

**From:** Kathryn Saunders  
**Sent:** Thu, 1 Oct 2020 12:28:04 +1000  
**To:** svc\_t1connectp  
**Subject:** Record of Briefing - PPSSWC-65 – Penrith – DA20/0148 – 634-638 High Street and 87-91 Union Road, Penrith – Record of briefing  
**Attachments:** Record of Briefing FINAL PPSSWC-65 Penrith DA20-0148.pdf

#ECMBODY

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**From:** Mellissa Felipe <[Mellissa.Felipe@planning.nsw.gov.au](mailto:Mellissa.Felipe@planning.nsw.gov.au)>  
**Sent:** Thursday, 1 October 2020 12:22 PM  
**To:** [breiter@toga.com.au](mailto:breiter@toga.com.au); Kathryn Saunders <[kathryn.saunders@penrith.city](mailto:kathryn.saunders@penrith.city)>; Gavin Cherry <[Gavin.Cherry@penrith.city](mailto:Gavin.Cherry@penrith.city)>; Lauren Forrest-Martin <[lauren.forrest-martin@penrith.city](mailto:lauren.forrest-martin@penrith.city)>  
**Subject:** PPSSWC-65 – Penrith – DA20/0148 – 634-638 High Street and 87-91 Union Road, Penrith – Record of briefing

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Dear Bernardo and Kathryn,

The panel was briefed by council on the above application on Monday, 21 September 2020. Please find attached a copy of the Record of Briefing, which is also published on the Planning Panels website ([www.planningportal.nsw.gov.au/planningpanels](http://www.planningportal.nsw.gov.au/planningpanels)).

As the application is still under assessment, any queries from the applicant should be directed to the council assessment officer.

Kind regards,

**Mellissa Felipe**

**Project Officer**

**Planning Panels Secretariat**

12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 9228 2060 | D 02 9585 6884 | F 02 9228 2066 | G [enquiry@planningpanels.nsw.gov.au](mailto:enquiry@planningpanels.nsw.gov.au)



*I wish to acknowledge the Traditional Custodians of the land and pay respect to all Elders past, present and future.*

\*Class 1 Appeals - Notification to the Planning Panel Secretariat must be made no more than seven days after Council receives notice of an appeal in relation to a Planning Panel matter.

**BRIEFING DETAILS**

<b>BRIEFING DATE / TIME</b>	Monday, 21 September 2020, 2:00pm – 3:19pm
<b>LOCATION</b>	Teleconference Call

**BRIEFING MATTER(S)**

PPSSWC-65 – Penrith – DA20/0148 – 634-638 High Street and 87-91 Union Road, Penrith – Construction of Part 14 Storey & Part 37 Storey Mixed Use Development including One (1) Level of Basement Car Parking, Five (5) Storey Podium containing Commercial Premises & Car Parking, 356 Residential Apartments, New Public Road & Associated Site Works

**PANEL MEMBERS**

<b>IN ATTENDANCE</b>	Justin Doyle (Chair), Nicole Gurran and Glenn McCarthy
<b>APOLOGIES</b>	Ross Fowler
<b>DECLARATIONS OF INTEREST</b>	Louise Camenzuli: One of my Partners at Corrs Chambers Westgarth acts for the proponent or an associated entity of the proponent and I consider that this fact gives rise to a perceived conflict of interest.

**OTHER ATTENDEES**

<b>COUNCIL ASSESSMENT STAFF</b>	Robert Craig, Kathryn Saunders and Gavin Chery
<b>OTHER</b>	

**KEY ISSUES DISCUSSED**

1. This revised scheme for the site is substantially more dense than the previous proposal for the site approved by the Panel with the determination of DA18/0264. The additional density presents significant new issues which will require careful attention particularly having regard to the considerations identified for determination by the Panel as consent authority by clause 8.7(5).
2. The DA has been presented to a Design Integrity Panel incorporating a member from the NSW Government Architect's office, a member nominated by Council and a member nominated by the Applicant is of the opinion that the proposal has design excellence sufficient to satisfy clause 8.4. The final report from that panel is supportive, noting that the assessment of the Panel will be ultimately determinative under clause 8.7(5).
3. Clause 8.4(4) requires certification in writing that the development is one for which an architectural design competition is not required. While clause 8.7 states that the DA may be approved "Despite clauses 4.3, 4.4 and 8.4 (5)", it appears that clause 8.4(3) and (4) continue to apply, noting that addressing that clause caused delays with DA18/0264.

**Planning Panels Secretariat**

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4. Detailed urban design issues remain for resolution which may be assisted by independent urban design input into Council's assessment, taking into account the integration of the proposal into the developing context with applications received for adjoining sites and ongoing design work for the adjoining public spaces. One important matter to be considered carefully is the fact that this proposal includes 4 levels of podium carparking on a key site.
5. Other issues requiring consideration include height, the context created by the permissible and proposed development for adjoining key sites, whether sufficient articulation and/or visual interest is incorporated into the building facades, and the desirability of activating the street fronts particularly to New Road and High Street.
6. An integrated solution is required for the three new buildings on adjoining key sites in relation to traffic design for New Road and its intersection with High Street and parking. The Panel would hope to see communication between the proponents or owners of the adjacent sites on that subject.
7. If the floor plates fronting New Road are not to be at grade (with that outcome to be avoided if possible) then creativity design might assist in maintaining street activation with the proposed future "eat street" as the area develops. The double height commercial frontages proposed for the pending DA for the key site on the opposite side of New Road (614-632 High Street) is one example of a creative design approach to that issue that might be looked at.

**TENTATIVE PANEL MEETING DATE: N/A**