – Vegetation Category (Eco Logical)

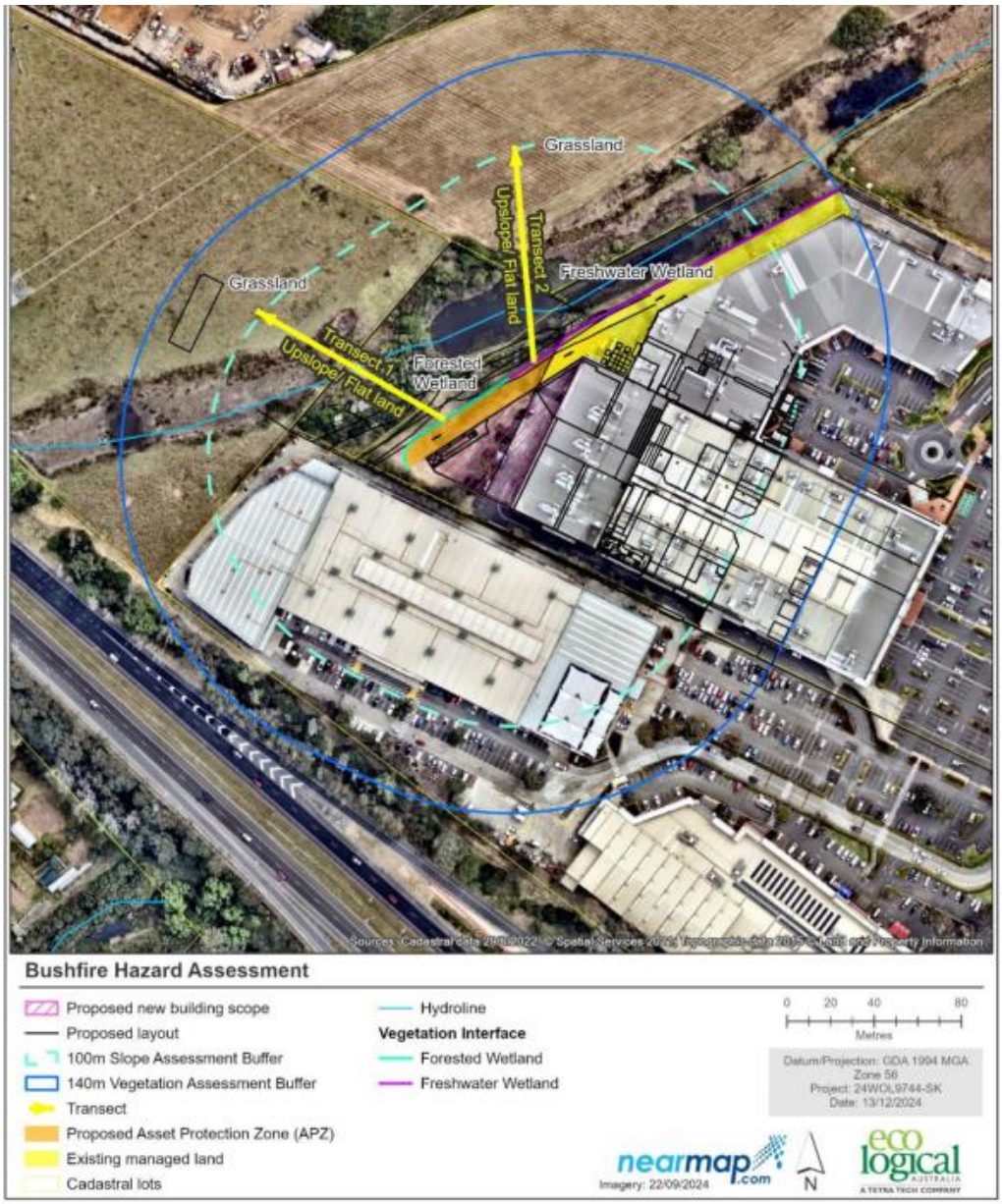


Figure 36. Bushfire Hazard Assessment – APZ (Eco Logical)

The Bushfire Assessment concludes that:

