

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA22/0835
DATE OF DETERMINATION	23 rd November 2023
PANEL MEMBERS	Jason Perica (Chair) Mary-Lynne Taylor (Expert) Christopher Hallam (Expert) Stephen Welsh (Community Member)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	Jake Bentley- Development Assessment Planner (Council) Mark Chidel- Natural Systems Team Leader (Council)
LIST OF ADDITIONAL ATTENDEES	Gavin Cherry- Development Assessment Coordinator (Council) Katelyn Davies- Senior Administration Officer (Council) Brittany Dickson- Administration Officer (Council)

Online Electronic Determination Meeting held in person and via video conference on Wednesday, 22nd November 2023, starting at 9.30am.

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

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DA22/0835, Demolition of the Existing Structures, Removal of Vegetation, Lot Consolidation and Subdivision to Create 13 Torrens Title Lots Comprising of 11 x Residential Lots, 1 x Drainage Lot and 1 x Residue Lot and Construction of a Public Road at Nos. 262-268 and 270-274 Caddens Road, 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:

- Biodiversity Conservation Act 2016
- State Environmental Planning Policy (Biodiversity & Conservation) 2021
- State Environmental Planning Policy (Precincts- Western Parkland City) 2021
- State Environmental Planning Policy (Resilience & Hazards) 2021
- Penrith Local Environmental Plan 2010
- Penrith Development Control Plan 2014

It was noted that the Applicant was invited to attend the meeting and address The Panel, but no response was received.

Panel Decision

In accordance with Section 4.16 of the Environmental Planning and Assessment Act 1979, DA22/0835 for Demolition of the Existing Structures, Removal of Vegetation, Lot Consolidation and Subdivision to Create 13 Torrens Title Lots Comprising of 11 x Residential Lots, 1 x Drainage Lot and 1 x Residue Lot and Construction of a Public Road at Nos. 262-268 and 270-274 Caddens Road, Claremont Meadows, NSW, 2747 be refused for the reasons contained in the Council's Assessment Report, with the addition of the following reason:




Penrith Local Environmental Plan 2010, Clause 1.2 - Aims of the Plan

The proposal is inconsistent with the following aims in **Clause 1.2**:

- *(f) to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,*
- *(h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.*

Votes

The decision was unanimous.

Jason Perica (Chair) 	Mary-Lynne Taylor (Expert) 
Christopher Hallam (Expert) 	Stephen Welsh (Community Member) 