



Penrith Local Planning Panel

Determination and Statement of Reasons

APPLICATION NUMBER	DA16/1310.02 – 152 Henry Lawson Avenue Werrington County
DATE OF DETERMINATION	25 March 2020
PANEL MEMBERS	Jason Perica (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Geoff Martin (Community Representative)
DECLARATIONS OF INTEREST	Nil
LISTED SPEAKER(S)	Charlie Vella – Resident Brad Delapierre – Planning Consultant (Applicant)

Public Meeting held at Penrith City Council on Wednesday 25 March 2020, opened at 3:30pm.

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

Development Application DA16/1310.02 at Lot 1 DP 1218801 at 152 Henry Lawson Avenue, Werrington County – Section 4.56 Modification to a Court Approved Mixed Use Development Comprising 49 x Residential Units, Basement Car Parking and Associated Landscaping and Infrastructure Works - Proposed Amendments Include Changes to Garbage Collection Arrangements, Changes to Retail Tenancy Configurations, Changes to Unit Sizes, Relocation of Lift and Stair Facilities, Provision of Additional Amenities and Amended Landscaping Works.

Panel Consideration

The Panel had regard to the assessment report prepared by Council Officers, submissions received, including 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 twenty nine (29) submissions received from the public notification of the Development Application.

Reasons for the Decision

The Panel agreed with the assessment contained with Council's Assessment Report. In agreeing with the recommendation for approval, the Panel noted the following:-



- The development was approved by the NSW Land and Environment Court and the nature of the amendments subject of this application are relatively minor in nature and do not alter the scale and density of the development as approved by the Court
- The development is considered to be substantially the same development as that approved by the Court
- The amendments to waste collection arrangements negate ongoing infrastructure servicing implications (removal of a turntable) and ensure compliance with Council's Waste Management Guidelines
- The concerns raised within received submissions have been suitably addressed within the assessment report by Council officers
- The proposed modifications are considered to be in the public interest as the changes are minor in nature and improve operational aspects of the development, while having limited and acceptable impacts on the environment and surrounding development.

Panel Decision

Pursuant to the provisions of Section 4.16 of the Environmental Planning and Assessment Act, 1979, Development Application DA16/1310.02 for Section 4.56 Modification to a Court Approved Mixed Use Development Comprising 49 x Residential Units, Basement Car Parking and Associated Landscaping and Infrastructure Works - Proposed Amendments Include Changes to Garbage Collection Arrangements, Changes to Retail Tenancy Configurations, Changes to Unit Sizes, Relocation of Lift and Stair Facilities, Provision of Additional Amenities and Amended Landscaping Works at 152 Henry Lawson Avenue, Werrington County be approved subject to the conditions circulated to the Local Planning Panel meeting of Wednesday 25 March 2020.

Votes

The decision was unanimous.

Jason Perica – Chair 	John Brunton - Expert 
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Mary-Lynne Taylor – Expert



Geoff Martin – Community Representative

