

BRIEFING DETAILS

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| BRIEFING DATE / TIME | 29 January 2019 Opening Time 1.11pm and closing time 1.51pm Site inspection undertaken before briefing |
| LOCATION | Penrith City Council |

BRIEFING MATTER(S)

2018WCI004 – Penrith - DA18/0999, Address - 123 Mulgoa Road Penrith

Description - Mixed Use Residential & Retail Development - One (1) x Five (5) Storey Mixed Use Building comprising 1,225sq.m of Retail Floor Space & 82 Apartments & Four (4) Residential Flat Buildings comprising Four (4) or Five (5) Storeys containing 248 Apartments, Demolition Works, Earthworks & Associated Excavation, New Roads, Rehabilitation of Existing Riparian Corridor, Stormwater Drainage, Associated Landscaping & Staged Construction

PANEL MEMBERS

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| IN ATTENDANCE | Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Glenn McCarthy and Ross Fowler |
| APOLOGIES | Nil |
| DECLARATIONS OF INTEREST | Nil |

OTHER ATTENDEES

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| COUNCIL ASSESSMENT STAFF | Wendy Connell, Gavin Cherry, Gemma Bennett, Paul Anzellotti and Sufyan Nguyen |
| OTHER | Suzie Jattan – Panel Secretariat |

KEY ISSUES DISCUSSED AND MATTERS TO BE ADDRESSED IN THE COUNCIL ASSESSMENT REPORT:

- Strong justification would be required to depart from development controls which are contained in a planning proposal which are even now yet to be adopted.
- If the land is to be subdivided, the starting point (subject to clause 4.6 of the LEP) would be that the FSR for the proposed development would comply for each subdivided lot. The availability of an approved subdivision that has not been (but could be) registered without further consent will also be relevant.
- If other land is to be relied upon as remaining unbuilt upon in support of a variation to the FSR controls for the buildings the subject of this DA, the DA would need (among other

things) to address how the Panel could be confident that other land will remain unbuilt upon.

- Clause 4.6(3)(a) and (4)(b) expressly requires that the consent authority be satisfied that ***“the proposed development will be in the public interest because it is consistent*** with the objectives of the particular standard and the **objectives for development within the zone in which the development is proposed to be carried out”**. The objectives of the zone are:
 - To provide for a variety of tourist-oriented development and related uses.
 - To provide for diverse tourist and visitor accommodation and activities that are compatible with the promotion of tourism in Penrith.
 - To create an appropriate scale that maintains important views to and from the Nepean River as well as to the Blue Mountains escarpment, while also improving important connections to the Penrith City Centre and the Nepean River.

That issue should be brought to the Applicant’s attention for specific attention.