



# Penrith Local Planning Panel

## Determination and Statement of Reasons

<b>APPLICATION NUMBER</b>	DA18/0132– 29 – 31 Castlereagh Street Penrith
<b>DATE OF DETERMINATION</b>	18 December 2019
<b>PANEL MEMBERS</b>	Jason Perica (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Stephen Welsh (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKER(S)</b>	Nasr Atie - CAD Plans Pty Ltd (Director and Applicant) Noy Santiago – Architect

Public Meeting held at Penrith City Council on Wednesday 18 December 2019, opened at 3:00pm.

### **Matter Determined pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979**

Development Application DA18/0132 at Lot 2 DP 1190616 at 29 – 31 Castlereagh Street, Penrith - Construction of a Five (5) Storey Residential Flat Building containing 17 Apartments & Two (2) Levels of Basement Car Parking.

### **Panel Consideration**

The Panel had regard to the assessment report prepared by Council Officers, submissions received, and the following plans;

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River

In terms of considering community views, the Panel noted there were three (3) submissions received from the public notification of the Development Application.

## Background

This application was previously reported to the Local Planning Panel on 11 September 2019 and 23 October 2019 with the recommendation on both occasions being that the application be deferred to allow the applicant to provide further amendments to address setbacks, landscaping, building separation and solar access.

## Reasons for the Decision

The amended application was considered to be supportable for the following reasons:-

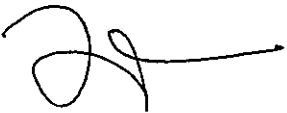


- The amendments have sufficiently addressed the reasons for deferral resolved by the Panel on 11 September 2019 and 23 October 2019
- The amendments provide greater setback and separation to the southern property boundary to provide deep soil landscaping opportunity within the side and front setback zones
- The amendments maintain a suitable streetscape presentation at ground floor
- The amended plans have demonstrated compliance with solar access and cross ventilation requirements within the Apartment Design Guide
- The use is permissible in the zone, suitable for the site and complies with key development standards
- The design and conditions of consent reasonably mitigate and manage environmental impacts

## Panel Decision

Pursuant to the provisions of Section 4.16 of the Environmental Planning and Assessment Act, 1979, Development Application DA18/0132 for Construction of a Five (5) Storey Residential Flat Building containing 17 Apartments & Two (2) Levels of Basement Car Parking at 29 – 31 Castlereagh Street Penrith be approved subject to the conditions circulated to the Local Planning Panel meeting of Wednesday 18 December 2019.

## Votes

The decision was unanimous.

Jason Perica – Chair 	John Brunton - Expert 
Mary-Lynne Taylor – Expert 	Stephen Welsh – Community Representative 