

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 8 March 2017
PANEL MEMBERS	Ed Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell and Chris Quilkey
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Blacktown City Council on Wednesday, 8 March 2017, opened at 11:30 am and closed at 12:00 pm.

MATTER DETERMINED

2015SYW211 – Blacktown – DA-15-2480 AT Lots 15A and 15B within the sub-division of 54 Pelican Road, Schofields (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 Panel determines the application by granting approval, with notations and conditions, for the following reasons:

1. It will increase the supply and choice of housing in a zone – R3 – that is designated for this purpose and on a site that is suited to the proposed development.
2. The Panel notes that the development will need to meet several conditions relating to architecture, landscaping and environment.
3. It satisfies all applicable development standards and guidelines with the exception of the maximum building height standard where a small breach occurs. The Panel has considered the applicant's written request to vary the standard and considers it to be satisfactory. It is considered that compliance with the standard is unnecessary because the breach will have no adverse impact, and there are sufficient environmental planning grounds to justify the variation. It enables development that is consistent with the objectives of the R3 zone. Accordingly, the Panel approves the variation request.
4. The development will have no adverse effects on the natural or built environments, and the Panel notes that the exterior of the buildings will be finished appropriately because of the conditions imposed.
5. The development will have social benefits – providing well located and designed housing – and is in the public interest.





CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Condition 2.1.1: delete 'relates to' and insert "is to be carried out in accordance with".
- At end of table of same condition, asterisk next to landscape plan and add notation "Refer to condition 4.7.2".
- Condition 3.5.1: delete "and Infrastructure" and insert "and Environment".

- Condition 4.7.1: add to end of condition “and as amended by Condition 4.7.2 below”.
- Add Condition 4.7.2: the landscape plan is to be revised to include mature trees in the front setback to Grima Street.
- Condition 7.1.5: add after word ‘provided’ the words “via Pelican Road only, not Grima Street or Jacqui Avenue”
- Condition 8.1.5: add after word ‘policy’ the words “via Pelican Road only, not Grima Street or Jacqui Avenue”
- Condition 8.9 and Condition 8.9.1: add “(aggressive soils are defined as soils that have the potential to damage foundations).”

These changes are to improve transition to adjoining low density zone.

PANEL MEMBERS	
 Ed Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell OAM	 Chris Quilkey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYW211 – Blacktown – DA-15-2480
2	PROPOSED DEVELOPMENT	2 x residential flat buildings
3	STREET ADDRESS	Lots 15A and 15B within the sub-division of 54 Pelican Road, Schofields
4	APPLICANT/OWNER	Universal Property Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River • Blacktown City Council Growth Centre Precincts Development Control Plan 2010 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality

		<ul style="list-style-type: none"> • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report dated 1 February 2017 • Written submissions during public exhibition: none (0) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Graeme Allen and Peter Sheridan
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site visit and briefing meeting on 8 March 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report