

<b>DATE OF DETERMINATION</b>	Thursday, 16 November 2017
<b>PANEL MEMBERS</b>	Maria Atkinson (Chair), John Roseth, Louise Camenzuli and Vivienne Albin
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre, 3 Spring St, Sydney on 16 November 2017, opened at 10:10 am and closed at 11:35 am.

#### **MATTER DETERMINED**

2016SYE067 – Strathfield - DA2016/087 AT 1-9 The Boulevard & 2-10 Churchill Avenue, Strathfield (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 to approve the construction of the 11 storey development are as follows - that it:

- Adds much needed quality commercial space to Strathfield;
- Includes balconies and provides open space amenity to office workers;
- Activates Strathfield Square and The Boulevard; and
- Results in the upgrade of a key site in the Strathfield Town Centre.





The Panel acknowledges the limited car parking and supports this because of the proximity of this development to significant mass transit services.

#### **CONDITIONS**

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

- Condition 2(a) be amended to the following:  
The louvres shown on the western façade are to be detailed as being fixed or operable to open no greater than 45 degrees from the closed position.  
The louvres to the eastern and northern balconies shall be operable such that the louvres cannot be more than 90% closed.  
*Reason: the Panel has varied condition 2(a) to make the balconies more usable at all times of year but the condition prevents the louvres being completely closed so that the balconies cannot become floor space, which the Panel considers undesirable.*

- Condition 2(e) to be added as follows:  
Removal from the plans of any residential use references.
- Condition 19 be amended to add the following words after the words 'Principal Certifying Authority': 'showing satisfaction with the relevant Australian Standard'
- Condition 25 be amended to delete the first reference to the word 'Site' and, in the second paragraph, delete the words 'to the satisfaction of Council', which is redundant.
- Condition 46 to be amended to replace the word 'residential' with the word 'commercial'.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 John Roseth
 Louise Camenzuli	 Vivienne Albin

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYE067 – Strathfield - DA2016/087
2	PROPOSED DEVELOPMENT	The amended application seeks approval for the demolition of the existing buildings and construction of a fifteen storey mixed use development containing 1,853m <sup>2</sup> of retail floor space, 4,951m <sup>2</sup> of commercial floor space, one level containing plant at Level 10 and (24) residential units
3	STREET ADDRESS	1-9 The Boulevard & 2-10 Churchill Avenue, Strathfield
4	APPLICANT/OWNER	Esperia Court P/L
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy No 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• Strathfield Local Environmental Plan 2012</li> <li>• Strathfield Development Control Plan No. 13 – Strathfield Town Centre</li> <li>• Strathfield Consolidated Development Control Plan 2005 <ul style="list-style-type: none"> <li>○ Part H – Waste Minimisation and Management</li> <li>○ Part I – Provision of Off-Street Parking Facilities</li> <li>○ Part L – Notification, and</li> <li>○ Part N – Water Sensitive Urban Design (WSUD)</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report for meeting on 18 May 2017</li> <li>• Written submissions during public exhibition: three (3)</li> <li>• Verbal submissions at the public meeting on 18 May 2017: <ul style="list-style-type: none"> <li>○ Object – Steven Ding and Adam Byrne</li> <li>○ On behalf of the applicant – Andrew Chalk, Richard Smyth, Andrew Elia and Nicholas Saulos</li> </ul> </li> <li>• Supplementary Council Assessment Report for meeting on 3 August 2017</li> <li>• Verbal submissions at the public meeting on 3 August 2017: <ul style="list-style-type: none"> <li>○ Object – Steven Ding</li> <li>○ On behalf of the applicant – Andrew Chalk and Andrew Elia</li> </ul> </li> <li>• Supplementary Council Assessment Report for meeting on 16 November 2017</li> <li>• Verbal submissions at the public meeting on 16 November 2017: <ul style="list-style-type: none"> <li>○ Object – Steven Ding</li> <li>○ On behalf of the applicant – Andrew Chalk and Andrew Elia</li> </ul> </li> <li>• Document tabled by Stephen Ding at public meeting on 16 November 2017</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing meetings on 3 September 2016, 18 May 2017 and 3 August 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 16 November 2017, 9:30 am. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Maria Atkinson (Chair), John Roseth, Louise Camenzuli and Vivienne Albin</li> <li>○ <u>Council assessment staff</u>: Silvio Falato and Kerry Gordon</li> </ul> </li> </ul>

9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the supplementary council assessment report