



# Penrith Local Planning Panel

## Determination and Statement of Reasons

<b>APPLICATION DETAILS</b>	DA19/0314 – 77 Lethbridge Street Penrith
<b>DATE OF DETERMINATION</b>	Wednesday 10 July 2019
<b>PANEL MEMBERS</b>	Deborah Dearing (Chair) John Brunton (Expert) Christopher Hallam (Expert) Geoff Martin (Community Representative)
<b>APOLOGY</b>	Mary-Lynne Taylor (Expert)
<b>DECLARATIONS OF INTEREST</b>	N/A
<b>LISTED SPEAKER(S)</b>	Bradley Campbell (Resident) Michael Cleary (Resident) Derek Peczek (Owner – PAM Ventures Pty Ltd) Noel Billyard (Applicant)

Public Meeting held at Penrith City Council on Wednesday 10 July 2019, opened at 3:00pm

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

Development Application DA19/0314 at Lot 15B DP 344265, No.77 Lethbridge Street Penrith – Demolition of Existing Structure and Construction of a Three (3) Storey Boarding House containing 12 Boarding Rooms with At Grade Car Parking.

### **Panel Considerations**

The Panel had regard to the Assessment Report, submissions received, site observations, and the following plans;

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 55 – Remediation of Land
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River

Submissions and concerns raised at the meeting included;

- impact of waste management and bin collection
- antisocial behaviour with no manager on site
- terms of lease specifically short term rentals
- general security issues
- no onsite manager
- parking concerns and traffic generation
- overdevelopment and number of occupants
- potential decrease in adjacent properties value
- quality of life for neighbouring residents
- potential noise disturbances
- lack of privacy

### **Panel Decision**

The Panel determined to refuse the application. The reasons for refusal are as follows:

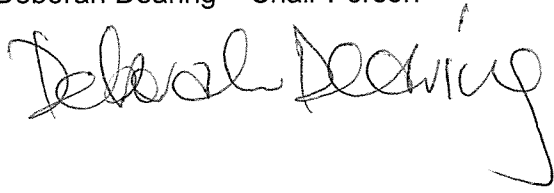
1. Poor streetscape presentation and lack of active frontage particularly at ground level.
2. The building design does not ensure that a high level of residential amenity is achieved and maintained as required by the Penrith Local Environmental Plan 2010 and the Development Control Plan 2014.
3. The Panel is not convinced that rooms, in particular 1, 2 & 9, meet the minimum accommodation size requirements of the Affordable Rental Housing SEPP.
4. The size and amenity of the common room is inadequate.
5. The courtyard provided for private open space has inadequate utility and amenity for that use.
6. The landscape response at the northern boundary is inadequate and should be redesigned to include larger trees.
7. The area nominated as private open space does not have adequate privacy and amenity for its intended purpose.
8. The 2m setbacks of both the east and west side boundaries are inconsistent of what would normally be required for a built form of this nature in an R4 zone.
9. Based upon the above inadequacies the Panel is of the view that the proposal is inappropriate for the subject site.

In response to the applicant's claim that the application has not been properly processed by Council, the Panel notes that under Section 8.2 of the Environmental Planning and Assessment Act 1979 an amended design can be submitted to address the reasons for refusal with a request for a review of the determination.

### **Votes**

The decision was unanimous.

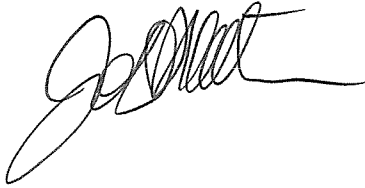
Deborah Dearing – Chair Person



Christopher Hallam – Expert



John Brunton – Expert



Geoff Martin – Community Representative

