



Penrith Local Planning Panel

Determination and Statement of Reasons

APPLICATION DETAILS	DA18/0488 – 26 – 30 Hope Street Penrith
DATE OF DETERMINATION	Wednesday 12 June 2019
PANEL MEMBERS	The Hon. Carl Scully (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Stephen Welsh (Community Representative)
APOLOGY	
DECLARATIONS OF INTEREST	N/A
LISTED SPEAKER(S)	Jonathon Wood – Town Planner (Think Planners)

Public Meeting held at Penrith City Council on Wednesday 12 June 2019, opened at 3:30pm

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

Development Application DA18/0488 at Lots 34, 35 & 36 DP 31239, No.26 – 30 Hope Street, Penrith – Demolition of Existing Structures & Construction of Six (6) Storey Residential Flat Building containing 41 Apartments with Communal Roof Top Terrace & Two (2) Levels of Basement Car Parking.

Panel Consideration/Reasons for the Decision

The application was previously referred to the Panel on 24 April 2019 with the decision being deferral to allow the applicant a final opportunity to resolve all the matters raised by the Panel in relation to the adequacy of the Clause 4.6 Variation and the Panels Design concerns by Council in the assessment report. The Panel requested that the application be reported back for determination by 12 June 2019.

At its meeting on 12 June 2019, the Panel had regard to the Assessment Report and site observations.

The Panel agreed with the assessment by Council staff and supported the recommendation that the application be refused.

In terms of considering community views, the Panel noted there were no submissions received from the public exhibition of the DA.

Panel Decision

The Panel decided to refuse the application for the following reasons;

- The Panel does not accept the applicant's submission for a variation to the development standard for building height because the development is not in the public interest as it is not consistent with the desired future character and will not ensure a high level of residential amenity.
- The Panel does not agree that the design provides adequate direct sunlight to sufficient apartments as required by the Apartment Design Guide.
- The Panel does not consider sufficient units receive adequate cross ventilation.
- The Panel does not consider that the excessive excavation is an adequate design solution due to the poor amenity for ground level apartments.
- For the above reasons as well as the issues identified in the assessment report, the Panel does not consider the proposed development to be in the public interest.

Votes

The decision was unanimous.

<div>The Hon. Carl Scully – Chair</div> 	<div>John Brunton – Expert</div> 
<div>Mary-Lynne Taylor – Expert</div> 	<div>Stephen Welsh – Community Representative</div> 