

DATE OF DETERMINATION	28 September 2016
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Bruce McDonald, Louise Camenzuli, Paul Stein and Brian McDonald
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Cumberland Council office in Merrylands on Wednesday, 28 September 2016 opened at 11:15 am and closed at 11:45 am.

MATTER DETERMINED

2015SYW169 - Cumberland Council - 2014/361 at 510-524 Great Western Highway, Pendle Hill (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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution. The decision was unanimous.

REASONS FOR THE DECISION


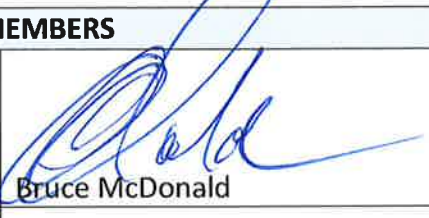

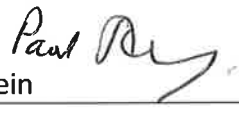

The reasons for the decision of the Panel were:

1. The proposed development will add to the supply and choice of housing within the South Western Metropolitan Subregion and the Cumberland local government area and will activate the Great Western Highway frontage of the site consistently with its inclusion within the designated enterprise corridor.
2. The proposed development adequately satisfies the relevant State Legislation and State Environment Planning Policies including the Roads Act 1993, SEPP 65 Design Quality of Residential Apartment Buildings and the associated Apartment Design Guide, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
3. The proposal adequately satisfies the provisions and objectives of Holroyd LEP 2013 and Holroyd DCP 2013
4. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby residential premises or the operation of the local road system.

5. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions attached to the Council Assessment Report, with typographical corrections.

PANEL MEMBERS	
 Mary-Lynne Taylor(Chair)	 Bruce McDonald
 Louise Camenzuli	 Paul Stein
 Brian McDonald	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYW169 - Cumberland Council - 2014/361
2	PROPOSED DEVELOPMENT	Demolition of existing structures, consolidation of 8 lots into 1 lot and construction of 3 separate buildings comprising a 4 storey shop top housing development, a 4 storey residential flat building and a 3 storey multi-dwelling housing development, incorporating a total of 5 commercial units, 74 residential units over 1 level of basement parking accommodating a total of 123 car parking spaces
3	STREET ADDRESS	510-524 Great Western Highway, Pendle Hill
4	APPLICANT	Dany Khoury on behalf of Blue Sox Developments
5	TYPE OF REGIONAL DEVELOPMENT	General development with a Capital Investment Value of more than \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development • State Environmental Planning Policy (Infrastructure) 2007 • Holroyd Local Environmental Plan 2013 • Holroyd Development Contribution Plan 2013 • Section 92 of the EP&A Regulation • 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> and <i>Environmental Planning and Assessment Regulation 2000</i>. • The public interest, including the principles of ecologically sustainable development.
7	MATERIAL CONSIDERED BY THE PANEL	<p>Council Assessment Report dated September 2016</p> <p>Written submissions during public exhibition: eight (five in response to the initial notification, and three in response to the second notification)</p> <p>Verbal submissions at the panel meeting:</p> <ul style="list-style-type: none"> • Object – Katherine Whiteley, Ange Fenech and Philip Stevens • On behalf of the applicant – James Kingston
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<p>Briefing meeting on 1 October 2015</p> <p>Site inspection and briefing meeting on 28 September 2016</p>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report