PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA20/0798 – 118 – 120 Station Street, PENRITH NSW 2750
DATE OF DETERMINATION	22 December 2021
PANEL MEMBERS	David Ryan (Chairperson) John Brunton (Expert) Christopher Hallam (Expert) Vanessa Howe (Community Representative)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	Representatives from the applicant – Andrew Robinson – Planner, Ihab Shams & Laura Ortegate – ADS Architects Owner – David Reeves & Jim Aitken

Public Meeting held via video conference on Wednesday 22 December 2021, starting at 11:30am.

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

Development Application DA20/0798, Lot 4 & 5 DP 112466 & Lot 6 DP 1003862, 118 – 120 Station Street, PENRITH NSW 2750 - Construction of a 6 Storey Mixed Use Development comprising of 2 Commercial Type Tenancies at the Ground Floor with Five Levels of Residential Apartments Above containing 18 Units Located Above Two Levels of Basement Car Parking & Consolidation of 3 Lots.

Panel Consideration

The Panel had regard to the assessment report prepared by Council Officers, and the following planning instruments and control plan(s):

- Penrith Local Environmental Plan 2010;
- Penrith Development Control Plan 2014;
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- 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 and Apartment Design Guide; and

- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River.

In terms of considering community views, the Panel noted there were two (2) submissions received in response to the public notification of the Development Application.

Panel Decision

DA20/0798, Lot 4 & 5 DP 112466 & Lot 6 DP 1003862, 118 – 120 Station Street, PENRITH NSW 2750 for Construction of a 6 Storey Mixed Use Development comprising of 2 Commercial Type Tenancies at the Ground Floor with Five Levels of Residential Apartments Above containing 18 Units Located Above Two Levels of Basement Car Parking & Consolidation of 3 Lots is approved subject to the recommended conditions of consent outlined within the Council Officers' assessment report to the Panel and the following amended condition:

Amendment of Condition No. 13 as follows;

The following community safety and crime prevention through environmental design (CPTED) requirements are required to be implemented:
(a) Lighting
- All outdoor/public spaces throughout the development must be lit to the minimum Australian Standard of AS 1158. Lighting must be consistent in order to reduce the contrast between shadows and illuminated areas and must be designed in accordance with AS 4282 - Control of the obtrusive effects of outdoor lighting.

(b) Basement Car Parking
- A security system must be installed on any pedestrian and vehicle entry/exit points to the car park, including the lift and stairwell, to minimise opportunities for unauthorised access.
- A permeable sliding gate and fence is to be erected in the Upper Basement, in lieu of the boom gate, to prevent unauthorised pedestrian access beyond this alignment.
- A permeable gate and fence is to be erected in the Upper Basement at the southern end of car parking space No.1, to prevent unauthorised pedestrian access beyond this alignment and to the storage cages.
- Access to the loading dock (off Reserve Street) must also be restricted (i.e. with permeable roller shutter) to minimise unauthorised access.
- All areas of the car park must be well-lit, with consistent lighting to prevent shadowing or glare.
- Car park surfaces including walls and ceilings are to be light coloured with details included with the **Construction Certificate** application.

(c) Building Security & Access Control
- Intercom, code or card locks or similar must be installed for all entries to the building.
- Australian Standard 220 door and window locks must be installed in all dwellings and commercial premises.
- CCTV is to be provided to cover communal public space areas, including rear loading dock. Cameras must be of sufficient standard to be useful for police in the event of criminal investigations. Lighting must

PENRITH
CITY COUNCIL

be provided to support cameras at night (alternatively infra-red cameras are recommended). Signage must be displayed to indicate that CCTV cameras are in use.

- Letterboxes must be positioned to be opened from within private open space only.
- Storage cages in the basement car park must be sturdy and vandal resistant.

(d) Graffiti/Vandalism
- Graffiti resistant coatings must be used to external surfaces where possible, including signage, furniture, retaining walls etc.
- Procedures must be in place to ensure the prompt removal and/or repair of graffiti or vandalism to the buildings, fencing, and common areas. This includes reporting incidents to police and/or relevant authorities.

(e) Landscaping
- All vegetation must be regularly pruned to ensure that sight lines are maintained.

Reasons for the Decision

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

- The proposal satisfies the aims, objectives and provisions of Penrith Local Environmental Plan 2010 and Development Control Plan 2014.

- The proposal generally satisfies the criteria and objectives of the Apartment Design Guide.

- Any potential impacts are capable of being addressed by the determined imposed by the Panel.

- The proposal is an appropriate development for the site and its context.

Votes

The decision was unanimous.

David Ryan – Chairperson	John Brunton – Expert
Christopher Hallam – Expert	Vanessa Howe – Community Representative

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