- *The proposed development (including the planning proposal to amend the height of the centre and DA) is consistent with the strategic planning principles outlined in chapter 4 of PBP, the specific objectives of PBP, and Ministerial Direction 4.3.*
- *Given the location of the site and moderated risk profile, the planning proposal is considered to be consistent with the strategic principles outlined in PBP, and future development is not inappropriate given the capacity for bushfire protection measures.*
- *It is recommended that the planning proposal to amend the height controls under the Penrith LEP (2010) be supported based following evaluation of the proposal in relation to the strategic planning requirements set out in Chapter 4 of PBP.*

- *It is also recommended that the proposed development be approved with consent conditions based on the findings in Table 14.* These are as follows:
    - *This assessment indicates the proposed development will comply with the PBP APZ performance criteria (Figure 3), 10m APZ.*
    - *Access to meet specific objectives as per Section 4.4 of this report.*
    - *Reticulated water supply to meet PBP acceptable solution specifications.*
    - *Electricity supply located underground.*
    - *Gas services are to be installed and maintained in accordance with AS/NZS 1596:2014.*
    - *The development is to be constructed in accordance with the general fire safety provisions of the NCC and incorporate the additional ember protection measures listed in Section 4.8.3.*
    - *Any future landscaping meets the requirements of PBP listed in Section 4.9.*

Built Form and Visual Impacts

It is proposed to increase the height of building controls from 12m (currently permissible) to 15m and 19m on part of the site. The proposed development is illustrated on the preliminary plans provided by Architectus – See **Appendix 1**. This includes the following image of the existing building and proposed extension, and image showing the proposed area above 12 metres – See **Figures 37-38**.

Figure 39 also details the extent of building form above the proposed 15m height and for which the proposed height of building at 19m will capture.

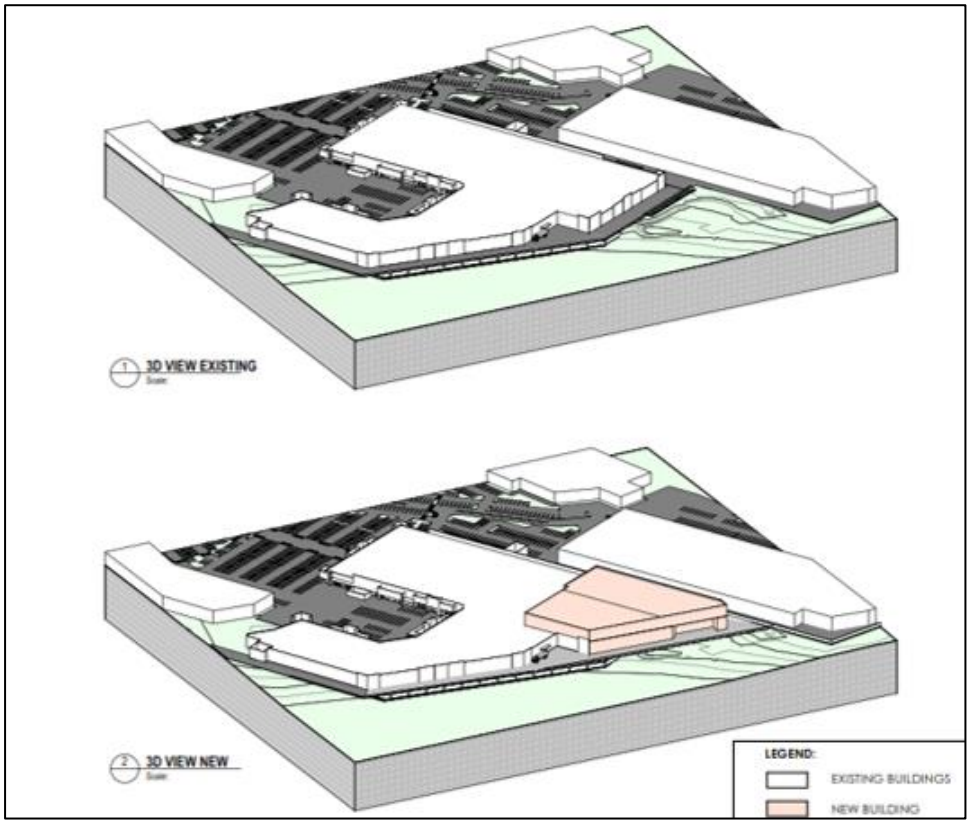


Figure 37. Existing Building and Proposed Extension (Architectus)

