

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA20/0164 – 16 – 24 Hope Street PENRITH NSW 2750
DATE OF DETERMINATION	13 October 2021
PANEL MEMBERS	Pamela Soon (Chairperson) John Brunton (Expert) Christopher Hallam (Expert) Vanessa Howe (Community Representative)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	Representatives from the applicant – Peter Morson, Morson Architects Pty Ltd Owner - Sam Dahar

Public Meeting held via video conference on Wednesday 13 October 2021, starting at 11:00am.

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

Development Application DA20/0164, Lots 29 – 33 DP 31239, 16 – 24 Hope Street PENRITH NSW 2750 - Demolition of Existing Structures, Tree Removal, Construction of Two x 5 Storey Residential Flat Buildings Containing a Total of 51 Apartments with Two Shared Basement Car Parking Levels, Landscaping & Civil Works.

Panel Consideration

The Panel had regard to the assessment report prepared by Council Officers, submissions received, and the following planning instruments and control plan(s):

- Penrith Local Environmental Plan 2010;
- Penrith Development Control Plan 2014;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Vegetation in non-rural areas) 2017;
- State Environmental Planning Policy (Western Sydney Aerotropolis) 2020;
- State Environmental Planning Policy No.55 – Remediation of Land;

- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development & the Apartment Design Guide; and
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River.

In terms of considering community views, the Panel noted there was a total of 3 submissions and 1 petition received in response to the public notification of the Development Application.

Panel Decision

DA20/0164, Lots 29 – 33 DP 31239, 16 – 24 Hope Street PENRITH NSW 2750 for Demolition of Existing Structures, Tree Removal, Construction of Two x 5 Storey Residential Flat Buildings Containing a Total of 51 Apartments with Two Shared Basement Car Parking Levels, Landscaping & Civil Works be approved subject to the recommended conditions of consent outlined within the Council Officer assessment report to the Panel and the following additional/amended conditions:

- Amend condition 2 as follows
Prior to the issue of any Construction Certificate for the development, amended landscape and architectural plans are to be submitted to and approved by the Manager of Development Services at Penrith City Council.

The amended plans are to incorporate the following:

- For security and privacy reasons, separated and recessed, individual access is to be provided to apartments 02 and 29 off the central entry pathways.*
- The landscape planters and deep soil areas along the frontage of the site are to be amended to reflect Council's urban design advice and attached mark-up prepared by Brett Newbold dated 21 May 2021, to the satisfaction of Council.*
- A final ground floor outdoor common open space plan indicating fencing, paving treatments, pergolas and landscape treatments and levels.*
- Any trees identified and approved for retention in the Council approved Arboricultural Report (as required by Condition 3), be retained and protected and the location of any such tree(s) be noted on plans.*
- An increased variety of ground cover species that are suitable to the local area that assist in retaining soil moisture, optimal growth and green appearance.*

- Additional condition
The development shall provide 64 resident car parking spaces including 5 accessible spaces plus 11 visitor spaces, 2 service vehicle spaces and 1 carwash space. On basement level 2, the 2 parking spaces at the blind end of the aisle shall be designated for motor-cycle parking only and shall not be used for car parking.

Reasons for the Decision

The Panel agreed with the assessment contained with Council's Assessment Report and noted the following;

- The proposal generally satisfies the criteria and objectives of the Apartment Design Guide.
- The proposal satisfies the aims, objectives and provisions of Penrith Local Environmental Plan 2010 and Development Control Plan 2014.
- The issues of concerns of the Panel were capable of being addressed by conditions and the proposal warranted support by way of approval.
- The Panel had considered the submissions received during the public notification of the development application, and that matters raised in those submissions were responded to and addressed in the Council officer assessment report. Further there were no submitters registered to speak or in attendance at the public meeting

Votes

The decision was unanimous.

Pamela Soon – Chairperson 	John Brunton – Expert 
Christopher Hallam – Expert 	Vanessa Howe – Community Representative 