

<b>DATE OF DETERMINATION</b>	21 May 2019
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Ross Fowler and Glenn McCarthy
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically between 14 May 2019 and 21 May 2019.

#### **MATTER DETERMINED**

Panel Ref – 2018WCI014 - LGA – Penrith – DA18/1189 at 131 Bringelly Road, Kingswood (as described in Schedule 1)

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.33 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

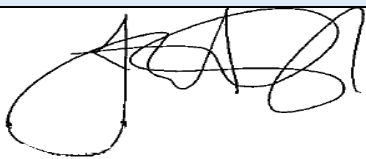
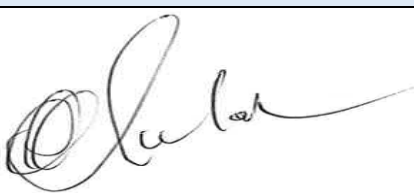
The panel determined to uphold the Clause 4.6 variation to building height; and approve the application for the reasons outlined in the council assessment report.




#### **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 notes that they were no written submissions made in opposition of the proposal during public exhibition.

<b>PANEL MEMBERS</b>	
 Justin Doyle (Chair)	 Bruce McDonald

 Nicole Gurran	 Ross Fowler
 Glenn McCarthy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2018WCI014 - LGA – Penrith – DA18/1189
2	PROPOSED DEVELOPMENT	Construction of multi-purpose school hall and associated site works
3	STREET ADDRESS	131 Bringelly Road, Kingswood
4	APPLICANT/OWNER	Applicant – Nasr Group Owner – Department of Education
5	TYPE OF REGIONAL DEVELOPMENT	CIV>\$5m – Crown Development
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Penrith Local Environmental Plan 2010</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River</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</li> </ul>

		<p>impacts on the natural and built environment and social and economic impacts in the locality</p> <ul style="list-style-type: none"> <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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 10 May 2019</li> <li>• Written submissions during public exhibition: 1 (submission not in opposition)</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b>	<ul style="list-style-type: none"> <li>• Site inspection and briefing – 29 January 2019</li> <li>• Papers circulated electronically between 14 May 2019 and 21 May 2019</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report