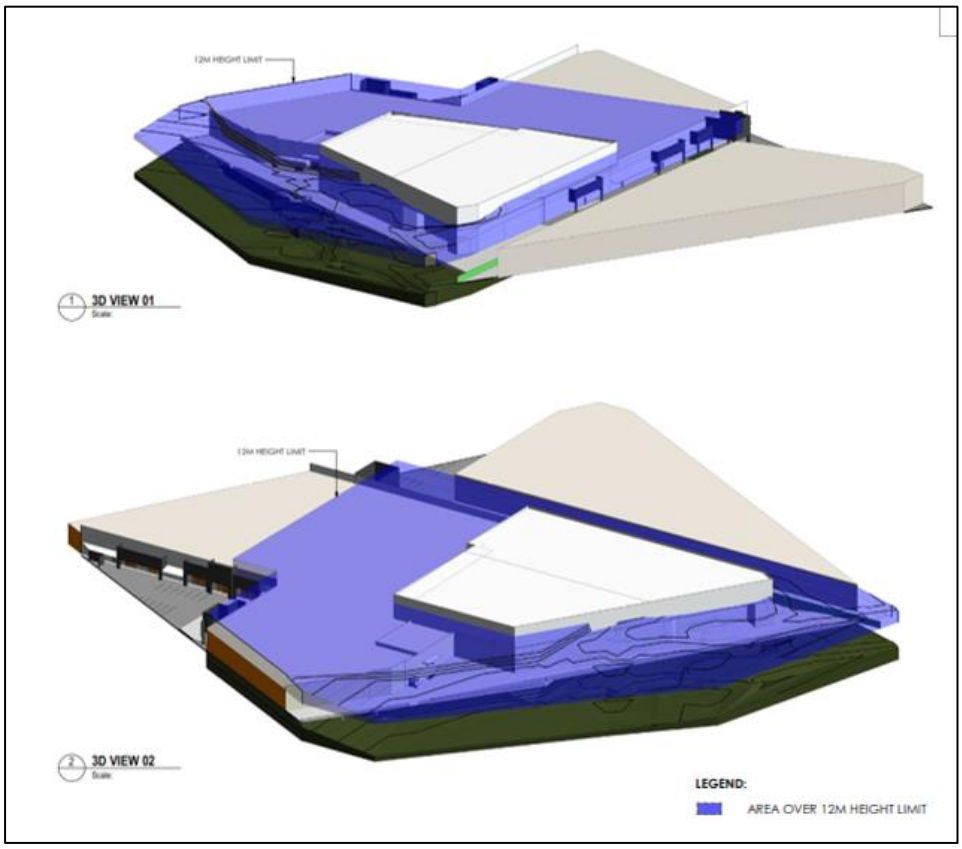


Figure 38. Proposed Building above 12m (Architectus)

