



Penrith Local Planning Panel

Determination and Statement of Reasons

APPLICATION DETAILS	DA18/0792 – 16 – 24 Hope Street Penrith
DATE OF DETERMINATION	Wednesday 11 September 2019
PANEL MEMBERS	The Hon. Carl Scully (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Stephen Welsh (Community Representative)
APOLOGY	Nil
DECLARATIONS OF INTEREST	N/A
LISTED SPEAKER(S)	Peter Morson (Architect) Vince Hardy (Town Planner) Charlie Daher (Developer) Madeleine Pusic - Resident

Public Meeting held at Penrith City Council on Wednesday 11 September 2019, opened at 3:00pm

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

Development Application DA18/0792 at Lots 29 – 33 DP 31239, No.16 – 24 Hope Street Penrith – Demolition of Existing Structures & Construction of Two (2) x Six (6) Storey Residential Apartment Developments including 63 Apartments & Two (2) Levels of Basement Car Parking.

Panel Considerations

The Panel had regard to the Assessment Report prepared by Council Officers, submissions received, site observations, 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 two (2) submissions received from the public notification of the Development Application.

Panel Decision

The Panel considered the matters raised within the assessment report and determined to refuse the application. The reasons for refusal are as follows:

1. The proposed extent of non-compliances with the Apartment Design Guide including but not limited to, setbacks and separation, landscape area and design, deep soil, solar access, communal open space, façade design, visual privacy, public domain interface balcony design and circulation design. These in combination reflect an unsupportable proposal.
2. The Panel was not satisfied that the applicants request to vary the building height development standard under Clause 4.6 was sufficiently founded to enable support of the proposed height variation.
3. The scale and design of the development is not considered to be site responsive as reflected within the extent of identified non-compliances with SEPP 65 and the Apartment Design Guide.
4. The proposal does not comply with the required car parking rates within Council's Penrith Development Control Plan 2014.
5. The proposal in its current form is not considered to be in the public interest.

Votes

The decision was unanimous.

The Hon. Carl Scully – Chair Person 	John Brunton – Expert 
Mary-Lynne Taylor – Expert 	Stephen Welsh – Community Representative 