

DATE OF DETERMINATION	12 September 2024
DATE OF PANEL DECISION	12 September 2024
DATE OF PANEL BRIEFING	2 September 2024
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Carlie Ryan, Ross Fowler
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 28 August 2024.

MATTER DETERMINED

PPSSWC-387 – Penrith – DA23/1092 at 45 Orth Street Kingswood 2747

Demolition of Existing Structures & Construction of Medical Centre, Cafe & Ground Level Car Parking

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report. In particular, the panel is satisfied that the application is consistent with the applicable planning controls and will have no significant adverse environmental impacts.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- Contaminated land managed via an Asbestos Management Plan on the adjoining site to the north.

The panel considers that this concern has been adequately addressed in the assessment report and via an appropriate condition of consent.

PANEL MEMBERS



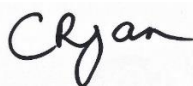
Justin Doyle (Chair)



Louise Camenzuli



David Kitto



Carlie Ryan



Ross Fowler

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-387 – Penrith – DA23/1092
2	PROPOSED DEVELOPMENT	Demolition of existing structures & construction of medical centre, cafe & ground level car parking
3	STREET ADDRESS	45 Orth Street Kingswood 2747 Lot 186 DP 14333
4	APPLICANT/OWNER	Applicant: Willowtree Planning Owner: Axis Corporation Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Precincts – Western Parkland City) 2021 Penrith Local Environmental Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Penrith Development Control Plan 2010 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 27 August 2024 Written submissions during public exhibition: 1 Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 18 March 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Louise Camenzuli (Acting Chair), David Kitto, Ross Fowler <u>Council assessment staff</u>: Gavin Cherry, Katelyn Davies <u>Applicant representatives</u>: Peter Braga Preliminary Briefing: 8 April 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Louise Camenzuli (Acting Chair), David Kitto, Ross Fowler <u>Council assessment staff</u>: Mahbub Alam, Robert Craig, Katelyn Davies

		<ul style="list-style-type: none">• Final briefing to discuss council’s recommendation: 2 September 2024<ul style="list-style-type: none">○ <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Ross Fowler, Carlie Ryan○ <u>Council assessment staff</u>: Wendy Connell, Robert Craig○ <u>Applicant representatives</u>: Cameron Gray
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report