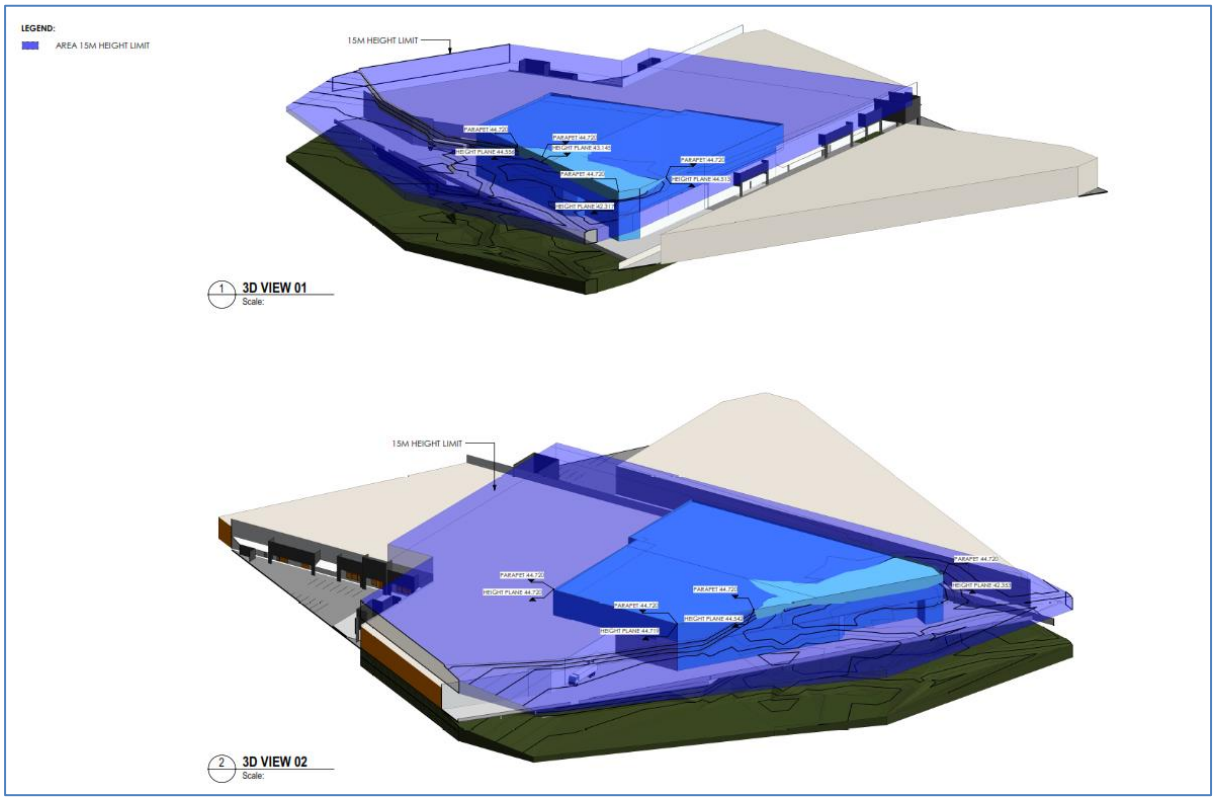


Figure 39. Proposed Building above 15m (Architectus)



As noted in Section 3.1 above, and



Figure 9, the site is mapped as having Scenic Landscape Values in the PLEP 2010. The development will therefore be subject to Clause 7.5 (Protection of scenic character and landscape values). The objective of this clause are as follows—

(a) to identify and protect areas that have particular scenic value either from major roads, identified heritage items or other public places

(b) to ensure development in these areas is located and designed to minimise its visual impact.

Clause 7.5 further states that: *Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.*

The DCP requires developments within areas of Scenic Landscape Values are required to submit a Visual impact Assessment. Accordingly, this planning proposal is supported by a Visual Impact Assessment (VIA) prepared by Tract Consultants Pty Ltd, to provide a technical evaluation of the potential visual impacts of the proposal – See **Appendix 6.**

The DCP (Section 1.1.2. Key Areas with Scenic and Landscape Values) includes the following map that shows the site as having scenic and landscape values. It is noted that the site is approx. 1km from the Gateway site crossing of the M4 entry over the Nepean River (Refer to area 22, and DCP Table C1.1: Gateways and Areas of Visual Sensitivity) – See **Figure 40.**

