

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	DA21/0674 – 17-23 Hope Street PENRITH NSW 2750
<b>DATE OF DETERMINATION</b>	24 August 2022
<b>PANEL MEMBERS</b>	Jason Perica (Chair)  John Brunton (Expert)  Stephen Welsh (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	Nil

Public Meeting held via video conference on Wednesday 24 August 2022, starting at 11:00am.

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

Development Application DA21/0674, Lots 10, 11, 12 & 13 DP 31239, 17-23 Hope Street, Penrith NSW 2750 - Demolition of Four Existing Dwellings and Ancillary Structures, Construction New of Six (6) Storey Mixed Use / Residential Flat Building Containing a Ground Floor Medical Centre Tenancy and a Neighbourhood Shop, 50 Residential Apartments and Two Levels of Basement Car Parking for 74 Vehicles.

### **Panel Consideration**

The Panel had regard to the assessment report prepared by Council Officers and the following plans:

- Penrith Local Environmental Plan 2010 (Amendment 4)
- Penrith Development Control Plan 2014
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Precincts – Western Parkland City) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development

In terms of considering community views, the Panel noted there were no submissions received from the public notification of the Development Application.

### **Panel Decision**

DA21/0674, Lots 10, 11, 12 & 13 DP 31239, 17-23 Hope Street, Penrith NSW 2750 - Demolition of Four Existing Dwellings and Ancillary Structures, Construction New of Six (6) Storey Mixed Use / Residential Flat Building Containing a Ground Floor Medical Centre Tenancy and a Neighbourhood Shop, 50 Residential Apartments and Two Levels of Basement Car Parking for 74 Vehicles be approved subject to an additional condition to state:

*The privacy screening to windows facing the central courtyard shall be reviewed in terms of their placement and detail to provide optimal visual and aural privacy between the units facing the central courtyard. Revised details shall be submitted for the written approval of Council prior to the issue of any construction certificate.*



### **Reasons for the Decision**

The Panel agreed with the assessment contained with Council Officer's Assessment Report and supported the recommendation for approval for the following reasons:-

- a) The applicant's Clause 4.6 request to vary the height of building standard within Penrith Local Environmental Plan 2010 was found to meet the requisite matters within Clause 4.6 of Penrith Local Environmental Plan 2010. The Panel formed the view that granting consent was in the public interest, including being consistent with the objectives of the zone and the objectives of the building height development standard.
- b) The Panel noted that the additional height relates to a portion of the upper most storey which is recessed and does not contribute to additional or unreasonable levels of overshadowing, privacy or streetscape impacts. This is coupled with flood planning level requirements and the design response to waste servicing including vehicle clearance requirements to access and service the site.
- c) While the presentation of the waste management solution to the street is not ideal, the solution nonetheless is appropriate given the narrowness of Hope Street and Council's waste management guidelines.
- d) The proposal complies with the objectives of the R4 – High Density Residential zone by providing additional housing supply within an identified high density residential area, coupled with a building form and scale that reflects the desired future character and dwelling densities intended for the area.
- e) The proposal presented has suitably responded to recommendations from Council's Urban Design Review Panel and demonstrates suitable levels of compliance with State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings and the accompanying Apartment Design Guide.
- f) The proposal is also considered to be in the public interest given the provision of housing supply in a strategically identified high density area that provides for good levels of residential amenity and a complimentary built form and landscape presentation to the public domain.

### Votes

The decision was unanimous.

Jason Perica – Chair 	John Brunton – Expert 
Stephen Welsh – Community Representative 