

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA23/0236
DATE OF DETERMINATION	23/08/2023
PANEL MEMBERS	Jason Perica- Chair (In person) Christopher Hallam- Expert (In person) John Brunton- Expert (Online) Stephen Welsh- Community Representative (Online)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	David Wakeling- (In Person) Davinder Anand- (In Person)
LIST OF ADDITIONAL ATTENDEES	Donna Clarke- Council's Consultant Planner (Online) Gavin Cherry- Penrith City Council (In person) Katelyn Davies- Penrith City Council (In person) Alyssa LeHuray- Penrith City Council (In Person) Alison Veron- Penrith City Council (In Person) Mark Gozzard- (In person) Tim Atkinson- (In person) Rachel Atkinson- (In person) Avyukta Anand- (In Person) Karina La Malfa- (Online) Elizabeth Quinn- (Online)

Hybrid Public Meeting held in person and via video conference on Wednesday, 23rd August 2023, starting at 2.00pm

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

DA23/0236, Demolition of Existing Structures, Tree Removal and Construction of a Childcare Facility x 53 Children with Basement Parking and Associated Works at No. 18 Enterprise Road Cranebrook, NSW, 2749.

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 & Conservation) 2021
- State Environmental Planning Policy (Resilience & Hazards) 2021
- State Environmental Planning Policy (Transport & Infrastructure) 2021

In terms of considering community views, the Panel noted there were 11 unique submissions received in response to the public notification of the Development Application, whilst the Panel also listened to registered speakers at the public meeting. The nature of the submissions were also addressed within the Council's Assessment Report.

Panel Decision

DA23/0236, Demolition of Existing Structures, Tree Removal and Construction of a Childcare Facility x 53 Children with Basement Parking and Associated Works at No. 18 Enterprise Road Cranebrook, NSW, 2749 be refused as recommended in the assessment report with Reason No. 7 being replaced as follows:




7. *The application provides inadequate and inconsistent information and as such it cannot be determined that the proposal is satisfactory for the purposes of Section 4.15 of the Environmental Planning and Assessment Act 1979.*

Reasons for the Decision

- As the matter was refused, the reasons for the decision are outlined above.
- The Panel had regard to the written and verbal submissions received and agreed with those concerns raised where they aligned with the concerns outlined in the assessment report.

Votes

The decision was unanimous.

Jason Perica (Chair) 	John Brunton (Expert) 
Christopher Hallam (Expert) 	Stephen Welsh (Community Representative) 