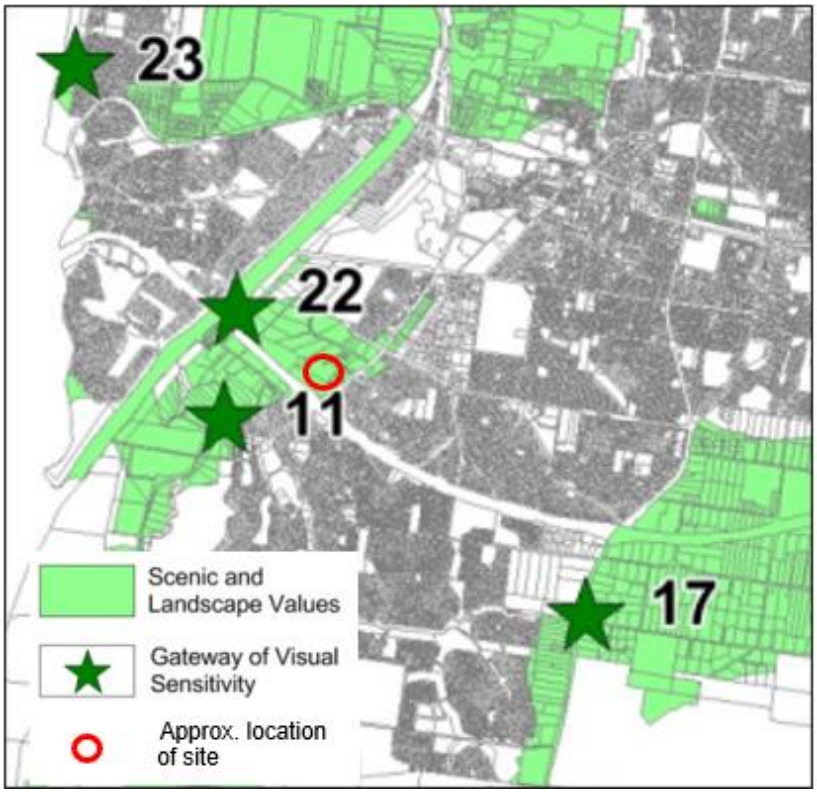


Figure 40. Gateways and Areas of Visual Sensitivity (Penrith DCP 2014)

Several viewpoints were identified in the VIA that capture the areas of the potential visual impact associated with the proposal. The VIA includes the following key conclusions:

> *As part of the Project's assessment, impacts on specific areas with scenic and landscape values, as identified in Penrith City Council—Development Control Plan 2014, have been assessed. This includes areas such as the M4 Gateway over the Nepean River (viewpoint location VP05), which was assessed as having negligible impact. In addition, a rural outlook southward and vistas of the Blue Mountains from the M4 Gateway of Visual Sensitivity are preserved. Other viewpoint locations, including VP01, VP02, and VP03, are noted as maintaining background views of the Blue Mountains, which are unimpacted by the proposed works. Opportunities to further, reduce the visual impacts from viewpoint locations where a moderate to low impact has been assessed and is readily achievable through simple and effective treatments, including:*
>
> - *The proposed external building facades and surfaces should be selected in visually recessive colours, avoiding contrasting colours, to assist with blending in with the surrounding landscape.*
> - *The early establishment of landscape planting within the site boundary and the use of species that reflect the existing landscape context and character. will assist in screening views from the source of viewing.*
>
> *The assessment found that the Project would generally have a moderate-low to negligible visual impact rating associated with the change in views and the associated viewpoints' visual amenity.*

It is considered that these ratings can be easily moderated and reduced by applying appropriate mitigation measures as identified.

The project is therefore considered responsive to the landscape in which it is found, protecting the scenic qualities of the landscape beyond and consequently consistent with the site's planning requirements.

In conclusion, the planning proposal is consistent with PLEP 2010 Clause 7.5 as follows:

- Land with scenic and landscape values will be protected and impacts on these areas will be negligible
- Mitigation measures will be implemented through design such as vegetation to screen the development and architectural finishing to further reduce visual impacts from surrounding areas
- The development will integrate with the existing Homemaker Centre
- It is not proposed to introduce a new use or type of built form
- The design will be consistent with the existing building in terms of colour and form
- The height will be 3m above the currently permissible height on part of the site for the majority of the future building form, increasing to approximately 6.4m as a result of the sites topography
- Views from the Gateway will be maintained and the building will have a negligible impact from the M4 crossing with the Nepean River (Gateway of visual sensitivity)
- There will be no impact on historic landscapes, properties and their curtilages
- The height increase will relate to part of the site only, located to the rear of the centre and will not be located in a visually prominent location.
- The landholding is zoned E3 Productivity Support, and the proposed extension will adjoin an existing specialised retail premises building.
- It will not impact on views of any natural feature.

The Visual Impact Assessment will be updated to address the DA specific requirements at DA stage.

