

BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 19 April 2021, 3:05pm – 3:45pm
LOCATION	Teleconference

BRIEFING MATTER(S)

PPSSWC-127 – Penrith – DA/20/0858 – 5-17 Lawson Street Penrith – Construction of Part Nine (9) Storey & Part Five (5) Storey Mixed Use Building including 694 Public Car Parking Spaces, 37 Private Car Parking Spaces, 24 Motorcycle Parking Spaces & 42 Bicycle Parking Spaces (Basement Level & Ground Level to Level 4), Multi-Use Community Space, Public Rooftop Garden, Four (4) Storeys of Commercial Floor Space (Levels 5-8) & Related Demolition Works, Tree Removal, Ground Level Public Domain Works, Landscaping of Rooftop Garden & Land Re-Subdivision

PANEL MEMBERS

IN ATTENDANCE	Justin Doyle (Chair), Louise Camenzuli and Nicole Gurran
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Jeni Pollard: I have had involvement in the development of this proposal and groups that I work with will benefit from the outcome.</p> <p>Glenn McCarthy: I will declare a pecuniary interest in the matter as I am employed by the property owner.</p> <p>Ross Fowler: A pecuniary conflict of interest is advised in relation to PPSSWC-124 – Penrith – DA20/0858 - 5-17 Lawson Street Penrith as I am a Councillor of Penrith City Council the owner and applicant of the property subject to the Application.</p>

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Robert Craig, Wendy Connell and Gavin Cherry
OTHER	Rebecca Gordon – City Plan Consultant and Mellissa Felipe – Panel Secretariat

KEY ISSUES DISCUSSED

1. While the DA is predominantly for a public carpark (albeit incorporating commercial floor space) the development proposal offers an important place making opportunity within the commercial centre, an opportunity to which the design competition winning entry was found to have responded well.
2. The Panel expect that the stakeholders within and outside Council concerned with the delivery and management of public spaces have been consulted and involved.
3. Substantial changes to the winning design require careful assessment and the Panel notes advice that a Design Jury Integrity Assessment Report is to be prepared.

4. The available review by Think Planners of the design drawings issued by DBJ on 30 November 2020 includes the following recommendations:
 - Revising and refining the efficiency of the basement car parking to remove the 2nd level of basement.
 - Refinement of the above ground car parking levels to remove the partial floor plates which were considered to require further refinement and efficiency.
 - Reconsideration of the rooftop children's play area as it didn't align with the needs identified in Penrith City Council's Recreation Policy.
 - Refinement of the commercial floor plates to make them more viable for tenancies and to satisfy the requirements for A Grade office space. This allows flexibility to accommodate single and multiple tenants per floor.
5. Notably the design excellence panel has also recommended that the proposed floor to floor height of 3m must provide sufficient flexibility and accommodate a range of uses over time. Strong justification for any departure from that recommendation would be required. Those design refinement recommendations and design comments will presumably be specifically responded to, noting the expectation that a Council owned carpark should pursue excellence in traffic management design having regard to the objectives of safe and efficient traffic movement within the facility. The commercial floorplates should aim to provide superior engagement with the surrounding spaces and be sized and designed to maximise their attractiveness to business which will activate surrounding street engagement.
6. The briefing report to the Panel questions the exclusion of the above ground parking levels from the GFA calculation and suggests that a clause 4.6 variation is required. The Panel would expect any significant FSR variation to be critically discussed with regards to the zoning and development standard objectives (rather than being addressed through a change to the design to attempt to achieve technical compliance without addressing the substance of the intensity and scale of the use).
7. The briefing note points to a lack of clarity concerning the use of the reserved 'northern lot' and access issues surrounding it. To the extent that the proposal reconfigures the cadastral layout of the area (as the development site does not accord with the existing lot layout) the Panel would expect the re-subdivision involved to be discussed and justified. Similarly, access and owners' consent issues involving the adjoining Community Health Centre and substation will need attention.
8. The Council assessment indicates that amendments to Soper Place and traffic modelling are required, and that the currently proposed roundabout is not supported.
9. The Council assessment report queries whether the facility "complies with AS2890.1 or user class 3 requirements", however it seems that AS2890.2 would be the relevant standard. The Panel seeks information as to whether the facility is proposed to be a free or paid facility, and whether any fee or subsidy program is proposed due to the likely impacts on carpark usage.
10. The briefing report advises that insufficient drainage information has been provided, and presumably that issue will be resolved to the Council's engineer's satisfaction.
11. If there are any unresolved civil engineering matters, the Panel should be informed so that a method of resolving them can be explored prior to the final determination meeting.
12. Relevant to BCA compliance, the Panel notes the Council assessment's advice that there are fire setback implications for the neighbouring Community Health Centre (with the carpark levels deemed to be 'open deck', and that ventilation openings need to be free of vegetation.
13. Passive irrigation details should be provided for the façade vegetation with a management plan to ensure its long term health addressing responsibility for the management costs, along with graffiti management/prevention.

14. Details of proposed “public room” activities and operating hours/days, frequency and traffic management are required. Protection of the blank elements on northern façade from graffiti is unclear. Ongoing maintenance issues, including costs and design of the green façade, need to be addressed.
15. The Panel notes the response of the Local Police who are concerned about a lack of natural surveillance which might encourage loitering and anti-social behaviour.
16. SEPP 55 will have to be addressed, with an expectation that a Remedial Action Plan will be supplied prior to determination.
17. Waste collection vehicle management is to be addressed.

TENTATIVE PANEL MEETING DATE: N/A