

## RECORD OF DEFERRAL

### SYDNEY WESTERN CITY PLANNING PANEL

<b>DATE OF DEFERRAL</b>	Friday, 18 December 2020
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Nicole Gurran and Sandra Hutton
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	<p>Louise Camenzuli: Perceived conflict due to law firm's previously acting for proponent – did not participate in assessment.</p> <p>Jeni Pollard: The conflict arises from my employment at Penrith City Council that has endorsed the preparation of a Planning Proposal that will prohibit cemeteries and crematoria in areas including Wallacia.</p> <p>Glenn McCarthy: I was present at Council meetings held on 26 June 2017, 24 July 2017 and 28 August 2017 when the permissibility of cemeteries and crematoria in the Mulgoa Valley and Wallacia were considered.</p> <p>Ross Fowler: The Conflict arises from the application of Clause 3.19.b of the "Panel Code of Conflict" in that I was a Councillor and part of the unanimous decision by Penrith City Council that referred a Planning Proposal to the Department of Planning that if adopted would have made the proposed use of a cemetery prohibited on the land subject to DA2019/0875.</p>

Public meeting held Public Teleconference on 18 December 2020, opened at 1:50pm and closed at 1:58pm.

#### MATTER DEFERRED

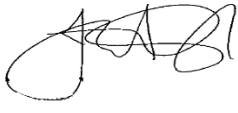


PPSSWC-45 – Penrith – DA19/0875 at Wallacia Golf Course 13, 17 & 37 Park Road WALLACIA, NSW 2745 – Change of Use of Part of Existing Golf Course to Cemetery (as described in Schedule 1)

#### REASONS FOR DEFERRAL

The panel agreed to defer the determination of the matter to allow for a new public meeting date to be set where time can be set aside to hear from the 19 persons registered to address the meeting, and to allow the Panel sufficient time to consider the complex issues raised in the determination report, which may require legal advice..

A public determination meeting will be scheduled for February 2021

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Sandra Hutton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-45 – Penrith – DA19/0875
2	PROPOSED DEVELOPMENT	Change of Use of Part of Existing Golf Course to Cemetery Including 27,000 Burial Plots, Chapel and Administration Building, Internal Roads, New Parking and Amended Access from Park Road, Reconfiguration of Golf Course to 9 Holes, New Pool, Gym, Putting & Bowling Greens, and Alterations and Additions to Wallacia Golf Club, Tree Removal and Landscaping, Fencing, Civil and Stormwater Works and new intersection works along Park Road and Subdivision.
3	STREET ADDRESS	Wallacia Golf Course 13, 17 & 37 Park Road WALLACIA, NSW 2745
4	APPLICANT/OWNER	Applicant: Catholic Cemeteries Board C/- Urbis Owner: Catholic Metropolitan Cemeteries Trust
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No. 55 Remediation of Land</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>Draft Environmental SEPP</li> <li>Draft Contaminated Lands SEPP</li> <li>Penrith Local Environmental Plan 2010</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Penrith Development Control Plan 2014</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 7 December 2020</li> <li>Written submissions during public exhibition: 411</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site Visit/Briefing: Monday, 17 February 2020 <ul style="list-style-type: none"> <li><u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán and Susan Budd</li> <li><u>Council assessment staff</u>: Kathryn Sanders, Robert Craig and Wayne Mitchell</li> </ul> </li> <li>Site inspection: Friday, 24 July 2020 <ul style="list-style-type: none"> <li><u>Panel members</u>: Sandra Hutton</li> </ul> </li> <li>Applicant Briefing: Thursday, 9 July 2020</li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Sandra Hutton and Stuart McDonald</li> <li>○ <u>Applicant representatives</u>: David Hoy – Urbis, Rachel Trigg – Urbis, Nazia Pokar – Urbis, Ben Salon - Mills Oakley Law Firm, Peter O'Meara – Catholic Cemeteries, David De Angelis - Catholic Cemeteries, Florence Jaquet – Landscape Architects Fjla, Daniel Martens – Martens, David Marsh – St John Park Bowling Club</li> </ul> <p><u>Note</u>: Applicant briefing was requested to provide the Panel with clarification and to respond to issues</p> <ul style="list-style-type: none"> <li>• Final briefing to discuss council's recommendation: Friday, 18 December 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurran and Sandra Hutton</li> <li>○ <u>Council assessment staff</u>: Robert Craig and Kathryn Saunders</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Refusal
10	<b>DRAFT CONDITIONS</b>	N/A