LEP - Height of Buildings Objectives

It is proposed to increase the maximum permissible height of building from 12m to 15m and 19m on part of the lot only. The consistency of the proposal will the objectives of clause 4.3 (Height of buildings) of the PLEP 2010 are as follows:

Table 15. LEP Height of buildings Objectives

LEP Height of buildings Clause Objectives	Planning proposal response
(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,	It is proposed to increase the height of building by 3m greater than the current maximum permissible height of building for the majority of the future building form. However, the maximum increase in height would be circa 6.4m above the current permitted height at the rear of the site when the building height is measured from the nadir of the man-made detention basin, exacerbating the numerical building height (see Figures 5 and 39). This height increase will relate to part of the site only,

	located to the rear of the centre and will not be located in a visually prominent location.
(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas, including parks, streets and lanes,	There will be no impact on significant views, privacy, or solar resulting from the development.
(c) to minimise the adverse impact of development on heritage items, heritage conservation areas and areas of scenic or visual importance,	There are no heritage items or conservation areas in the vicinity of the site. Views of landscape and scenic values will not be impacted by the proposal as confirmed by the accompanying VIA.
(d) to nominate heights that will provide a high quality urban form for all buildings and a transition in built form and land use intensity.	The proposed development will incorporate high quality design to be detailed at the DA stage. The design will be sympathetic to the surrounding context.

Accordingly, the built form and visual impacts of the proposal are considered acceptable.

Q10 - Has the planning proposal adequately addressed any social and economic effects?

An Economic Review was prepared by Deep End Services to assess the proposed Penrith Homemaker Centre expansion – See **Appendix 7.** The Review includes the following key findings that confirm the importance of supporting the planning proposal to enable the expansion of the centre:

- *Once complete, the 71,472 sqm centre would be the largest homemaker centre in Australia.*
- *There is currently only one vacant tenancy of 104 sqm representing a vacancy rate of 0.2%. This is significantly lower than the average NSW homemaker centre vacancy rate of 2.1%, an indicator of demand for further floorspace.*
- *The expansion of Penrith Homemaker Centre also has the potential to reduce escape spending to other locations outside the catchment by approximately $10.1 million.*
- *The total cost of construction for the proposed centre expansion is estimated at $31.4 million, with construction work conducted over an approximately 18-month period.*
- *Applying typical labour cost ratios, this would generate a total of 165 direct full-time equivalent ("FTE") jobs during the construction phase (equivalent to 110 FTE job years). Using standard ABS multipliers, this would support an additional 95 FTE job year positions indirectly through inputs to construction and expenditure of wages.*

As detailed in the Economic Review, the planning proposal will provide the following positive net community benefits:

- *The site is well suited for the proposed expansion due to the existing scale of the centre and retail mix of large format retail tenants*
- *The centre expansion will not result in significant trading impacts on activity centres within the catchment. There will be a small redirection of spending away from existing centres, almost entirely confined to LFR tenants. However, the one-off impacts are assessed as being modest and equivalent to only one-third of one year of local LFR spending growth*

• Impacts on centres as a whole will generally be considerably smaller than those assessed for their LFR components, with the impact on the Penrith CBD less than -1.0%

• The additional floorspace would provide an opportunity for retailers not currently represented in the catchment to be introduced into the area, thus strengthening the appeal of Penrith Homemaker Centre

• A reduction in LFR escape spending is anticipated

• The proposed expansion will provide an estimated 110 direct FTE jobs and 95 indirect FTE local jobs during the construction phase as well as 94 ongoing direct and indirect FTE jobs in the local economy once operational.

In summary, the site is well suited for the proposed expansion and the planning proposal will not result in significant trading impacts on other centres within the catchment area. There are many social and economic benefits associated with the proposed rezoning and expansion of the centre, including:

- Supporting the expansion of the Penrith Homemaker Centre to provide additional floorspace to meet demand
- Providing jobs
- Increased business offering /services
- Prevent escape spending to other LGA
- Economic activity and investment

D. Section D – State and Commonwealth Interests

Q11 - Is there adequate public infrastructure for the planning proposal?

The proposal will utilise existing public infrastructure.

Q12 - What are the views of State and Commonwealth public authorities consulted in order to inform the Gateway determination?

Upon lodgement, no formal consultation has been undertaken with other State or Commonwealth authorities. Where necessary, consultation with relevant authorities will be undertaken as required in accordance with the Gateway determination.

4.4 Part 4 – Mapping

The proposed amendments to the Penrith LEP 2010 maps are provided in **Figure 42**.



