

## COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	<b>PPSSWC-315</b>
<b>DA Number</b>	<b>DA23/0076</b>
<b>LGA</b>	<b>Penrith City Council</b>
<b>Proposed Development</b>	Construction Of A Two Storey Childcare Facility Catering For 108 x Children With Basement Car Parking, Signage, Tree Removal & Associated Works
<b>Street Address</b>	72 Park Avenue, Kingswood, NSW, 2747
<b>Applicant/Owner</b>	Charles Assaf - Montessori Academy Group Developments Pty Ltd / CCA Investments - Turramurra Pty Ltd
<b>Date of DA lodgement</b>	6 <sup>th</sup> February 2023
<b>Number of Submissions</b>	Zero (0) Submissions received
<b>Recommendation</b>	<b>Refuse</b>
<b>Regional Development Criteria (Schedule 6 of the SEPP (Planning Systems) 2021)</b>	<ul style="list-style-type: none"> <li>Childcare facility with a capital investment value exceeding \$5 million</li> </ul>
<b>List of all relevant 4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>Penrith Local Environmental Plan 2010</li> <li>Penrith Development Control Plan 2014</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Industry and Employment) 2021</li> <li>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>Council Assessment Report Coversheet</li> <li>Council Assessment Report</li> <li>Attachment 1 – Statement of Environmental Effects</li> <li>Attachment 2 – Updated Stormwater Plans</li> <li>Attachment 3 – Updated Architectural Plans</li> <li>Attachment 4 – Noise Impact Statement</li> <li>Attachment 5 – Updated Landscape Plans</li> <li>Attachment 6 – Plan of Management</li> <li>Attachment 7 – RFI Response Letter</li> <li>Attachment 8 – Sydney Trains Concurrence</li> </ul>
<b>Report prepared by</b>	<b>Donna Clarke – External Consultant – Landmark Planning</b>
<b>Report date</b>	<b>27<sup>th</sup> November 2023</b>

### Summary of s4.15 matters

Have all recommendations in relation to relevant s79C 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**

*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?

**NA**

### Special Infrastructure Contributions

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

**NA**

*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?

NA

*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*