

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	DA22/0084 – 25 Chameleon Drive, ERSKINE PARK NSW 2759
<b>DATE OF DETERMINATION</b>	26 October 2022
<b>PANEL MEMBERS</b>	Jason Perica (Chair)  John Brunton (Expert)  Vanessa Howe (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	Vince Hardy – Applicant (Available for Questions)

Public Meeting held via video conference on Wednesday 26 October 2022, starting at 11:30am.

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

Development Application DA22/0084, Lot 1106 & 1107 DP 709078, 25 Chameleon Drive Erskine Park NSW 2759 - Torrens Title Subdivision Into 5 Lots Including One Lot to be Retained as Public Reserve, Tree Removal, Construction of Driveway and Associated Civil Works.

### **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 (Amendment 4)
- Penrith Development Control Plan 2014
- State Environmental Planning Policy (Western Sydney Aerotropolis) 2020
- State Environmental Planning Policy – (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021)

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

### Panel Decision

DA22/0084, Lot 1106 & 1107 DP 709078, 25 Chameleon Drive Erskine Park NSW 2759 - Torrens Title Subdivision Into 5 Lots Including One Lot to be Retained as Public Reserve, Tree Removal, Construction of Driveway and Associated Civil Works be approved subject to recommended conditions of consent as amended by the following:-



- i) Deletion of the deferred commencement conditions and replacement with an operational consent as follows:-  
***Prior to Issue of a Subdivision Certificate, evidence of registration is required to be submitted to Penrith City Council's Development Assessment Coordinator of the creation of an easement to drain water over Lots 102 & 104 DP 717534. The easement shall be located from the discharge point of the development site to the receiving drainage system. The easement width shall be 2m wide in accordance with Penrith City Council's adopted Stormwater Drainage Specification for Building Developments specification***
- ii) Amendment of Condition 34(a) to clarify that the condition relates to the preservation and protection of all trees with the exception of Tree 12.

### Reasons for the Decision

- i) The Panel generally agreed with the assessment of the proposal outlined within the Independent Consultant's assessment report.
- ii) The proposal will result in future residential development opportunities in accordance with the Local Environmental Plan zone and objectives.
- iii) Suitable restrictions are to be registered on the title of the proposed lots to ensure protection of existing trees.
- iv) In terms of considering views expressed by the public, the Panel noted there were no submissions received.

### Votes

The decision was unanimous.

Jason Perica – Chair 	John Brunton – Expert 
Vanessa Howe – Community Representative 