Figure 41. Existing Height of Buildings Map (PLEP 2010) – 12 metres

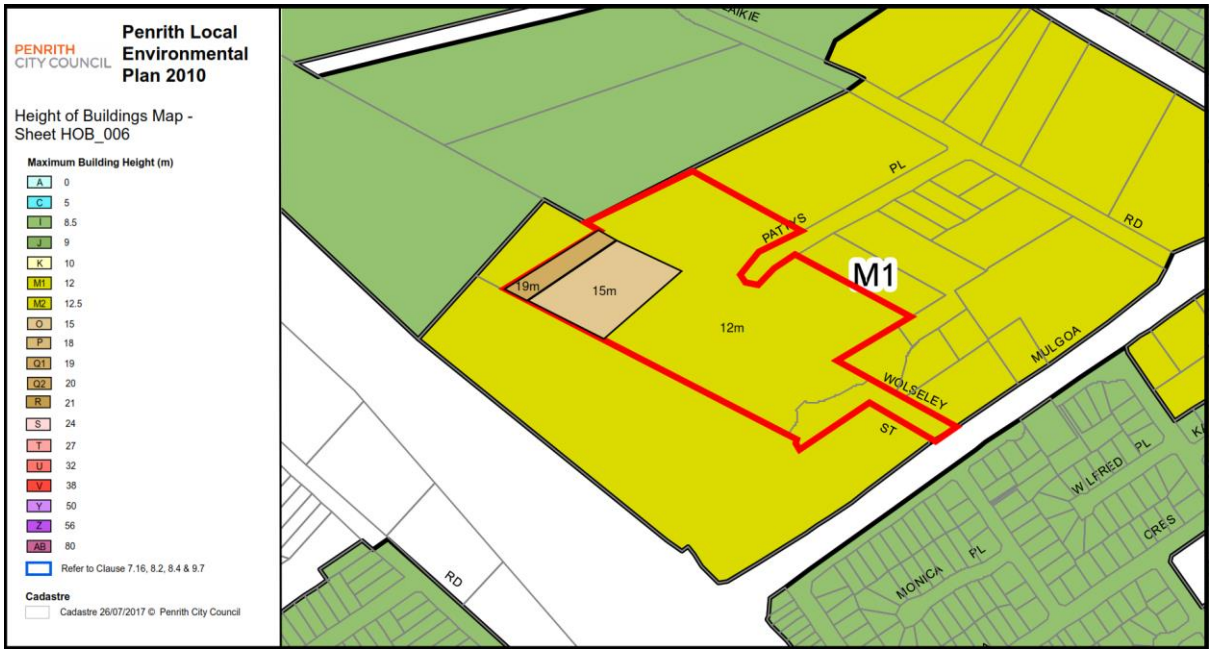


Figure 42. Proposed Height of Buildings Map (PLEP 2010) – 15 metres and 19 metres (part of site)

4.5 Part 5 – Community Consultation

Should Council resolve to endorse the proposal, and a Gateway Determination is issued by the Secretary of the Department of Planning Housing & Infrastructure then the Gateway Determination will outline the community consultation to be undertaken. Consultation with public authorities will be undertaken in accordance with the requirements of the Gateway Determination.

4.6 Part 6 – Project Timeline

The Department of Planning and Environment's Local Environmental Plan Making Guidelines 2023 includes benchmark timeframes for planning proposals based on Categories of planning proposals. The planning proposal is considered to be a Standard planning proposal. Accordingly, the indicative project timeline below has been determined using the 'Standard' category as a guide.

Stage	Maximum Benchmark Timeframes (working days)			
	Basic	Standard	Complex	Principal
Stage 1 – Pre-lodgement	30 days	50 days	60 days	20-30 days
Stage 2 – Planning Proposal	80 days	95 days	120 days	40 days
Stage 3 - Gateway determination	25 days	25 days	45 days	45 days
Stage 4 – Post-Gateway	20 days	50 days	70 days	160 days
Stage 5 – Public Exhibition & Assessment	70 days	95 days	115 days	95 days
Stage 6 - Finalisation	25 days	55 days	70 days	80 days
Sub-total (Department target)	140 working days	225 working days	300 working days	380 working days
Total (end to end)	220 days	320 days	420 days	420 days

Note: Department target of 380 working days is measured from Stage 3 – Stage 6 (inclusive).

