



# Penrith Local Planning Panel

## Determination and Statement of Reasons

<b>APPLICATION NUMBER</b>	DA18/0132– 29 – 31 Castlereagh Street Penrith
<b>DATE OF DETERMINATION</b>	23 October 2019
<b>PANEL MEMBERS</b>	Deborah Dearing (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Virginia Barrios (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKER(S)</b>	Nasr Atie - CAD Plans Pty Ltd (Director and Applicant)

Public Meeting held at Penrith City Council on Wednesday 23 October 2019, opened at 3:00pm.

### **Matter Determined pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979**

Development Application DA18/0132 at Lot 2 DP 1190616 at 29 – 31 Castlereagh Street, Penrith - Construction of a Five (5) Storey Residential Flat Building containing 17 Apartments & Two (2) Levels of Basement Car Parking.

### **Panel Consideration**

The Panel had regard to the assessment report prepared by Council Officers, submissions received, and the following plans;

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River

In terms of considering community views, the Panel noted there were three (3) submissions received from the public notification of the Development Application.

## Consideration of Recommendation

This application was previously reported to the Local Planning Panel on 11 September 2019 with the recommendation being that the application be deferred to allow the applicant to provide further amendments. The Panel is of the opinion that the plans as amended have not adequately resolved the previously identified issues. Specifically setbacks to the southern boundary should be no less than 6meters for a distance of at least 13meters measured from the front boundary. Landscaping is unsatisfactory because it relies predominantly on planter boxes over carpark, has inadequate deep soil planting, excessive 1.8meter high privacy fencing within the site and to the frontage. The roof terrace has poor amenity for occupants as it is lacking shade and landscaping.




The Panel requires that all of the requirements under the original deferred commencement condition be completed prior to the proposal being referred back to the Panel.

## Panel Decision

Pursuant to the provisions of Section 4.16 of the Environmental Planning and Assessment Act, 1979, Development Application DA18/0132 for Construction of a Five (5) Storey Residential Flat Building containing 17 Apartments & Two (2) Levels of Basement Car Parking at 29 – 31 Castlereagh Street Penrith be deferred for further amendments to be undertaken as outlined above within 4 months.

## Votes

The decision was unanimous.

Deborah Dearing – Chair 	John Brunton - Expert 
Mary-Lynne Taylor – Expert 	Virginia Barrios – Community Representative 