



Penrith Local Planning Panel

Determination and Statement of Reasons

APPLICATION NUMBER	DA19/0700 – 272-276 Devlin Road Castlereagh
DATE OF DETERMINATION	25 March 2020
PANEL MEMBERS	Jason Perica (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Geoff Martin (Community Representative)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKER(S)	Nil

Public Meeting held at Penrith City Council on Wednesday 25 March 2020, opened at 3:30pm.

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

Development Application DA19/0700 at Lot 20 DP 23460 at 272-276 Devlin Road, Castlereagh – Construction of a Single Storey Dwelling to create a Detached Dual Occupancy.

Panel Consideration

The Panel had regard to the assessment report prepared by Council Officers, submissions received, including the following plans;

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 55 – Remediation of Land
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River

In terms of considering community views, the Panel noted there were no submissions received from the public notification of the Development Application.

Reasons for the Decision

The Panel agreed with the assessment contained with Council's Assessment Report. In agreeing with the recommendation for approval, the Panel noted the following:-

- The Panel formed the view that the applicant's written request to vary the minimum lot size for dual occupancy development pursuant to Clause 7.10 of Penrith Local Environmental Plan 2010, in accordance with Clause 4.6 of that Plan, adequately addressed the requisite matters within Clause 4.6(3) of that Plan. Further, the Panel formed the view that the proposal was consistent with the objectives of the zone and the objectives of the development standard and that granting consent would be in the public interest.
- The proposal is not considered to undermine the Council's strategic intention for this area nor the implementation of the development standard.
- The location and scale of the proposed built form and associated wastewater management measures are appropriately located and suitably site responsive.
- The proposed design and recommended conditions of consent adequately manage and mitigate environmental impacts.


Panel Decision

Pursuant to the provisions of Section 4.16 of the Environmental Planning and Assessment Act, 1979, Development Application DA19/0700 for Construction of a Single Storey Dwelling to create a Detached Dual Occupancy at 272-276 Devlin Road, Castlereagh be approved subject to the conditions circulated to the Local Planning Panel meeting of Wednesday 25 March 2020 subject to the following changes:-

- Condition 4: amended to ensure that BAL29 is achieved and specifically referenced within the condition
- Condition 12: amended to add the words "suitably sorted, classified and..." in relation to waste materials not referenced within the waste management plan.
- Condition 45: amended to ensure that an occupation certificate is not issued until Condition 46 requirements are satisfied

Votes

The decision was unanimous.

<p>Jason Perica – Chair</p> 	<p>John Brunton - Expert</p> 
<p>Mary-Lynne Taylor – Expert</p> 	<p>Geoff Martin – Community Representative</p> 