Figure 43. DPE Planning Proposal Benchmark Timeframe

Table 16. Planning Proposal Indicative Timeframe

Planning Proposal Stage	Indicative Timeframe
Pre-lodgement (Scoping)	June 2023 - December 2024
Lodgement of (Revised) Planning Proposal with Council	February 2025
Consideration by Council	March 2025
Local Planning Panel Advice	April 2025
Council Decision	June 2025
Submission to Department of Planning, Housing and Infrastructure	July 2025
Gateway Determination	August 2025
Commencement and completion of public exhibition	August - September 2025
Consideration of submissions	September - October 2025
Post exhibition review and additional studies	October - November 2025
Submission to the Department for finalization (if applicable)	December 2025
Gazettal of LEP amendment	February 2026
Overall estimated timetable (from lodgment)	1 year

5. Conclusion

The NSW Department of Planning and Environment has established a Strategic Merit Test for determining whether a planning proposal should proceed to a Gateway Determination. The Strategic Merit test criteria and response to each is set out below.

In summary, this planning proposal has demonstrated that the proposal has strategic and site specific merit. Accordingly, it should be accepted and supported by Council to proceed to lodgement with the Department of Planning and Environment for Gateway Determination.

a) Summary - Strategic Merit

Table 17. Strategic Merit Test Criteria

Strategic Merit Test Criteria	Planning Proposal Response
Will it give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment?	The planning proposal will give effect to the relevant Policies and Directions of the Western City District Plan within the Greater Sydney Region. A review and assessment of the planning proposal against those Policies and Directions confirms that the planning proposal is consistent with the District and Region Plan – See **Table 4.**
Will it give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement?	The LSPS recognises the strategic importance of the site as being on the fringe of the 'Penrith Economic Triangle' and within the 'East West Economic Corridor'. The extension will support the role of the *specialised retail premises* centre and ensure its contribution to the economy of Penrith consistent with Planning Priorities 11, 12 and 14. The planning proposal is consistent with the Penrith Local Strategic Planning Statement (LSPS) – **See Section 4.3.1.**
Is it responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans?	The planning proposal responds to the market demand for increased specialised retail floorspace at this location.
Is the planning proposal seeking to update planning controls if they have not been amended in the last 5 years?	The planning controls for the site have not been amended in the last 5 years, with the current controls adopted under Penrith LEP 2010.

b) Summary - Site-Specific Merit

Together with the strategic merit test it is necessary for the planning proposal to satisfy the site-specific merit tests as prescribed by the Department of Planning and Environment's Guidelines. Those site-specific merit test criteria are provided below. Whilst the planning proposal does not seek to rezone the site nor seek development consent for any actual expansion of the current homemaker centre, an assessment has been undertaken to confirm the overall suitability of the site over which the proposed increase in building height is proposed. This is based on an **indicative building footprint** only.

Table 18. Site Specific Merit Test Criteria

Site-Specific Merit Criteria	Planning Proposal Response
The natural environment (including known significant environmental values, resources or hazards)	The proposal will not alter the flood risk of the land, as further addressed in Section 4.3.2, and the Flooding Impact Assessment and Stormwater Report provided in **Appendix 2.**
The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the planning proposal	The site forms part of an existing specialised retail premises. It is the intention to extend the existing specialised retail premises following finalisation of the planning proposal. This use is consistent with the surrounding context of the Jamisontown specialised retail premises precinct.
The services and infrastructure that are or will be available to meet the demands arising from the planning proposal and any proposed financial arrangements for infrastructure provision.	The site is within a highly urbanised area along the Mulgoa Road corridor. There are existing services and infrastructure available to meet the demands of this increase of employment and retail floorspace.

Appendices

Report	Prepared by	Appendix
Preliminary Architectural Plans (2024)	Architectus	1
Flood Impact and Risk Assessment (FIRA), and Stormwater Management (updated 2025)	JW Prince (JWP)	2
Transport Assessment (2025)	Arc Traffic & Transport (Arc)	3
Biodiversity Development Assessment Report (2025 – V4)	Eco Logical Australia (ELA)	4
Bushfire Protection Assessment (2025)	Eco Logical Australia (ELA)	5
Visual Impact Assessment (2025 – Issue E)	Tract Consultants (Tract)	6
Economics Review (2024)	Deep End Services	7
Riparian and Watercourse Assessment (2025)	Franklin Consulting	8
Landowner lodgement consent letter	Calardu Penrith Pty Ltd. (Harvey Norman)	9