

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA24/0681
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	There were no registered speakers listed for this meeting.
LIST OF ADDITIONAL ATTENDEES	James Heathcote – Council – Development Assessment Planner  Gavin Cherry – Council – Development Assessment Coordinator  Katelyn Davies – Council – Panel Management Support Officer
APOLIGIES	Tania Shephard – Council – Principal Planner

Electronic Determination Meeting held in online via video conference on Wednesday, 11<sup>th</sup> December 2024, starting at 9.00am

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

DA24/0681, Demolition of Existing Infrastructure including Tree Removal,

Torrens Title Subdivision of 5 x Residue Lots into 7 x Residential Lots and Associated Civil Works at Numbers:

- 19 Silkwood Avenue, Claremont Meadows, NSW 2747
- 21 Silkwood Avenue, Claremont Meadows, NSW 2747
- 18 Pandorea Street, Claremont Meadows, NSW 2747
- 23 Pandorea Street, Claremont Meadows, NSW 2747
- 8 Raintree Street, Claremont Meadows, NSW 2747

### **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 (Parklands- Western Parkland City) 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 were zero (0) submissions received in response to the public notification of the Development Application.

### **Panel Decision**

In accordance with Section 4.16 of the Environmental Planning and Assessment Act 1979, DA24/0681, Demolition of Existing Infrastructure including Tree Removal, Torrens Title Subdivision of 5 x Residue Lots into 7 x Residential Lots and Associated Civil Works at Nos. 19 & 21 Silkwood Avenue, 18 & 23 Pandorea Street, 8 Raintree Street Claremont Meadows, NSW 2747 be approved subject to the recommended conditions of consent accompanying the assessment report.

## Penrith Local Environmental Plan 2010 Clause 4.6 Variations

The Panel has considered the Applicant's Clause 4.6 request to vary:

1. Penrith Local Environmental Plan 2010 - Clause 4.1 - Minimum Subdivision lot size

The Panel is satisfied that:-

- The Applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3),
- The request to vary has sufficiently demonstrated that compliance with the development standard is unnecessary and there is sufficient environmental planning grounds to justify the contravention of the development standard.
- The proposed development will be in the public interest

The Panel also considered the Applicant's Clause 4.6 requests to vary:

2. Penrith Local Environmental Plan 2010 - Clause 4.1B - Minimum subdivision lot width for land in Zones R2 and R3

The Panel is satisfied that:-

- The Applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3),
- The request to vary has sufficiently demonstrated that compliance with the development standard is unnecessary and there is sufficient environmental planning grounds to justify the contravention of the development standard.
- The proposed development will be in the public interest




### Reasons for the Decision

- The Panel agreed with the assessment of the proposal outlined within the Council's assessment report.
- Appropriate conditions 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 provides a contextually appropriate subdivision arrangement and allows for future housing supply growth within the local area.
- The applicant has sufficiently addressed and demonstrated compliance with Clauses 4.6, 4.1 and 4.1B of PLEP 2010 as outlined above within the Panel's decision.
- The proposal is compliant with applicable development controls, including objectives contained within Penrith Development Control Plan 2014.

### Votes

The decision was unanimous.

<p>Graham Brown – Chair</p> 	<p>David Ryan – Expert</p> 
<p>Jeremy Swan – Expert</p> 	<p>Harold Dulay – Community Representative</p> 