

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	DA20/0365 No. 26 – 30 Hope Street Kingwood NSW 2747
<b>DATE OF DETERMINATION</b>	24 March 2021
<b>PANEL MEMBERS</b>	John Brunton (Chairperson) Mary-Lynne Taylor (Expert) Christopher Hallam (Expert) Geoff Martin – Community Representative
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	Think Planners – Jonathon Wood

Public Meeting held via video conference on Wednesday 24 March 2021, commencing at 2:00pm.

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

Development Application DA20/0365, Lots 34, 35 & 36 DP 31239, 26 – 30 Hope Street Kingswood NSW 2747- Demolition of Existing Dwellings and Outbuildings, and Construction of a Six (6) Storey Residential Flat Building with 38 Apartments, 61 Car Parking Spaces in Two (2) Levels of Basement, and Roof Terrace on the Sixth Floor.

### **Panel Consideration**

The Panel had regard to the assessment report prepared by Council Officers, submissions received, and the following plans;

- Local Environmental Plan 2010
- 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 and Apartment Design Guide

- Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River

In terms of considering community views, the Panel noted there were 4 submissions received including a further late submission as a result of the public notification of the Development Application.

The concerns related to the current zoning of the site and were not specific to this application.

### **Panel Decision**

DA20/0365, Lots 34, 35 & 36 DP 31239, 26 – 30 Hope Street Kingswood NSW 2747- Demolition of Existing Dwellings and Outbuildings, and Construction of a Six (6) Storey Residential Flat Building with 38 Apartments, 61 Car Parking Spaces in Two (2) Levels of Basement, and Roof Terrace on the Sixth Floor be approved subject to amendment of Condition No. 40 to state as follows:-

“Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS 2890.2, AS 2890.6 and Penrith City Council’s Development Control Plan. *In particular, all visitor parking spaces are to be designed and located so as to allow a minimum width of 2.5m.*”

### **Reasons for the Decision**

The Panel agreed with the assessment contained with Council’s Assessment Report and outlined the following reasons for the decision:-

- The use is permissible in the zone and satisfies the objectives of the R4 zoning pursuant to Penrith Local Environmental Plan 2010 by way of housing delivery and achievement and retention of a high level of residential amenity.
- The use is appropriately designed and responsive to attributes of the site.
- The applicant’s request to vary the building height development standard is considered to be sufficiently founded to warrant support noting the extent of variation is 0.83% of the development standard and does not adversely contribute to bulk scale, streetscape presentation or diminished amenity of neighbouring properties.
- The proposal is satisfactory when considered against the relevant provisions of State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings, the Apartment Design Guide and Penrith Development Control Plan 2014.
- The development demonstrates a level of design quality that is considered to be a positive contribution within the streetscape and to the immediate locality.
- The proposal includes adequate communal open space and vegetation to create a pleasant amenity for residents.
- While the car parking layout is generally satisfactory, it should be adjusted, where possible, to provide visitor parking spaces 2.5metres

wide in accordance with AS-NZS2890.1 2004 as reflected with the resolution to amend Condition No. 40 as detailed above.

In terms of considering community views the Panel had regard to written submissions made. The Panel agreed with the assessment of issues raised, as outlined in the Council report.

**Votes**

The decision was unanimous.

John Brunton – Chairperson 	Christopher Hallam – Expert 
Mary-Lynne Taylor – Expert 	Geoff Martin – Community Representative 