

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	DA20/0518 – 11 Denintend Place SOUTH PENRITH NSW 2750
<b>DATE OF DETERMINATION</b>	28 October 2020
<b>PANEL MEMBERS</b>	Jason Perica (Chair) John Brunton (Expert) Mary-Lynne Taylor (Expert) Stephen Welsh (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	N/A
<b>LISTED ATTENDEES</b>	Natalie White – Applicant/Owner

Public Meeting held via video conference on Wednesday 28 October 2020, starting at 3:00pm.

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

Development Application DA20/0518 at Lot 127 DP 246594, 11 Denintend Place SOUTH PENRITH NSW 2750 - Additions and Alterations to the Existing Dwelling including the Removal of an Existing Carport and Construction of an Attached Garage.

### **Panel Consideration**

The Panel had regard to the assessment report prepared by Council Officers. Including the following plans;

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy No 55 – Remediation of Land
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

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

### Panel Decision

Development Application DA20/0518 at Lot 127 DP 246594, 11 Denintend Place SOUTH PENRITH NSW 2750 - Additions and Alterations to the Existing Dwelling including the Removal of an Existing Carport and Construction of an Attached Garage to be approved subject to the conditions recommended by Council staff contained in the report to the Panel meeting of 28 October 2020, subject to the following change:

(a) Insert a new condition to state:

*“Given the non-compliance with landscaped area, increased concrete and to counter heat island effects, a new street tree (minimum 25l size) of a species agreed by Council, shall be planted and be in a healthy state prior to the issue of an Occupation Certificate”.*

### Reasons for the Decision

The Panel agreed with the assessment contained with Council’s Assessment Report.




Some clarifications were made by Council staff, including that the staff site visit occurred on 11 September 2020, after its lodgement, and there were non-compliances with the Penrith Development Control Plan 2014, as outlined in the Appendix to the assessment report.

The Panel noted that the non-compliances with the DCP were relatively minor and acceptable in this instance. In terms of the front setback, it was noted from cadastre information that the front boundary splayed out to the west, helping to increase the front setback (not being apparent on the submitted plans). The landscaping was being slightly reduced and the Panel was satisfied this would be reasonably mitigated by provision of a street tree of a species to be agreed by Council. An additional condition was imposed by the Panel accordingly.

In terms of considering community views, no submissions were made.

### Votes

The decision was unanimous.

Jason Perica – Chair 	John Brunton – Expert 
Mary-Lynne Taylor – Expert 	Stephen Welsh – Community Representative 