

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA22/0741
DATE OF DETERMINATION	14 December 2022
PANEL MEMBERS	David Ryan (Chair) John Brunton (Expert) Christopher Hallam (Expert) Vanessa Howe (Community Representative)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	Momcilo Romic (Applicant)

Electronic Meeting held via video conference on Wednesday, 14 December 2022, starting at 11:00am.

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

Development Application DA22/0741, Lot 3 DP 1157248, 33 Kobina Avenue, Glenmore Park – Demolition of Existing Structures & Torrens Title Subdivision x 2 Lots

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 (Precincts – Western Parkland City) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021

In terms of considering community views, the Panel noted there were no submissions received in response to the public notification of the Development Application. The applicant's representative addressed the Panel at the briefing meeting in support of the recommendation for approval.

Panel Decision

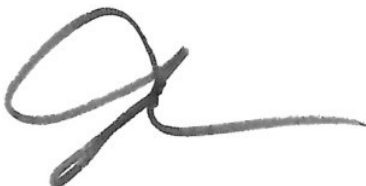

1. The Panel is satisfied that the Applicant's written submission adequately addressed the provisions of Clause 4.6(3) of Penrith LEP 2010 and the proposed development is in the public interest because it is consistent with the objectives of the development standards and the zone.
2. DA22/0741, Lot 3 DP 1157248, 33 Kobina Avenue, Glenmore Park – Demolition of Existing Structures & Torrens Title Subdivision x 2 Lots is approved subject to the conditions contained in the Council staff assessment report.

Reasons for the Decision

- The Panel agreed with the assessment of the proposal outlined within Council staff assessment report.
- In relation to the Clause 4.6 variation submission, it is concluded that the applicant's written request has adequately demonstrated that compliance with the applicable development standards is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds, including lack of environmental impact and consistency with neighbourhood character, to justify contravening the development standards. Further, the proposed subdivision will be in the public interest as it is consistent with the objectives of each standard and the R2 zone objectives.
- It has been demonstrated that a suitably sized dwelling could be accommodated on proposed Lot 3b in accordance with the applicable DCP controls.
- In terms of considering views expressed by the public, the Panel noted there were no submissions.
- The proposal will result in future residential development opportunities consistent with the LEP zone objectives.

Votes

The decision was unanimous.

David Ryan (Chair) 	Christopher Hallam (Expert) 
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John Brunton (Expert)



Vanessa Howe (Community Representative)

