

COUNCIL ASSESSMENT REPORT

Panel Reference	2018SWT005
DA Number	DA18/0264
LGA	Penrith
Proposed Development	Construction of a Part Twelve (12) Storey & Part Fifteen (15) Storey Mixed Use Development including Basement, Podium Level 1 & Level 2 Car Parking, Ground Floor Business and Commercial Uses, 187 Residential Apartments & Construction and Dedication of a Public Road, Stormwater Drainage, Civil and Public Domain Works & Landscaping
Street Address	87-93 Union Road Penrith
Applicant	Toga Penrith Developments C/- Urbis
Owner	Silver Star Investments (Aust) Pty Ltd
Date of DA lodgement	16 March 2018
Number of Submissions	3 (A fourth submission was received but formally withdrawn)
Recommendation	Approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	Over 30million CIV
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • Penrith Local Environmental Plan 2010 (Amendment 4) • Penrith Development Control Plan 2014 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (State and Regional Development) 2011 • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> - Architectural Plans (Appendix 1) - Civil Engineering Drawing Set (Appendix 2) - DIRP GA Office (Appendix 3) - RMS Advice (Appendix 4) - Further RMS Advice (Appendix 5) - Response to Council's Preliminary Assessment (Appendix 6) - Revised Clause 4.6 Variation (Appendix 7) - Revised Landscape Plans (Appendix 8) - Statement of Environmental Effects (Appendix 9) - Traffic Impact Assessment (Appendix 10) - Updated Legal Advice Malcolm Craig QC (Appendix 11) - Waste Management Plan (Appendix 12)
Report prepared by	Kathryn Saunders
Report date	5 March 2019

Summary of s79C matters

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

Yes – where appropriate

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?

Yes

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?

Not Applicable

Special Infrastructure Contributions

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

Not Applicable

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?

Yes

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