



# Penrith Local Planning Panel

## Determination and Statement of Reasons

<b>DATE OF DETERMINATION</b>	10 October 2018
<b>PANEL MEMBERS</b>	The Hon. Carl Scully (Chair) Mary- Lynne Taylor (Expert) Christopher Hallam (Expert) Cody Masterfield (Community Representative)
<b>APOLOGY</b>	N/A
<b>DECLARATIONS OF INTEREST</b>	N/A
<b>LISTED SPEAKER(S)</b>	N/A

Public Meeting held at Penrith City Council on Wednesday 10 October 2018, opened at 3:00pm.

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

Development Application DA17/0336 at 104 – 108 Lethbridge Street, Penrith – Demolition of Existing Structures & Construction of Three (3) Storey Residential Flat Building containing 20 Apartments & Basement Car Parking. The following considerations have been provided for in relation to the recommendation of deferral;

### **Panel Consideration/Reasons for the Decision**

The Panel considered the assessment report prepared by Council Officers recommends that the determination of the application be deferred for the reasons below;

1. The proposed Residential Flat Building is consistent with the R4 High Density Residential Zone to provide housing needs of the community within a high density residential environment.
2. The proposed development is consistent with the nature of the development in the area.
3. The panel supports the proposal being deferred for Council to received amended plans (and documents if necessary) to resolve the recommended Deferred Commencement conditions ahead of determination and provide for improved compliance with the requirements of the Apartment Design Guide.

In this regard, specific consideration should be given to resolution of the following points:

## **Landscaping**

A revised landscape plan is to be submitted to Penrith City Council providing for the following modifications:

- (a) The inclusion of mature tree planting and landscaping with appropriate spacing to the deep soil area within the front setback area along the Lethbridge and Evan Street frontages;
- (b) The location of mature canopy trees on the site of the Lethbridge Street and Evan Street corner;
- (c) Planter box landscaping is to be provided for apartments 1 to 6 of a minimum 1m width to the edge of each terrace area; and
- (d) Details are to be provided of the proposed water irrigation management for the proposed landscaping.

## **Apartment Design Guide compliance**

Plans are to be amended and submitted to Penrith City Council so as to provide for the following modifications to the residential flat building design:

- (a) The provision of a clear connectivity between the internal lobby area on the ground floor and the communal open space including a relocated main entry in a westerly fashion between units 5 and 6 in accordance with Section 3D and 4F of the Apartment Design Guide;
  - (b) Any access points from the lobby area to the communal open space should provide for appropriate door widths to maintain clear lines of sight from the internal to external living area in accordance with Section 4F of the Apartment Design Guide;
  - (c) Appropriate landscape buffers are to be provided between private open space areas and window openings to units facing the communal open space on the ground floor to allow for improved privacy and safety for these occupants. The ground floor plan is to clearly delineate communal open space, public area and private open space and is to be designed in accordance with Section 3D, 3F and 4P of the Apartment Design Guide;
  - (d) Details are to be provided identifying direct, equitable access from common circulation areas, entries and lobbies to both the terraced portion and turfed portion of the communal open space in accordance with Section 3D of the Apartment Design Guide. In addition, details are to be provided displaying that all persons may access items of interest within the communal open space area.
  - (e) The depth of balcony areas for units 12 and 19 is to be amended to provide for a minimum 2.4m depth in accordance with Section 4E of the Apartment Design Guide.
4. Following a review of this information provided to Council and if this information is satisfactory in relation to SEPP 65 and the Apartment Design Guide, an addendum report is to be prepared by Council and forwarded to the Panel.

5. The Penrith Local Planning Panel following the receipt of the addendum report may make an electronic determination on the application.

In terms of considering community views, the Panel noted there was one (1) submission received from the public exhibition of the DA however no one registered or attended the meeting to speak against the proposal.

### Panel Decision

Pursuant to the provisions of Section 2.20(2) of the Environmental Planning and Assessment Act, 1979, Development Application DA17/0336 for Demolition of Existing Structures & Construction of Three (3) Storey Residential Flat Building containing 20 Apartments & Basement Car Parking be deferred to allow matters of detail within the recommended deferred commencement consent (as within the Council staff report to the Panel on 10 October, 2018) to be addressed by the applicant through subsequent information and detail prior to determination. The following amendment to proposed conditions is also recommended as below;

- Condition 51 to be amended to include '*and AS4299*'.

### Votes

The decision was unanimous.

Hon. Carl Scully – Chair Person 	Christopher Hallam – Expert 
Mary-Lynne Taylor - Expert 	Cody Masterfield – Community Representative 