

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	DA21/0418 – 597 – 599 High Street PENRITH NSW 2750
<b>DATE OF DETERMINATION</b>	8 September 2021
<b>PANEL MEMBERS</b>	Jason Perica (Chair) Christopher Hallam (Expert) Mary-Lynne Taylor (Expert) Stephen Welsh (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	Representatives from the applicant – Schandel Fortu (Think Planners) and Rebecca Marshall (Penrith City Council).

Public Meeting held via video conference on Wednesday 8 September 2021, starting at 11:00am.

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

Development Application DA21/0418, Lot 1033 DP 849297, 597 – 599 High Street PENRITH NSW 2750 - Minor Alterations to Joan Sutherland Performing Arts Centre including Relocation of Box Office & Conversion of Bar to Cafe including Related Dining Areas & Installation of Sliding Doors.

### **Panel Consideration**

The Panel had regard to the assessment report prepared by Council Officers, a memorandum dated 6 September 2021 prepared by Council officers, 1x submission received, including the following plans;

- Penrith Local Environmental Plan 2010
- Penrith Development Control Plan 2014
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River

In terms of considering community views, the Panel noted there was 1 submission received from the public notification of the Development Application.

### **Panel Decision**

DA21/0418, Lot 1033 DP 849297, 597 – 599 High Street PENRITH NSW 2750 - Minor Alterations to Joan Sutherland Performing Arts Centre including Relocation of Box Office & Conversion of Bar to Cafe including Related Dining Areas & Installation of Sliding Doors be approved subject to the recommended

conditions of consent outlined within the Council Officer assessment report and the following additional conditions;

- An appropriate liquor licence (or amendment to the existing licence) is to be obtained, if needed.
- This condition is imposed in accordance with Penrith City Council's Development Contributions Plan for Non-Residential Development. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$4,450.00 is to be paid to Penrith City Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 7.12 plan.

The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule. Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The Section 7.12 invoice accompanying this consent should accompany the contribution payment. The Section 7.12 Contributions Plan for Non-Residential Development may be inspected at Council's Civic Centre, 601 High Street, Penrith




### **Reasons for the Decision**

The Panel agreed with the assessment contained with Council's Assessment Report and noted the following;

- The proposal satisfies the aims, objectives and provisions of Penrith Local Environmental Plan and Development Control Plan.
- The proposal does not contravene any development standards and will not have any significant impacts on the natural, social or economic environments.
- The proposed use will not generate additional parking demand compared to the current approved use.
- The site is suitable for the development and the improvements proposed for this very important community facility are in the public interest.
- The proposal is subject to Council's Contribution Plan, so an additional condition is imposed.
- The Panel is supportive of liquor being available from the café.
- In terms of the submission made regarding an existing artwork/sculpture, the Panel agreed this matter is not relevant to the subject development application and is a matter for Council to consider.

**Votes**

The decision was unanimous.

<p>Jason Perica – Chair</p> 	<p>Christopher Hallam – Expert</p> 
<p>Mary-Lynne Taylor – Expert</p> 	<p>Stephen Welsh – Community Representative</p> 