

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

|                                 |                                                                                                                        |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>APPLICATION NUMBER</b>       | DA22/0023                                                                                                              |
| <b>DATE OF DETERMINATION</b>    | 8 February 2023                                                                                                        |
| <b>PANEL MEMBERS</b>            | Jason Perica (Chair)<br>John Brunton (Expert)<br>Mary-Lynne Taylor (Expert)<br>Geoff Martin (Community Representative) |
| <b>DECLARATIONS OF INTEREST</b> | No conflicts of interest were declared                                                                                 |
| <b>LISTED SPEAKERS</b>          | Nil                                                                                                                    |

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

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

Development Application DA22/0023, Lot 456 DP 1114361, 10-14 Lethbridge Street, Penrith - Demolition of Existing Structures, Removal of Two (2) Trees & Construction of Six (6) Storey Residential Flat Building including 36 Apartments, Two (2) Levels of Basement Parking, Rooftop Open Space, Civil Works & Landscaping.

### **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 (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021

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**

DA22/0023, Lot 456 DP 1114361, 10-14 Lethbridge Street, Penrith - Demolition of Existing Structures, Removal of Two (2) Trees & Construction of Six (6) Storey Residential Flat Building including 36 Apartments, Two (2) Levels of



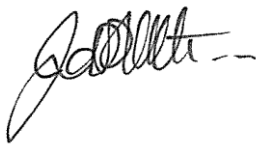

Basement Parking, Rooftop Open Space, Civil Works & Landscaping be refused as recommended by Council Staff.

### Reasons for the Decision

- The Panel agreed with the reasons for refusal outlined within the Council's Assessment Report.
- It was agreed that the proposed building mass, scale and spatial arrangement warrants amendments to ensure compliance with State Environmental Planning Policy (Design Quality of Residential Apartment Development) No. 65 and the Apartment Design Guide. This includes the need for greater southern boundary setbacks for the upper two levels and resolution of cross ventilation requirements.
- The proposed development is not considered to be in the public interest.

### Votes

The decision was unanimous.

|                                                                                                              |                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Jason Perica (Chair)<br>   | Mary-Lynne Taylor (Expert)<br>               |
| John Brunton (Expert)<br> | Geoff Martin (Community Representative)<br> |