

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Department of Planning & Environment, Parramatta**
on **Wednesday 29 June 2016 at 3.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald and Paul Mitchell

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015SYW182 – City of Parramatta Council, DA608/2016, Demolition of existing structures and construction of a mixed use development containing 53 residential flat units and 128 square metres of ground floor retail space, Lot 1 DP 135802, No. 794 Pennant Hills Road, Carlingford.

Date of determination: 29 June 2016

Decision: Approval.

The Panel unanimously approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the matters observed at site inspections listed at item 8 in Schedule 1. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for Panel Decision:

1. The proposed development will add to the future supply and choice of housing within the North West Metropolitan Subregion and City of Parramatta in a location with ready access to metropolitan transport service available from Carlingford Railway Station and the amenities and services available within Carlingford Centre. The proposed development will also contribute further retail capacity to Carlingford centre.
2. The Panel has considered the applicant's request to vary the development standard contained in the Hills LEP 2012 Clause 4.4 relating to floor space ratio and Clause 4.1A(2) relating to minimum allotment size and considers that compliance with the standards would be unreasonable and unnecessary in the circumstances of this case as:
 - The variation relating floor space ratio will not result in development inconsistent with that planned for Carlingford centre and the development remains consistent with the underlying intent of the standard and the objectives of the zone. Further the variation results in improved environmental outcomes including improved acoustic amenity to balconies fronting Pennant Hills Road and a retail facility which provides an active frontage presentation of the development to Post Office Road and provides a convenient service to residents in the nearby locality.
 - The variation relating to minimum allotment size will result in the orderly development of land as the site is adjoined to the north and west by established development effectively preventing further amalgamation.
3. The proposed development adequately satisfies the relevant State Legislation and State Environmental Planning Policies including SEPP 65 – Design Quality of Residential Development and its associated Residential Flat Design Code, SEPP 55 Remediation of Land, SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the provisions and objectives of The Hills LEP 2012 including the objectives of the B2 Local Centre Zone.
5. The proposal adequately satisfies the applicable sections of The Hills DCP 2013. In this regard the Panel notes a departure from the site coverage provisions of the DCP but considers this is acceptable given the urban design outcomes achieved in this proposal.

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6. 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.
7. In consideration of the conclusions 1-6 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 provided by council as requested by the Panel at the meeting. (Refer to Appendix A - Conditions of Consent)

Note: Condition 29 is deleted.

Reason: Condition 29 is replicated by Condition 30.

Panel members:

 Mary-Lynne Taylor	 Bruce McDonald	 Paul Mitchell
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SCHEDULE 1

1	JRPP Reference – 2015SYW182, LGA – City of Parramatta, DA608/2016
2	Proposed development: Demolition of existing structures and construction of a mixed use development containing 53 residential flat units and 128 square metres of ground floor retail space.
3	Street address: Lot 1 DP 135802, No. 794 Pennant Hills Road, Carlingford.
4	Applicant/Owner: Lateral Estate Pty Ltd / Coles Group Property Developments Ltd.
5	Type of Regional development: Capital Investment Value >\$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ SEPP 65 – Design Quality of Residential Flat Development ○ SEPP (State and Regional Development) 2011 ○ The Hills Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ DCP 2012 Part D Section 12 – Carlingford Precinct ○ DCP 2012 Part C Section 1 – Parking ○ DCP 2012 Part C Section 3 – Landscaping ○ DCP 2012 Part B Section 5 – Residential Flat Buildings • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council assessment report and copy of submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Sarju Ram Sahu

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	<ul style="list-style-type: none">On behalf of the applicant - Peter Smith, Scott Barwick, Aaron Gadiel, Rohan Dickson and Benjy Levy
8	Meetings and site inspections by the Panel: 29 June 2016 – Final Briefing meeting.
9	Council recommendation: Refusal