

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	DA22/0534
<b>DATE OF DETERMINATION</b>	8 February 2023
<b>PANEL MEMBERS</b>	Jason Perica (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Geoff Martin (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	Sophia Khammarath (Behalf of Applicant) Jasmine Lesslie (Behalf of Applicant) Paul Koen (Behalf of Applicant)

Penrith Local Planning Panel Meeting held via hybrid meeting conference on Wednesday, 8 February 2023, starting at 1:00pm.

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

Development Application DA22/0534, Lot 700 DP 1275647 & Lot 1 DP 1226168, 19 Middlebrook Rise, Glenmore Park - Construction & Embellishment of a Neighbourhood Park (Pinnacle Park South) including Related Structures & Works.

### **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 (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.

### **Panel Decision**

DA22/0534, Lot 700 DP 1275647 & Lot 1 DP 1226168, 19 Middlebrook Rise, Glenmore Park - Construction & Embellishment of a Neighbourhood Park

(Pinnacle Park South) including Related Structures & Works be approved subject to recommended conditions of consent, with the following amendments:



- Amend Condition 4(a) to add the following at the end of the Condition: *‘,unless otherwise agreed in writing by Council’s Assets Manager’.*
- Delete Condition 4(b) as condition requirements are reflected on the proposed plans, and therefore the condition is superfluous.
- Amend Condition 6 to make reference to add: *“The supply and installation of wetpour rubber safety surface treatments shall be in accordance with Australian Standard 4422:2016, and to the satisfaction of Council’s Asset Manager.”*
- Amend Condition 20 to clarify Section 73 Certificate, by making reference to the preceding subdivision approval and correcting reference from Subdivision Certificate to Occupation Certificate.
- Addition of a new Condition requiring inspection of completed works by the appropriate Council Officer(s), and testing to occur with supervision of the appropriate Council Officer(s), prior to the issue of an Occupation Certificate.

### Reasons for the Decision

- i) The proposal provides open space and play space opportunities for the benefit of the local community.
- ii) The location and nature of proposed facilities has been strategically planned in this location to ensure the social and recreational needs of the local community are met.
- iii) The design of the development and recommended conditions of consent suitably responds to accessibility and all – ability play considerations.
- iv) The proposed development has suitability responded to site constraints including the retention and protection of critically endangered ecological community identified on the site.
- v) Proposed and amended conditions reasonably mitigate and manage potential impacts.
- vi) Granting consent is considered to be in the public interest.

### Votes

The decision was unanimous.

Jason Perica (Chair) 	Mary-Lynne Taylor (Expert) 
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John Brunton (Expert)



Geoff Martin (Community Representative)

