

## BRIEFING DETAILS

<b>BRIEFING DATE / TIME</b>	Monday, 20 December 2021, 1:30pm – 3.30pm
<b>LOCATION</b>	Teleconference

## BRIEFING MATTER(S)

PPSSWC-124 – Penrith City Council – DA/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

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

## OTHER ATTENDEES

<b>COUNCIL ASSESSMENT STAFF</b>	Wendy Connell, Gavin Cherry and Robert Craig
<b>CONSULTANT REPRESENTATIVES</b>	Rebecca Gordon and Stephen Kerr – Gyde
<b>APPLICANT REPRESENTATIVES</b>	<p>Andrew Moore – Penrith City Council – Director Corporate Services – Proponent</p> <p>Schandel Fortu – Think Planners – Director - Planning</p> <p>Sue Barnsley – Sue Barnsley Design – Director – Landscape -</p> <p>David Jagers – Durbach Block Jagers – Director – Architect -</p> <p>Dora Choi – Ason Group - Principal Lead - Traffic Management &amp; Operations – Traffic and Transport Consultant</p> <p>Michael McMahon – Savills Australia – Associate Director – Project Manager</p>
<b>OTHER</b>	Mellissa Felipe and George Dojas – Panel Secretariat

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## KEY ISSUES DISCUSSED

1. The meeting was convened to hear from both the applicants project team and Council's assessment staff in relation to matters delaying the progressing of the assessment of the DA. A summary of those matters is provided on page 12 of the Council's Briefing Report.
2. The Applicant said that there were 199 individual items for which Requests for Information (RFI) had been made, which the Applicant is working through. Of immediate relevance, there were 11 key traffic matters to be resolved, of which 3 were fundamental to resolving the design of the development as a whole.
3. Those three issues are:
  - (a) The requirements for accommodating movements of heavy vehicles onto, off and within the site.
  - (b) Whether the building must comply with the AS Standard for traffic design associated with a Class 3 Building.
  - (c) The relationship between the proposed egress of the development onto Lawson Street and the indicative point of access and egress for anticipated development of the property to the immediate north, particularly in relation to adequate space for pedestrians between the two driveway crossovers.
4. As to the three identified outstanding traffic matters which needed to be resolved to finalise the design:
  - (a) The Council reported that there had been an acceptance from the Applicant that the building was required to be designed as a Class 3 Building (a classification which the Panel understands is referable to the anticipated trip rates per hour for each parking space). The Applicant's traffic engineer however warned that strictly accommodating the requirements for a Class 3 Building would present major design difficulties and may make it impossible to satisfy the existing design brief.
  - (b) The Applicant's traffic engineer also warned that accommodating vehicles on site of a site advised by Council's engineering department would result in adverse outcomes for the design.
  - (c) The Applicant's traffic engineer advised that he was uncertain as to the specific concerns of the Council in relation to egress onto Lawson Street, and suggested that there was ample room for pedestrians to queue between the two driveways.
5. The Applicant and the Council reported that there is now in-principle agreement that a priority controlled intersection at Soper Place, rather than a roundabout, is a suitable traffic control solution for the traffic needs generated by the development. The Panel was advised that this solution facilitates additional space for the public domain, with the extra space for a roundabout able to be accommodated as part of the development, should one prove necessary in the future.
6. There appears to still be some uncertainty as to the required width of Soper Place, the appropriate class of parking requirements applicable to the development, clearance heights for waste trucks, the applicable trip rate for the development and access to the future northern lot development, amongst other things.
7. New flooding controls have also been introduced since the lodgement of the DA.
8. Separately, the Panel noted that the material change in the aesthetic appearance of the development needed to be considered in terms of the design the Design Excellence Jury Panel signed off on pursuant to clause 8.4(3) of the LEP (which would seem to require amendments to the scheme to result in substantially the same proposal). The Applicant advised that the design changes have been the subject of ongoing consultation with the Jury Panel, who will need to confirm in due course that it is satisfied that it is content with the final form of the scheme, and the Panel will need to be satisfied of compliance with clause 8.4.
9. The Applicant advised that there is no reliance on any bonus FSR pursuant to clause 8.7 of the LEP (although the Council staff advised that there may be some minor non-compliance in the latest edition of the plans).
10. After extensive discussions, it was agreed by 21 January 2022 that:

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- a. The Applicant is to provide to the Council a presentation of its position in substance in relation to the 3 key traffic issues, particularly where they go to fundamental matters affecting the design of the proposed building.
  - b. Council's assessment team is to provide a response within 2 weeks as to whether it agrees with the Applicant's position on these matters; and
  - c. if there is no agreement in relation to the 3 fundamental outstanding traffic matters, then the matter is to be brought back before the Planning Panel for further consideration.
11. Once the traffic matters are resolved, the architect advises it will require 8 weeks to attend to the substantive design changes that follow and the other non-design traffic matters are to be resolved in parallel.

**TENTATIVE DETERMINATION DATE SCHEDULED FOR MARCH 2022**