

## DETERMINATION AND STATEMENT OF REASONS SYDNEY WESTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	24 July 2019
<b>PANEL MEMBERS</b>	Nicole Gurran (Acting Chair), Bruce McDonald, Mark Grayson, Ross Fowler and Glenn McCarthy
<b>APOLOGIES</b>	Justin Doyle
<b>DECLARATIONS OF INTEREST</b>	Nil

Public meeting held at Penrith City Council on Wednesday, 24 July 2019, opened 3.35pm and closed at 6.20pm.

### MATTER DETERMINED

PPSSWC-1 - Penrith – DA18/340.01, Address – 83 Mulgoa Road, Penrith (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 adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve 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 is satisfied that the proposed development is substantially the same as that for which consent was originally granted and that the proposed modification is of minimal environmental impact.
2. The proposed development continues to adequately satisfy the relevant State Environmental Planning Policies including SEPP 55 -Remediation of Land, SEPP (Infrastructure 2007) and SREP No. 20 Hawkesbury-Nepean River.
3. The application includes an amendment to the approved concept plan for an additional building height of 300mm to a proposed lift overrun which exceeds the maximum height standard prescribed under Cl 4.3 of Penrith LEP 2010. This is considered to be compatible with the planned scope and scale of the concept plan, will create no amenity impacts or view loss and is considered to be consistent with the objectives of the SP3 Tourist zone and the standard.






4. The proposal continues to adequately satisfy the applicable objectives and provisions of Penrith LEP 2010 (Amendment 4) and Penrith DCP 2014.
5. The conditions of consent provide for the VPA arrangements between Panthers Rugby Leagues Club, Penrith City Council and the RMS, which are currently being amended, to be concluded and satisfied.
6. In consideration of conclusions 1-6 above the Panel considers the proposed development, subject to the conditions imposed, remains a suitable use of the site and approval of the amendment is not contrary to the public interest.

### CONDITIONS

The development application was approved subject to the conditions as modified at the meeting on 24 July 2019 (refer conditions summary attached).

### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that they were no written submissions made during public exhibition.

PANEL MEMBERS	
	
Nicole Gurran (Acting Chair)	Bruce McDonald
	
Mark Grayson	Ross Fowler
	
Glenn McCarthy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-1 - Penrith – DA18/340.01
2	PROPOSED DEVELOPMENT	Modification to an approved stage 1 and concept proposal – alterations and additions to stage 1 community and conference centre including basement parking and landscaping areas, and amendments to the height of buildings under the approved concept plan.
3	STREET ADDRESS	83 Mulgoa Road, Penrith
4	APPLICANT/OWNER	Applicant/Owner – Penrith Rugby League Club Limited

5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value over \$30m
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ Penrith Local Environmental Plan 2010 (Amendment 4)</li> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River</li> </ul> </li> <li>• Draft environmental planning instruments: Draft Environmental SEPP &amp; Draft SEPP 55.</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Penrith Development Control Plan 2014</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 8 July 2019</li> <li>• Written submissions during public exhibition: 0</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Nil</li> <li>○ Council assessment officer – Kathryn Saunders</li> <li>○ On behalf of the applicant – Jonathon Wood (Town Planner), Ben Bacon (Census Advisory- Development Manager), Jason Goggi- (Turner- Architect), Matthew Leavey- Penrith Panthers Representative.</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection: 24 July 2019</li> <li>• Final briefing to discuss council's recommendation, 24 July 2019, time 1.00pm</li> </ul>

		<ul style="list-style-type: none"> <li>Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Nicole Gurran (Acting Chair), Bruce McDonald, Mark Grayson, Ross Fowler and Glenn McCarthy</li> <li><u>Council assessment staff</u>: Kathryn Saunders</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report