

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSWC-298
DA Number	DA22/1086
LGA	Penrith City Council
Proposed Development	Construction of Ten (10) Storey Mixed Use Commercial & Residential Development including Two (2) Storey Podium containing 14 Ground Floor Retail Premises & First Floor Commercial Floor Space, Two (2) x Eight (8) Storey Residential Towers containing 287 Residential Apartments (East Tower - 152 Units; West Tower - 135 Units), Rooftop Communal Open Space, Three (3) Levels of Basement Car Parking & Public Domain Works
Street Address	160, 162 & 172 Lord Sheffield Circuit, Penrith, NSW, 2750
Applicant/Owner	UPG Lord Sheffield 162 Pty Ltd / Boston 42 Pty Ltd
Date of DA lodgement	15 th November 2022
Number of Submissions	Two (2) Submissions Received
Recommendation	Approve
Regional Development Criteria Schedule 6 of the SEPP (Planning Systems) 2021	The proposal is defined as a mixed use development, including residential accommodation and commercial premises, and the Capital Investment Value of \$111,197,688. Accordingly, the proposal meets the category requirements of '<i>General development over \$30 million</i>' and is classed to be '<i>regionally significant development</i>'.
List of all relevant s4.15(1)(a) matters of the EP&A Act 1979	- Environmental Planning and Assessment Regulation 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings - Penrith Local Environmental Plan 2010 - Penrith Development Control Plan 2014
List all documents submitted with this report for the Panel's consideration	- Council Assessment Coversheet - Council Assessment Report - ADG Compliance Table - Architectural Plans - Statement of Environmental Effects - Clause 4.6 Variation Request - Design Integrity Panel Endorsement - Design Integrity Process Report - BASIX Assessment Report - DA Design Report - Landscape DA Design Report - Landscape Plans - Stormwater Management Plans - Geotechnical Investigation - Groundwater Take Assessment - Flood Impact & Risk Management Report - Heritage Impact Statement - SEPP 65 Design Statement - Storage Schedule - Rail Interface Report - Utilities & Infrastructure Servicing Report

	• Piling Report • Traffic Report • Waste Management Plan • Wind and Thermal Comfort Report • Reflectivity Report • Fire Engineering Statement • Arborist Report • Accessibility Compliance Report • Sydney Trains Concurrence • TfNSW Decision Bus Underpass • Endeavour Energy Letters • Sydney Water Letters • INSW Letter regarding flood evacuation • NSW SES Letter regarding flood evacuation • Applicant acceptance of proposed conditions • Submitter list • Submission from Susan Jones • 2x Submissions from Shari Driver
Report prepared by	Wendy Connell- Senior Development Assessment Planner
Report date	20th November 2023

Summary of s4.15C matters

Have all recommendations in relation to relevant s4.15C 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?
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP **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 (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