

## COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	2016SYW197
<b>DA Number</b>	DA16/0999
<b>LGA</b>	Penrith
<b>Proposed Development</b>	Demolition of Existing Structures, Construction of a Seven (7) Storey Mixed Use Development including Ground Floor Commercial Tenancy, 121 Residential Apartments, Three (3) Levels of Basement Car Parking & Associated Works
<b>Street Address</b>	38 – 40 Orth Street and 1-5 Hargrave Street, Kingswood
<b>Applicant</b>	Pamada Pty Limited
<b>Owner</b>	Desan International Pty Ltd; Kai-Lin Chang; Janelle & Agamemnon Ypermachou
<b>Date of DA lodgement</b>	21 September 2016
<b>Number of Submissions</b>	5
<b>Recommendation</b>	Refusal
<b>Regional Development Criteria (Schedule 4A of the EP&amp;A Act)</b>	General development with CIV over \$20 million
<b>List of all relevant s79C(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• Penrith Local Environmental Plan 2010</li> <li>• Penrith Development Control Plan 2014</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	Attachment 1 – Architectural Plans
<b>Report prepared by</b>	Kate Smith
<b>Report date</b>	12 July 2017

### Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?

**Yes**

### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

**Not Applicable**

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

**No**

### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)?

**No**

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

### Conditions

Have draft conditions been provided to the applicant for comment?

**Not Applicable**

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

