



# Penrith Local Planning Panel

## Determination and Statement of Reasons

<b>APPLICATION DETAILS</b>	DA18/0339 – 13 – 23 Pattys Place and 301 – 335 Mulgoa Road Jamisontown
<b>DATE OF DETERMINATION</b>	Wednesday 28 August 2019 (Electronic Determination)
<b>PANEL MEMBERS</b>	Jason Perica (Chair) John Brunton (Expert) Geoff Martin (Community Representative)
<b>APOLOGY</b>	Mary-Lynne Taylor (Expert)
<b>DECLARATIONS OF INTEREST</b>	N/A
<b>LISTED SPEAKER(S)</b>	Nil (Decision electronically)

Teleconference held on Wednesday 28 August 2019, opened at 2:00pm, closed at 2.50pm

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

Development Application DA18/0339 at Lot 10 DP 1046110 and SP 72448, No.13 – 23 Pattys Place and No. 301 – 335 Mulgoa Road Jamisontown – Alterations & Additions to Penrith Homemaker Centre (Domayne Building), Realignment of Wolseley Street & Roundabout & Associated Car Parking & Site Works.

### **Panel Consideration and Reasons for Decision**

The Panel had regard to the Council Assessment Report, the applicant's submitted documents and the applicable Environmental Planning Instruments and Plans.

The Panel generally agreed with the environmental assessment within the Council assessment report, and the recommendation for approval.

The Panel had regard to the applicant's Clause 4.6 contravention request regarding the maximum Building Height within Clause 4.3 of Penrith Local Environmental Plan 2010 and formed the view the applicant's written request satisfactorily addressed required matters within Clause 4.6(3) of the LEP. The Panel was satisfied the proposal was consistent with the zone objectives and the objectives of the development standard, notwithstanding the non-compliance, and granting consent would be in the public interest. In forming its view, the Panel had regard to the proposal, nature of the site, applicant's written request, nature of the non-compliance, design integration with the host building, information in the assessment report and the circumstances of the case.

In terms of other matters it was noted the proposal had been amended to retain significant street trees and new and additional trees were incorporated into the carpark, which is appropriate. The design of the extension complements the existing building, and there is appropriate wayfinding and circulation. There is additional floorspace and additional parking proposed, with the parking ratio being similar to

the existing situation, and above that required by Council, which is acceptable. The parking provision and layout is rational. Natural environmental impacts were considered acceptable and a key issue of stormwater management was mitigated and managed by the proposal and recommended conditions, acceptable to Council's engineers.

Some refinement to conditions was considered appropriate including alignment of signage for design and streetscape reasons, to ensure appropriate timing of roadworks and importation of clean fill

In terms of community views, it was noted the application was notified on 20 April – 4 May 2018 in accordance with Council's Development Control Plan and no submissions were received



### Panel Decision

Pursuant to the provisions of Section 4.16 of the Environmental Planning and Assessment Act, 1979, Development Application DA18/0339 for Alterations & Additions to Penrith Homemaker Centre (Domayne Building), Realignment of Wolseley Street & Roundabout & Associated Car Parking & Site Works be approved subject to the conditions in the Council staff assessment report to the Local Planning Panel, with the following amendments:

- A New Condition 1A to state:  
*"The upper alignment of the topmost proposed sign in the south-eastern elevation shall align with, or be below, the lower edge of the horizontal parapet stringcourse and associated shadow line, with details to be to the satisfaction of the Certifying Authority and detailed in the approved Construction Certificate plans".*
- A new standard condition (standard Condition D006) to require the importation of fill to be certified as VENM.
- An additional paragraph be included at the end of Condition 27 to state:  
*"All engineering works as required by this condition shall be completed prior to the issue of any Occupation Certificate or Subdivision Certificate, as applicable".*

### Votes

The decision was unanimous.

Jason Perica – Chair Person 	John Brunton – Expert 
Geoff Martin – Community Representative 