

RECORD OF DEFERRAL
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	16 September 2019
PANEL MEMBERS	Justin Doyle (Chair), Bruce McDonald, Nicole Gurrán, Jeni Pollard and Glenn McCarthy
APOLOGIES	Ross Fowler
DECLARATIONS OF INTEREST	Nil

Public meeting held at Penrith City Council on Monday, 16 September 2019, opened 3.35pm and closed at 5.30pm.

MATTER DEFERRED

2019WCI023 - Penrith – DA17/0237.03, Address – 40-48 Garswood Road, Glenmore Park (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

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

The Panel determined to defer the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

1. The Panel considered a request by the Applicant to defer the development application and was satisfied that there was the potential for issues of concern to be better addressed through amendments to the proposal to be resolved through discussion with the Council.
2. An important issue that has arisen during the assessment of this application is the means by which the development can satisfy Requirement no. 4 of the Site Compatibility Certificate that:

“The proposed development includes an appropriate landscaped buffer to The Northern Road upgrade for visual amelioration purposes”.

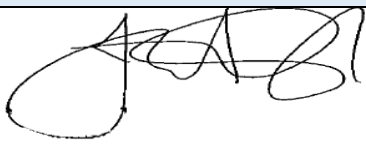




If planting on any part of the golf course outside the boundaries of the development as depicted on the plans is relied upon in that regard, the Panel would expect to see included in the development proposal a registered instrument (with Council as a party whose approval is required to release the instrument) or other mechanism to ensure that landscaping will remain in place and be maintained for the duration of the development. Deferral will allow that issue to be resolved by the Applicant.

3. The most recent edition of the DA plans seen by the Panel:

- (a) delete one point of access to the basement carpark, and
- (b) convert areas depicted in the original DA as designed to serve as common open space for the occupants of the seniors housing development to now remain as part of the golf course.

Before the DA is presented for final assessment, the Panel would expect to be addressed as to whether those changes are acceptable.

4. The issue of energy efficiency should be addressed by considering potential measures such as solar panels and battery storage.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Bruce McDonald	 Glenn McCarthy
 Jeni Pollard	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019WCI023 - Penrith – DA17/0237.03
2	PROPOSED DEVELOPMENT	Modifications to access driveway alignment and landscaping works – seniors housing development comprising 160 self-care apartments, related facilities, basement car parking and associated works.
3	STREET ADDRESS	40-48 Garswood Road, Glenmore Park
4	APPLICANT/OWNER	The Sunshine Property Investment Group
5	TYPE OF REGIONAL DEVELOPMENT	Penrith Golf and Recreation Club Pty Ltd
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none">• Environmental planning instruments:<ul style="list-style-type: none">○ Penrith Local Environmental Plan 2010 (Amendment 4)○ State Environmental Planning Policy No. 55 – Remediation of Land○ State Environmental Planning Policy (Infrastructure) 2007

		<ul style="list-style-type: none"> ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development ○ Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Penrith Local Environmental Plan 2014 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 16 September 2019 • Written submissions during public exhibition: 0 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Elaine Talbert ○ Council assessment officer – Lauren Van Etten ○ On behalf of the applicant – Adam Coburn
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing: 13 May 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle, Bruce McDonald, Nicole Gurrán and Ross Fowler ○ <u>Council assessment staff</u>: Lauren Van Etten • Final briefing to discuss council's recommendation, 16 September 2019, time 1.30pm • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald, Nicole Gurrán, Jeni Pollard and Glenn McCarthy

		○ <u>Council assessment staff:</u> Lauren Van Etten
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A