

DATE OF DEFERRAL	27 March 2023
PANEL MEMBERS	Justin Doyle (Chair), David Kitto, Louise Camenzuli, Carlie Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 17 March 2023.

MATTER DEFERRED

PPSSWC-214 – Penrith – DA21/0945 – 180 Great Western Highway, Kingswood - Demolition of Existing Structures & Staged Construction of Mixed Use Commercial & Residential Development including Eight (8) Storey Building (Building A - Great Western Highway), Six (6) Storey Building (Building B - Rodgers Street), Ground Floor Pub (Building A), Bottle Shop & Temporary Pub (Building B), 133 Residential Apartments, Rooftop Communal Open Space, Three (3) Levels of Basement Car Parking & Associated Site Works.

REASONS FOR DEFERRAL

In its assessment of this DA, Penrith Council has calculated that Penrith DCP 2014 requires 150 on-site parking spaces for the pub in Building A, whereas the proposal makes provision for only 56 pub parking spaces. This is a shortfall measured from the DCP standard of 94 pub parking spaces.

The Panel has been briefed on the parking shortfall by the Council's planner, and has reviewed the supporting traffic information attached to the Council's Assessment Report.

The Panel cannot determine from the material provided to it whether a parking shortfall for the pub in Building A to the extent proposed is sufficiently justified and acceptable.

For that reason the Panel has resolved to defer its determination of the matter until such time as an independent traffic consultant's advice can be obtained to consider the impacts that are anticipated from the parking shortfall, and particularly whether unacceptable impacts on available street parking are likely.

The independent consultant should be briefed with all relevant portions of the DA, and in particular the letter from CJP Consulting Engineers dated 22 December 2022, and the Traffic Impact Assessment prepared by the Transport Planning Partnership, dated 22 November 2021.

The Panel hopes that the independent consultant's report as referred to above can be submitted to Council within 3 weeks from the date of this deferral record.

The Council planning assessment staff can then provide an addendum assessment report outlining the outcome of the independent traffic consultant's review of the proposed parking arrangements, including any change to its recommendation, and/or any necessary amendments to proposed conditions of consent to address any issues arising from that report (for example whether additional basement parking, a parking management plan, or restrictions on operations of the pub are warranted).

The decision to defer the matter was unanimous.

PANEL MEMBERS

Justin Doyle (Chair)



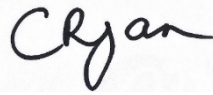
David Kitto



Louise Camenzuli



Carlie Ryan



SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-214 – Penrith – DA21/0945
2	PROPOSED DEVELOPMENT	Demolition of Existing Structures & Staged Construction of Mixed Use Commercial & Residential Development including Eight (8) Storey Building (Building A - Great Western Highway), Six (6) Storey Building (Building B - Rodgers Street), Ground Floor Pub (Building A), Bottle Shop & Temporary Pub (Building B), 133 Residential Apartments, Rooftop Communal Open Space, Three (3) Levels of Basement Car Parking & Associated Site Works.
3	STREET ADDRESS	180 Great Western Highway, Kingswood
4	APPLICANT/OWNER	Applicant: Hamptons Property Services Pty Ltd Owner: Kingswood Hotel Property Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p> <p>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</p> <p>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</p> <p>State Environmental Planning Policy (Industry and Employment) 2021</p> <p>State Environmental Planning Policy (Planning Systems) 2021</p> <p>State Environmental Planning Policy (Western Sydney Aerotropolis) 2020</p> <p>State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p> <p>Penrith Local Environmental Plan 2010</p> <p>Penrith Development Control Plan 2014</p> <ul style="list-style-type: none"> • Draft environmental planning instruments: Nil • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • 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: 20 March 2023 • Clause 4.6 variations: Penrith Local Environmental Plan (LEP) 2010, Clause 4.3, 18 metre and 24 metre Maximum Building Height • Written submissions during public exhibition: 2 • Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 21 March 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, Nicole Gurran, Ross Fowler ○ <u>Council assessment staff</u>: Gavin Cherry, Sandra Fagan, Robert Craig • Final briefing to discuss council's recommendation: 27 March 2023

		<ul style="list-style-type: none">○ <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Carlie Ryan, Ross Fowler○ <u>Council assessment staff</u>: Gavin Cherry, Sandra Fagan, Robert Craig
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report