



24 June 2019

The General Manager
Penrith City Council
PO Box 63
Blacktown NSW 2148

Attn: Lauren Van Etten

Dear Lauren,

**Response to Panel briefing—DA17/0237.03
40-48 Garswood Road, Glenmore Park**

The table below provides a response to the key issues raised by the Sydney Western City Planning Panel in its record of briefing for the above DA.

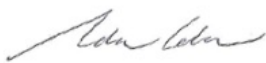
Issue	Response
<p>The site compatibility certificate under which the development application was approved includes the requirement:</p> <p><i>4. The proposed development includes an appropriate landscaped buffer to The Northern Road upgrade for visual amelioration purposes.</i></p> <p>The Panel was satisfied that the extensive 80 metre setback between the carparking adjacent to Block D which was heavily vegetated was adequate to satisfy that requirement. The Panel questioned whether that remained the case with the proposed modification.</p>	<p>The site compatibility certificate simply requires an “appropriate landscaped buffer”. It does not specify the width of the buffer or the extent or type of landscaping.</p> <p>It is considered that the full extent of the landscaping approved under DA17/0237 is not required for achieving an appropriate buffer. Rather, it is considered that the proposed row of tree plantings, combined with the future RMS landscaping, will provide significant screening for visual amelioration purposes in accordance with the site compatibility certificate.</p> <p>Perspective views have been prepared by the architects to compare the existing The Northern Road Frontage and the proposed frontage including proposed landscaping and future indicative RMS landscaping (Attachment 1). As shown, the screening landscaping will mask the development when seen from the road and will provide screening similar to what is currently approved.</p>
<p>A failure to meet the requirement for an appropriate landscaped buffer was both a</p>	<p>As explained above and as demonstrated in the perspectives at Attachment 1, it is</p>

Issue	Response
significant issue of merit in terms of ensuring the non-conforming development type was adequately screened from The Northern Road, and also raised a question of the Panel's power to approve the modification if the requirements of the certificate were not met.	considered that the proposed development will be adequately screened from the road and therefore exceed the site compatibility certificate's requirement for an appropriate landscaped buffer.
The Panel observed recent filling and tree removal that appears to have occurred within and adjacent to the development site, alongside The Northern Road. The Panel suggests seeking an explanation of the work undertaken from the Applicant and/or the owner of the land.	Any recent filling and tree removal has been undertaken by the owner of the land and is not associated in any way with the applicant of the seniors living development.
The Panel would expect to see any screening and landscaping relied upon to satisfy the compatibility certificate preserved in the long term by retaining it on the same allotment as the development, or through an appropriate covenant.	<p>Once the modification application is approved, the landscape plan (Attachment 2) forms part of the consent and is required to be implemented. The consent relates to both the golf course land and future seniors housing site, and therefore the provision of landscaping would be a matter of compliance.</p> <p>Penrith Golf Course, owner of the land surrounding the Senior Living Development and external to this application, would not consent to a covenant on their land.</p>

We trust the above information satisfies the Panel's concerns and enables to Council to prepare a favourable recommendation to the Panel.

If you wish to discuss any of these matters further, do not hesitate to contact me at 0419 741 114 or acoburn@mecone.com.au.

Sincerely,



Adam Coburn

Attachment 1:

Perspectives of The Northern Road frontage
(Pre- vs. post-development)

Attachment 2:

Updated Landscape Plan