

MEMORANDUM

Reference: DA20/0208
 To: Penrith Local Planning Panel
 From: Wendy Connell – Senior Development Assessment Planner
 Date: 24 November 2020
 Subject: Proposed Construction of Log Cabin Development – 20 Memorial Avenue & 712 High Street, Penrith

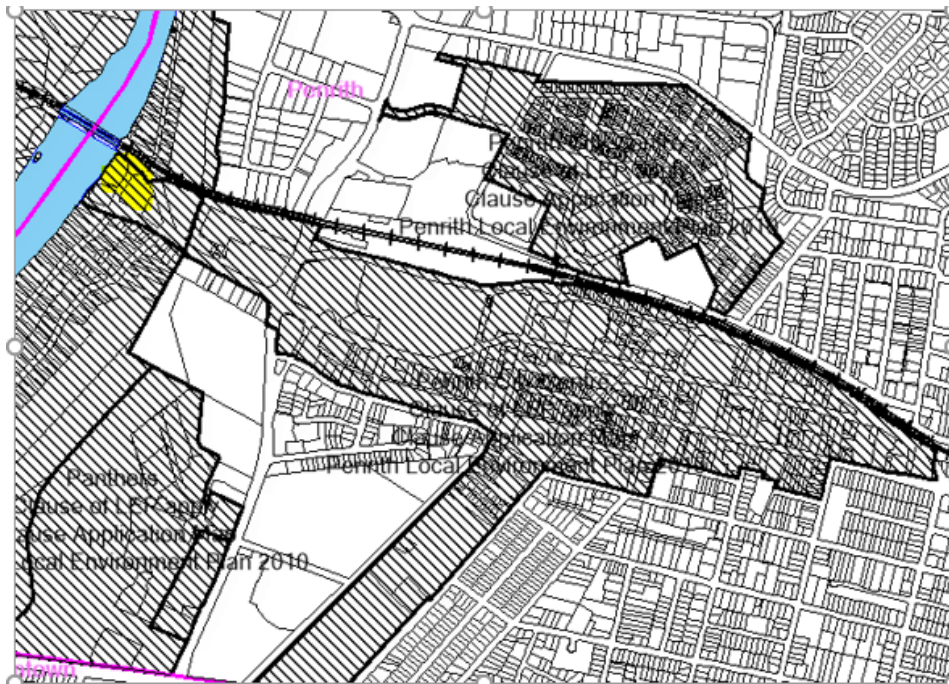
I refer to the subject development proposal and the related development assessment report that is scheduled for consideration by the Penrith Local Planning Panel on 25 November 2020.

This memorandum provides further information regarding the proposal and recommended consent conditions in response to several queries from the Panel.

LEP Design Excellence Provisions

The subject site is identified on the Clause Application Map under the Penrith LEP as being within the Penrith City Centre, and therefore the applicable provisions under Part 8 (Penrith City Centre), including Clause 8.4 relating to design excellence, apply to the development proposal.

Clause Application Map



Active Street Frontages LEP Map

Notwithstanding that the subject site is zoned SP3, the site is identified on the Active

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Street Frontages Map under the Penrith LEP, and therefore this consideration was addressed in the development assessment report.

Active Street Frontages Map



Tree Retention

On balance, the proposed tree removal within the car park area has been assessed to be acceptable. The retention of the subject trees would have significantly impacted on the spatial arrangement and functionality of the proposed car park and stormwater basin design. Compensatory tree planting has been proposed as part of the development proposal, and additional canopy tree planting within the car park has been required via a recommended condition.

Previous Site Approvals

There is no information in Council's records in relation to the authorised hours of operation for the previous hotel on the site.

Although consent was issued on 26 April 2000 (refer to Attachment No. 1) for extended hours of operation (until 2am, Thursday to Saturday) for the function rooms and restaurant of the former Log Cabin Motor Inn on the southern part of the former site, this consent did not relate to the hotel operation on the northern part of the former site.

The previous built form and car parking areas can be seen from the aerial photo over the page, dated 17 September 2011, which is prior to the fire which occurred on the site.

Car parking on the eastern side of Memorial Avenue was informal and provided in an overflow arrangement. The northern part of the site was the hotel, with the motel on the

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southern part. The abovementioned function rooms and restaurant were located in the middle of the site.



Source: Nearmap, 17 September 2011



Source: Nearmap, 1 October 2020

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Urban Design Review Panel Advice

A copy of advice dated 3 March 2020 provided by Council's Urban Design Review Panel in relation to the proposal is provided at Attachment No. 2. The advice was provided for the proposal just prior to the lodgement of the development application.

