

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA24/0041
DATE OF DETERMINATION	11 <sup>th</sup> December 2024
PANEL MEMBERS	Graham Brown – Chair  David Ryan – Expert  Jeremy Swan – Expert  Harold Dulay – Community Representative
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	Amanda Harvey – Applicant  Steve Barlow – Applicant
LIST OF ADDITIONAL ATTENDEES	Darren Flynn – Applicant  Heath Mallen – Applicant  Jake Bentley – Council – Senior Development Assessment Planner  Caleb O’Reilly – Council – Senior Engineer – Major Developments  Claudia Amendolia – Council – Planner – Contributions  Lucy Goldstein – Council – Senior Planner  Gavin Cherry – Council – Development Assessment Coordinator  Katelyn Davies – Council – Panel Management Support Officer

Electronic Determination Meeting held in online via video conference on Wednesday, 11<sup>th</sup> December 2024, starting at 9.30am

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

DA24/0041, Integrated Development for Torrens Title Subdivision (Stage 2) of Five Existing Lots into 72 Residential Lots, 1 Residue Lot and 1 Lot for a Drainage Reserve including Demolition of Existing Structures, Retention of One Dwelling, Tree and Vegetation Removal, Earthworks, New Roads and Footpaths, Landscaping, Retaining Walls, Stormwater Works and Associated Works at Numbers:

- 140 - 146 Caddens Road, Orchard Hills, NSW, 2748
- 148 - 154 Caddens Road ORCHARD HILLS NSW 2748
- 65 - 73 Castle Road ORCHARD HILLS NSW 2748
- 190 - 226 Caddens Road ORCHARD HILLS NSW 2748
- 148 Caddens Road ORCHARD HILLS NSW 2748
- 146 Caddens Road ORCHARD HILLS NSW 2748
- 53 - 61 Castle Road ORCHARD HILLS NSW 2748
- 25 Ulm Road ORCHARD HILLS NSW 2748

**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:

- 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. This submission was withdrawn on 2/12/2024 as the concerns raised had been adequately addressed through the provision of amended information lodged through the NSW Planning

Portal. The nature of the submission was also addressed within the Council's Assessment Report.

### Panel Decision

In accordance with Section 4.16 of the Environmental Planning and Assessment Act 1979, DA24/0041, Integrated Development for Torrens Title Subdivision (Stage 2) of Five Existing Lots into 72 Residential Lots, 1 Residue Lot and 1 Lot for a Drainage Reserve including Demolition of Existing Structures, Retention of One Dwelling, Tree and Vegetation Removal, Earthworks, New Roads and Footpaths, Landscaping, Retaining Walls, Stormwater Works and Associated Works at Nos. 140-146 Caddens Road, Orchard Hills, NSW, 2748 be approved subject to the recommended conditions of consent accompanying the assessment report as well as the addition of the following condition and associated re numbering:-

- Prior to the Issue of a Subdivision Certificate, a restriction as to user is to be imposed with respect to Lot 2052 that requires / restricts vehicle access to be from Road 31 to the north only. No vehicle access is permitted to and from the North / South Collector Road.


### Reasons for the Decision

- The Panel agreed with the assessment of the proposal outlined within the Council's assessment report.
- Appropriate conditions as amended have been imposed to ensure the proposed development and associated works will have minimal environmental impacts and the site is suitable for the proposed development.
- The proposal has been granted concurrence from the applicable authority with respect to Clause 6.3A of the PLEP 2010. The proposal is supported by a letter of offer to enter into a voluntary planning agreement to secure appropriate infrastructure delivery and / or contributions payable.
- The proposal is compliant with applicable development controls, including objectives contained within Penrith Development Control Plan 2014.

### Votes

The decision was unanimous.



Graham Brown – Chair 	David Ryan – Expert 
Jeremy Swan – Expert 	Harold Dulay – Community Representative 

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