



Penrith Local Planning Panel

Electronic Determination and Statement of Reasons

DA NO.	DA17/0336
DATE OF DETERMINATION	14/01/2019
PANEL MEMBERS	The Hon. Carl Scully (Chair) Mary- Lynne Taylor (Expert) Christopher Hallam (Expert) Cody Masterfield (Community Representative)
APOLOGY	N/A
DECLARATIONS OF INTEREST	N/A

Background

A Public Meeting was held at Penrith City Council on 10 October 2018 relating to this item.

The Panel at this meeting outlined the following comments with a resolution for deferral of the application:-

1. The proposed Residential Flat Building is consistent with the R4 High Density Residential Zone to provide housing needs of the community within a high density residential environment.
2. The proposed development is consistent with the nature of the development in the area.
3. The panel supports the proposal being deferred for Council to received amended plans (and documents if necessary) to resolve the recommended Deferred Commencement conditions ahead of determination and provide for improved compliance with the requirements of the Apartment Design Guide.
4. Following a review of this information provided to Council and if this information is satisfactory in relation to SEPP 65, the Apartment Design Guide and resolution of Deferred Commencement conditions, an addendum report is to be prepared by Council and forwarded to the Panel.

As a consequence the following was resolved:-

Pursuant to the provisions of Section 2.20(2) of the Environmental Planning and Assessment Act, 1979, Development Application DA17/0336 for Demolition of Existing Structures & Construction of Three (3) Storey Residential Flat Building containing 20

Apartments & Basement Car Parking be deferred to allow matters of detail within the recommended deferred commencement consent (as within the Council staff report to the Panel on 10 October, 2018) to be addressed by the applicant through subsequent information and detail prior to determination. Such information is to be submitted to the Council within 3 Months of the publishing of the decision. The following amendment to proposed conditions is also recommended as below;

- *Condition 51 to be amended to include 'and AS4299'.*

In response to the above resolution the additional information was received, assessed and electronically referred to the Panel on 20 December 2018 for further consideration and determination.

Further Panel Consideration/Reasons for this Decision

The amended plans and further information, coupled with Council's further addendum report has been considered and the revised development proposal is now considered to be supportable for the following reasons:-

1. The proposed Residential Flat Building is consistent with the R4 High Density Residential Zone to provide housing needs of the community within a high density residential environment.
2. The proposed development is consistent with the nature of the development in the area.
3. The amended plans and supporting information has resolved the previous recommended deferred commencement conditions and demonstrates satisfactory level of compliance with the requirements of the Apartment Design Guide and demonstration of design quality.
4. The amended plans provide an improved ground floor arrangement, improved spatial separation between private open space and communal open space areas and increased landscape planting potential fronting the public domain which resolves the issues raised within the previous deferral.

In terms of considering community views, the Panel previously noted there was one (1) submission received from the public, and the issues raised relating to parking and traffic generation, road infrastructure, noise impacts and site coverage have been adequately addressed in Council's previous Assessment Report.




Panel Decision

Pursuant to the provisions of Section 2.20(2) of the Environmental Planning and Assessment Act, 1979, Development Application DA17/0336 for Demolition of Existing Structures & Construction of a Residential Flat Building containing 20 Apartments & Basement Car Parking be approved.

Votes

The decision was unanimous.

Hon. Carl Scully – Chair Person <i>By email dated: 14/01/2019</i>	Christopher Hallam – Expert <i>By email dated: 17/12/2018</i>
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<p>Mary-Lynne Taylor - Expert</p> <p>By email dated: 18/12/2018</p> 	<p>Cody Masterfield – Community Representative</p> <p>By email dated: 19/12/1018</p> 