COUNCIL ASSESSMENT REPORT

|  |  |  |
| --- | --- | --- |
| **Panel Reference** | **PPSSWC-244** | |
| **DA Number** | **DA22/0326** | |
| **LGA** | **Penrith** | |
| **Proposed Development** | **Construction of a Seven (7) Storey Accommodation Hotel with 140 Rooms, including Food and Beverage Use on the Top Floor with Outdoor Rooftop Seating, and Three (3) Basement Levels with 63 Parking Spaces** | |
| **Street Address** | **28, 30, and 32 Somerset Street, Kingswood NSW 2747** | |
| **Applicant/Owner** | Michael Viscovich (Applicant)  Boston Nepean Pty Ltd (Owner) | |
| **Date of DA lodgement** | 12 April 2022 | |
| **Total number of Submissions**  **Number of Unique Objections** | 7 Submissions raising concerns  1 Submission in support | |
| **Recommendation** | **Approval** | |
| **Regional Development Criteria (Schedule 6 of the SEPP (Planning Systems) 2021** | Schedule 6(2) General development over $30 million | |
| **List of all relevant s4.15(1)(a) matters** | * State Environmental Planning Policy (Biodiversity and Conservation) 2021 * State Environmental Planning Policy (Industry and Employment) 2021 * State Environmental Planning Policy (Planning Systems) 2021 * State Environmental Planning Policy (Precincts—Western Parkland City) 2021 * State Environmental Planning Policy (Resilience and Hazards) 2021 * State Environmental Planning Policy (Transport and Infrastructure) 2021 * Penrith Local Environmental Plan 2010 * Penrith Development Control Plan 2014 | |
| **List all documents submitted with this report for the Panel’s consideration** | * Architectural drawings * Renders * Landscape plans * Clause 4.6 Written Request * Statement of Environmental Effects * Traffic Report and response to request for further information (RFI) * Acoustic Report and response to RFI * Aborist Report | |
| **Clause 4.6 requests** | * Penrith Local Environmental Plan (LEP) 2010 * Clause 4.3 * 18 metre Maximum Building Height | |
| **Summary of key submissions** | * adequacy of Clause 4.6 request * height non-compliance * bulk and scale * traffic and parking * category of use as a medi-hotel * setbacks * overshadowing * noise and acoustic impact * impact to neighbouring tree | |
| **Report prepared by** | **Sandra Fagan** | |
| **Report date** | 13 January 2023 | |
| **Summary of s4.15 matters**  Have all recommendations in relation to relevant s4.15 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? | | **Yes** | |
| **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? | | **Yes** | |
| **Special Infrastructure Contributions**  Does the DA require Special Infrastructure Contributions conditions (S7.24)?  *Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions* | | **Not applicable** | |
| **Conditions**  Have draft conditions been provided to the applicant for comment?  *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* | | **Yes** | |