

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at Penrith City Council on Thursday 5 May 2016 at 1.30 pm

Panel Members: Bruce McDonald (Acting Chair), Lindsay Fletcher, Paul Mitchell, Glenn McCarthy

Apologies: Mary-Lynne Taylor, Ross Fowler Declarations of Interest: Paul Mitchell noted that he has a longstanding relationship with the Managing Director of the Applicant's architect and this relationship will not influence his opinions on the application.

Determination and Statement of Reasons

2015SYW196 – Penrith – DA15/1314 [1 Engineers Place, Penrith] as described in Schedule 1.

Date of determination: 5 May 2016

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

The Panel unanimously approves the application, subject to the conditions imposed, for the following reasons:

1. The proposed development will add to the supply of housing within the Western Metropolitan Subregion and the City of Penrith in a location with ready access to the metropolitan transport services provided at Penrith Rail Station and the amenities and services available within Penrith CBD.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP55 – Remediation of Land, SEPP 65 (Design Quality of Residential Flat Development) and its associated Apartment Design Guide and SEPP (Infrastructure) 2007.
3. The proposal adequately satisfies the applicable provisions and objectives of Penrith LEP 2010. In this regard the Panel notes that while the proposed building exceeds the height standard contained in Cl.4.3 of the LEP this is permitted as the provisions of Cl.8.4 having been satisfied. The proposal adequately satisfies the requirements of Penrith DCP 2014, noting that in the circumstances of this case the building height requirement is inconsistent with the applicable LEP provisions.
4. The proposed development is considered to be of appropriate scale and form compatible with the scale and character planned for the locality in which it is placed.
5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby residential premises or the operation of the local road system.
6. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Conditions: The Panel approves the application subject to the Conditions in the Assessment Report and as amended below:

- Condition 47 – Deleted
- Condition 48 amended to read:
K221 - Overland Flow - General
Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the crest in the access ramp to the basement car park is a minimum of 300mm above the top of the existing road kerb line.

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- Condition 51 - deleted

Panel members:



Bruce McDonald (Acting Chair)



Lindsay Fletcher



Paul Mitchell



Glenn McCarthy

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SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2015SYW196 – Penrith – DA15/1314
2	Proposed development: Eleven (11) Storey Residential Flat Building containing 102 Apartments & Basement Car Parking
3	Street address: 2 Engineers Place, Penrith
4	Applicant: Thornton North Penrith Pty Ltd Owner: Landcom trading as UrbanGrowth NSW
5	Type of Regional development: Capital Investment Value >\$20 million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River • Penrith Development Control Plan 2014 • Penrith Local Environmental Plan 2010 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated 22 April 2016 Written submissions during public exhibition: 0 Verbal submissions at the panel meeting: None
8	Meetings and site inspections by the panel: Briefing & Public Meeting: 5 May 2016
9	Council recommendation: Approval
10	Draft conditions: As per Assessment Report