

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	Mod25/0033
<b>DATE OF DETERMINATION</b>	10 September 2025
<b>PANEL MEMBERS</b>	Steve Alchin (Chair)  Michael Evesson (Expert)  Bruce Simpson (Expert)  Vanessa Howe (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	Anthony Krilich – Applicant (Online)
<b>LIST OF ADDITIONAL ATTENDEES</b>	Jade Bradbury – Council – Head of Children Services (In-Person)  Sufyan Nguyen – Council – Development Assessment Planner (In – person)  Robert Craig – Council – Development Assessment Planner (In – person)  Gavin Cherry – Council – Development Assessment Coordinator (In – person)  Katelyn Davies – Panel Management Support Officer (In – person)  Krysten Rock – Administration Officer (In – person)

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Hybrid Public Meeting held in person and via video conference on  
Wednesday, 10 September 2025, starting at 2.00pm

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

Mod25/0033, Section 4.55(2) Modification to DA20/0132 for Increase in Children Numbers from 80 to 96 Places for Glenmore Park Child & Family Centre at No. 31 Blue Hills Drive, Glenmore Park, NSW, 2745.

### **Panel Consideration**

The Panel had regard to the assessment report prepared by Council staff, supporting plans and information, supplementary information provided by Council officers (by email and orally) on 10 September 2025 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 was one (1) submission received in response to the public notification of the Development Application and the matters raised within the received submission were also addressed within the Council's Assessment Report.

### **Panel Decision**

In accordance with Section 4.16 of the Environmental Planning and Assessment Act 1979, Mod25/0033, Section 4.55(2) Modification to DA20/0132 for Increase in Children Numbers from 80 to 96 Places for Glenmore Park Child & Family Centre at No. 31 Blue Hills Drive, Glenmore Park, NSW, 2745 be approved subject to the recommended conditions of consent accompanying the assessment report as amended by the following:-

**i. Proposed Condition 19: Insertion at the beginning of the condition:**

""With respect to the works approved as part of Development Consent No. DA20/0132, the recommendations ....""

**ii. Condition 25 be amended to add the following:-**

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*“Outdoor play is required to be managed in accordance with the following:*

- *Outdoor play shall not exceed **4 hours per day** in total duration.*
  - *The development is required to comply with the “**Glenmore Park Child and Family Centre – Outdoor Play Schedule**” prepared by **Deone White**, which specifies the maximum number of children permitted in outdoor areas at any one time and identifies passive play areas adjacent to sensitive boundaries.*
  - *The passive play area adjacent to the eastern boundary shall be used only for passive activities (no bike track or other active/noisy equipment is permitted).”*
- iii. **Proposed Condition 35 is to be deleted.** This is due to the inclusion of the referenced requirements within Condition 25 (as amended above).
- iv. **Proposed Condition 38 be amended to add the following:-**

*“The Noise Management Plan is also required to incorporate the following requirements:-*

- *Outdoor play shall not exceed **4 hours per day** in total duration.*
- *The development is required to comply with the “**Glenmore Park Child and Family Centre – Outdoor Play Schedule**” prepared by **Deone White**, which specifies the maximum number of children permitted in outdoor areas at any one time and identifies passive play areas adjacent to sensitive boundaries.*
- *The passive play area adjacent to the eastern boundary shall be used only for passive activities (no bike track or other active/noisy equipment is permitted).”*

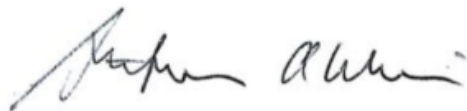


### **Reasons for the Decision**

- The Panel generally agreed with the assessment of the proposal outlined within the Council’s assessment report.
- The site accommodates an existing childcare centre, and the site is considered suitable for the nature of the amended childcare centre development.

- The proposal remains as a childcare centre development and substantially retains the existing built form on the site. The resulting increase in operational capacity does not alter the substantive nature of the development: hence the Panel is of the view that the proposal is substantially the same development as previously approved.
- Noise management and mitigation measures have been sufficiently addressed within the assessment of the application and via supplementary explanation from Council's Environmental Health Officer, notably;
  - A review of Council's regulatory records showed no complaints about noise from the operation of the childcare centre.
  - Advice that the incremental difference in noise levels associated with the additional children would be in the order of 3.3 dB(A) which, given the logarithmic nature of acoustic measurements, is expected to be barely noticeable.
- The recommended amended conditions of consent have been imposed to address noise management compliance requirements and minimise potential environmental impacts as a result of the modifications sought. This includes the imposition of amended Condition Nos. 25 and 38 which include operational restrictions on the total number of hours of outdoor play and the number of children permitted within the outdoor play areas at any one time.
- The amended proposal is generally compliant with applicable development controls and objectives contained within Penrith Development Control Plan 2014 with the exception of car parking. The resulting car parking non-compliance is minor and supportable due to the shared nature of the car parking; the availability of a 10-minute drop off zone; and the potential for overflow parking (if necessary and on rare occasions) given the large size of the site.

### **Votes**

The decision was unanimous.

<p>Steve Alchin (Chair)</p> 	<p>Michael Evesson (Expert)</p> 
<p>Bruce Simpson (Expert)</p> 	<p>Vanessa Howe (Community Representative)</p> 