

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

| | |
|---------------------------------|--|
| APPLICATION NUMBER | DA22/0073 |
| DATE OF DETERMINATION | 12 October 2022 |
| PANEL MEMBERS | Jason Perica (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Stephen Welsh (Community Representative) |
| DECLARATIONS OF INTEREST | No conflicts of interest were declared |
| LISTED SPEAKERS | Vince Hardy (Applicant) Jim Balchin (Civil Designer) Fiona Kulak (Owner Penrith City Council) Karen Luka (Owner Penrith City Council) |

Electronic Meeting held via video conference on Wednesday 12 October 2022, starting at 11:00am.

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

Development Application DA22/0073, Lot 148 DP 703879, 9a Dilga Crescent, Erskine Park – Torrens Title Subdivision Into 2 x Lots, Comprising 1 x Residential Lot and Retention of One Lot as Drainage Reserve with Associated Tree Removal, Site Remediation Works and Associated Civil & Stormwater Works

Panel Consideration

The Panel had regard to the original and further assessment report prepared by Council's independent assessment officer (external planning consultant), supporting plans and information, and the following environmental planning instruments and policies;

- Penrith Local Environmental Plan 2010 (Amendment 4)
- Penrith Development Control Plan 2014
- State Environmental Planning Policy (Western Sydney Aerotropolis) 2020
- State Environmental Planning Policy – (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021)

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

Panel Decision

DA22/0073, Lot 148 DP 703879, 9a Dilga Crescent, Erskine Park – Torrens Title Subdivision Into 2 x Lots, Comprising 1 x Residential Lot and Retention of One Lot as Drainage Reserve with Associated Tree Removal, Site Remediation Works and Associated Civil & Stormwater Works be approved subject to recommended conditions of consent as amended by the following:-



- i) Deletion of reference to (S) Restriction by way of amendments in red to the Stamped Approved Plan of Subdivision
- ii) Deletion of the word “generally” from Condition No. 4
- iii) Condition No. 16 be amended to allow for replacement planting within the restricted development area of proposed Lot 1 or within proposed Lot 2
- iv) Condition No. 16 also be amended to specify removal of trees 19, 20 and 21 as identified within the approved Arborist Report
- v) Condition No. 36 be amended to exclude reference to trees approved for removal in accordance with Condition No. 16 (revised)

Reasons for the Decision

- The Panel generally agreed with the assessment of the proposal outlined within the Independent Consultant’s assessment report.
- The proposal will result in future residential development opportunities in accordance with the Local Environmental Plan zone objectives.
- Suitable restrictions as revised are to be registered on the title of the proposed lots to ensure protection of existing trees.
- In terms of considering views expressed by the public, the Panel noted there was one submission that did not raise specific objection to the proposal and which has been adequately addressed in the assessment of the Development Application.

Votes

The decision was unanimous.

| | |
|---|---|
| Jason Perica – Chair  | John Brunton – Expert  |
|---|---|

Mary-Lynne Taylor (Expert)



Stephen Welsh (Community Representative)

