

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

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| APPLICATION NUMBER | DA22/0665 |
| DATE OF DETERMINATION | 8 March 2023 |
| PANEL MEMBERS | Jason Perica (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Vanessa Howe (Community Representative) |
| DECLARATIONS OF INTEREST | No conflicts of interest were declared |
| LISTED SPEAKERS | Daniel McNamara (Town Planner) Tony Owen (Architect) |

Penrith Local Planning Panel Meeting held via hybrid meeting conference on Wednesday, 8 March 2023, starting at 1:00pm.

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

Development Application DA22/0665, Lots 24 and 25 DP32844, Lot 23, DP33490 and Lot 17 DP32844, Nos. 7 – 11 Worth Street and 33 Rodley Avenue, Penrith - Demolition of Existing Structures & Construction of Five (5) Storey Residential Flat Building including 70 Apartments & Two (2) Levels of Basement Car Parking

Panel Consideration

The Panel had regard to the assessment report prepared by Council staff, supporting plans and information, and the following environmental planning instruments and policies:

- Penrith Local Environmental Plan 2010
- 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 (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development and the Apartment Design Guide

In terms of considering community views, the Panel noted there was one (1) submission received in response to the public notification of the Development Application.

Panel Decision




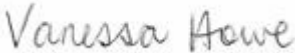
Development Application DA22/0665, Lots 24 and 25 DP32844, Lot 23, DP33490 and Lot 17 DP32844, Nos. 7 – 11 Worth Street and 33 Rodley Avenue, Penrith - Demolition of Existing Structures & Construction of Five (5) Storey Residential Flat Building including 70 Apartments & Two (2) Levels of Basement Car Parking be refused for the reasons recommended by Council Staff.

Reasons for the Decision

- The Panel agreed with the assessment and reasons for refusal outlined within the Council's Assessment Report. The proposed reasons endorsed by the Panel indicate the proposal is an overdevelopment of the site.
- It is considered that the Applicant's Clause 4.6 request to vary the maximum height of buildings development standard does not adequately address and satisfy Clause 4.6(3) of Penrith Local Environmental Plan 2010 and therefore the proposed variation is not supported.
- The proposed development is not considered to be in the public interest noting that the proposal is inconsistent with the objectives of the zone and the objectives of the maximum height of buildings development standard within Penrith Local Environmental Plan 2010.

Votes

The decision was unanimous.

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| Jason Perica (Chair)  | Mary-Lynne Taylor (Expert)  |
| John Brunton (Expert)  | Vanessa Howe (Community Representative)  |