

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	20 March 2017
PANEL MEMBERS	Ed Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell, Paul Stein and Paul Moulds
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 10 March 2017 and 20 March 2017

MATTER DETERMINED

2016SWC002 – Cumberland – DA-415/2014/B AT 32-40 Kerr Pde, Auburn (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 96 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.




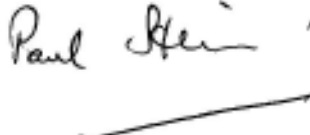

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. The proposed development will be substantially the same as the approved development and the proposed changes will not increase any adverse impacts.
2. The proposed development will be in keeping with the aims and objectives of the zone.
3. The proposed development will increase the availability and diversity of housing available in the Cumberland Local Government Area.
4. The Panel is satisfied that the proposed development is in the public interest.

CONDITIONS

The conditions were determined in the context of the existing conditions of consent, but amended as proposed in the Council Assessment Report.

PANEL MEMBERS	
 Ed Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell	 Paul Stein
 Paul Moulds	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SWC002 – Cumberland – DA-415/2014/B – 32-40 Kerr Pde, Auburn
2	PROPOSED DEVELOPMENT	Section 96(2) modification to convert the approved roof top terrace into a four (4) bedroom penthouse apartment and relocate the communal open space to ground floor level.
3	STREET ADDRESS	Lot 19 DP 3854, Lots 1 & 2 DP 505106, Lot 14 DP 56637, 32-40 Kerr Parade, Auburn
4	APPLICANT OWNER	Zhinar Architects R Oueik
5	TYPE OF REGIONAL DEVELOPMENT	S96(2) to an application which was determined by a planning panel
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development & the Apartment Design Guide • Auburn Local Environmental Plan 2010 • Auburn 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 • 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: 7 March 2017 • Advice from Council on the public interest: 17 March 2017
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Electronic discussion between 10 March and 20 March 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report