Acoustic Barrier

The recommendation in the Acoustic Report (page 21) is for a 1.5m high solid balustrade along the full length of the southern end of the external deck on level 1, as detailed below.



The condition requiring details of this acoustic treatment has been recommended as this edge has a key interface with the pedestrian bridge and no details were provided on how this will be treated.

Condition 4

Condition 4 has been recommended due to the proposed food premises requiring registration under Section 100 of the Food Act 2003.

Condition 10

The Social Impact Assessment noted that a courtesy bus will be offered by the hotel on Friday and Saturday nights which will assist patrons with a safe journey home. No hours of operation were provided in the Social Impact Assessment, and no courtesy bus was noted in the Plan of Management. The recommended condition of consent could be expanded to include the operating hours for the bus commencing from 5pm to closing time on Friday and Saturday nights.

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Conditions 17 & 19

The proposal seeks to clean, maintain and 'make safe' the pump house. There is no specific detail on what this may involve and therefore Condition 17 is recommended to ensure that any replacement of material or repair works has due consideration to heritage provisions.

The applicant has indicated that if possible, the pump house may be incorporated in the development in the future, however it is unknown at this stage what this may involve. Condition 19 has been recommended should the applicant wish to pursue a proposed use and/or undertake works on the pump house, warranting a separate development application.

Conditions 75 & 76

Condition 75 is a general condition requiring an application and rudimentary plans and details for a Section 138 Roads Act approval.

Condition 76 is a specific condition requiring an application and detailed engineering plans and details for specific works to be undertaken for the development that require a Section 138 Roads Act approval.

Condition 92

Condition 92 outlines the need for approval by the Local Traffic Committee for any regulatory or advisory line marking and signage for public roadways. "No Stopping" and "No Parking" signage will be required within the cul-de-sac on Memorial Avenue to ensure trucks have the ability to turn around.

The reference in the condition to this being a pre-requisite prior to the issue of an Occupation Certificate could be removed should it be deemed unreasonable.

Condition 99

Condition 99 has been included as the eastern end of the car park is a flood flow conveyance area and to ensure that any fill proposed is minimised so as to not impact on flood flow conveyance or flood heights.

A recommended wording change to the condition to provide clarification in this regard is outlined below.

Prior to the issue of a Construction Certificate, the Principal Certifier shall ensure that the filling and final height of the car park within the area below RL 25.8m AHD is designed to match with existing ground levels to minimise the impact on flood flow conveyance and flood heights. Full details are to be submitted with the application for a Construction Certificate.

Condition 106

Fairly lights have not been proposed as part of the lighting plan. The condition is

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recommended to protect view lines to the pedestrian bridge should fairy lights be considered in the future.

Condition 107

An amended landscape plan has been conditioned to ensure an acceptable landscape outcome is achieved in relation to the key dot points within the condition.

The civil plans reflect a reconfigured car park and cul-de-sac. The car park reconfiguration, being the re-location of two car parking spaces from the south-western corner, was the result of Council's Landscape Architect and Heritage Advisor requiring additional planting behind the Explorers Memorial. The additional planting was to ensure the Explorers Memorial has an appropriate backdrop, similar to what is currently viewed, when traveling north along Nepean Avenue. This was discussed with the applicant at a meeting and the reconfigured car park reflects this discussion, however the landscape plan was not amended to demonstrate the planting that will be provided.

No street tree planting along Memorial Avenue, between the car park and the hotel, is proposed on the landscape plan, and therefore this has been conditioned. The street trees planted should extend to the cul-de-sac, and therefore the amended landscape plan should include the cul-de-sac configuration and proposed landscaping.

No details of the perimeter screen planting to the car park have been provided on the landscape plan. The legend indicates 'Proposed Planting refer to Plant Schedule'. The Plant Schedule lists a number of species but does not specify their locations. As the car park area is expansive, and this has been an area of concern raised in public submissions, it needs to be ensured that the appropriate screening of the hardstand area is achieved.

There is more opportunity to provide canopy cover within the car park area than has been considered in the landscape plan. Cooling the expansive hardstand area and reducing the heat island effect is the desired outcome.

Finally, Council has prepared a Nepean River 'Our River' Riparian Vegetation Management Plan (VPM). The landscape plan reflects a number of species from the VMP however a detailed design layout has not been provided.

Wendy Connell
Senior Development Assessment Planner