

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA22/0075
DATE OF DETERMINATION	20 December 2022
PANEL MEMBERS	Pamela Soon (Chair) Christopher Hallam (Expert) Mary-Lynne Taylor (Expert) Stephen Welsh (Community Representative)
DECLARATIONS OF INTEREST	No conflicts of interest were declared

Electronic Meeting held via video conference on Wednesday 20 December 2022, starting at 3:00pm.

This electronic meeting follows a preceding Public Local Planning Panel Meeting held on 23 November 2022. At this meeting the determination of the development application was deferred to allow opportunity for the applicant to revise the proposal and submit amended and additional information. This deferral also allowed for the matter to be reported back to the Local Planning Panel for electronic determination.

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

Development Application DA22/0075, Lot 3280 DP 786811, 7 Swallow Drive, Erskine Park – Torrens Title Subdivision into 4 Lots, Tree Removal and Associated Civil Works at the Corner of Swallow Drive and Regulus Street

Panel Consideration

The Panel had regard to the assessment report prepared by Council's independent assessment officer (external planning consultant), 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 – (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021)
- State Environmental Planning Policy (Precincts - Western Parkland City) 2021

In terms of considering community views, the Panel noted there one (1) submission was received from the public notification of the Development Application.

Panel Decision



DA22/0075, Lot 3280 DP 786811, 73 Swallow Drive Erskine Park NSW 2759 - Torrens Title Subdivision Into 4 Lots, Tree Removal, Construction of Driveway and Associated Civil Works be approved subject to recommended conditions of consent as amended to address two minor typographical errors relating to Condition 1 and Condition 13.



Reasons for the Decision

- i The Panel agreed with the assessment of the amended proposal outlined within the Independent Consultant's Further Assessment Memorandum.
- ii The Panel was satisfied that the amended plan with 4 lots will result in future residential development opportunities in accordance with the Local Environmental Plan zone and objectives.
- iii The Panel notes that the revised 4 lot subdivision removes the need for a Clause 4.6 variation to the lot width development standard and provides a more appropriate subdivision arrangement.
- iv Suitable restrictions are to be registered on the title of the proposed lots to ensure protection of existing vegetation.
- v The Panel was satisfied that suitable fencing is proposed or addressed via Conditions to delineate and protect the Restricted Development Area, as well as boundary fencing within the Restricted Development Area which will not adversely impact upon trees being retained.
- vi In terms of considering views expressed by the public, the Panel noted there was one submission. The Panel noted that the submission raised matters which have been addressed by the amended plan by way of a loss of one lot and removal of any indicative sewer alignment. The Panel understands the sewer alignment to service the 4 proposed lots will be subject to separate approval from Sydney Water after approval of the development application and there may be a number of options for sewer servicing. Matters of concern related to the Development Application have been addressed and assessed within the Independent Consultant's Assessment Report, and the Panel agrees with that assessment.

Votes

The decision was unanimous.

<p>Pamela Soon (Chair)</p> 	<p>Christopher Hallam (Expert)</p> 
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Mary-Lynne Taylor (Expert) 	Stephen Welsh (Community Representative) 
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