

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA23/0260
DATE OF DETERMINATION	13 th December 2023
PANEL MEMBERS	David Ryan (Chair) Mary-Lynne Taylor (Expert) John Brunton (Expert) Vanessa Howe (Community Representative)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	Allyson Kelleher – Objector (Online) Richard Collier – Objector (In Person) Jake Janssen – Applicant (Online)
LIST OF ADDITIONAL ATTENDEES	Gavin Cherry- Development Assessment Coordinator (Council) Katelyn Davies- Senior Administration Officer (Council) Brittany Dickson- Administration Officer (Council)

Hybrid Public Meeting held in person and via video conference on Wednesday, 13th December 2023, starting at 2.00pm

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

Penrith City Council
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DA23/0260, Demolition of Existing Structures, Tree Removal and Construction of a Childcare Facility x 39 Children with Basement Parking & Associated Works at No. 1 Besley Street, Cambridge Park, NSW, 2747.

Panel Consideration

The Panel had regard to the assessment report prepared by Council

staff, supplementary memorandum dated 13 December 2023, supporting plans and information, and the following environmental planning instruments and policies:

- State Environmental Planning Policy (Biodiversity & Conservation) 2021
- State Environmental Planning Policy (Resilience & Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Penrith Local Environmental Plan 2010
- Penrith Development Control Plan 2014

In terms of considering community views, the Panel noted there were 10 unique submissions received in response to the public notification of the Development Application, including representation made by Councillors on their behalf. The nature of the submissions were addressed within Council's Assessment Report and the Panel also listened to registered speakers at the public meeting.

The Panel considered representations made during the Public Meeting concerning primarily traffic safety.

In respect to the Applicant's request for deferral it was considered that the issues raised as a consequence of the assessment would warrant significant amendment of the proposal and are unlikely to sufficiently resolve concerns raised regarding the inadequacy of the site.

Panel Decision

In accordance with Section 4.16 of the Environmental Planning and Assessment Act 1979, it is determined that DA23/0260, Demolition of Existing Structures, Tree Removal and Construction of a Childcare Facility x 39 Children with Basement Parking & Associated Works at No. 1 Besley Street, Cambridge Park, NSW, 2747 be refused as recommended by Council Staff.

Reasons for the Decision

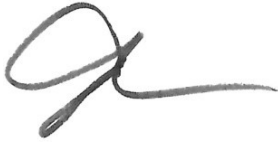


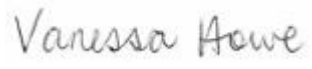
- The Panel agreed with the reasons for refusal outlined within the Council's Assessment Report as amended by the supplementary memorandum.
- The site is not considered to be suitable for the nature and scale of the proposed development for the reasons outlined within the Council's assessment report.



- The proposed development is not considered to be in the public interest.

Votes

The decision was unanimous.

David Ryan (Chair) 	Mary-Lynne Taylor (Expert) 
John Brunton (Expert) 	Vanessa Howe (Community Representative) 

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