

RECORD OF DEFERRAL
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	18 December 2017
PANEL MEMBERS	Paul Mitchell (Chair), Lindsay Fletcher, Kathie Collins, Chris Quilkey
APOLOGIES	Edward Blakely, Mary-Lynne Taylor
DECLARATIONS OF INTEREST	None

Electronic meeting held between 21 November 2017 and 18 December 2017.

MATTER DEFERRED

2016SYW072 – Blacktown - JRPP-16-03305 - Mixed Use Development - Lots 96, 97, 98 & 99 DP 11157, No. 9-17 Second Avenue, Blacktown (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 defer the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DEFERRAL

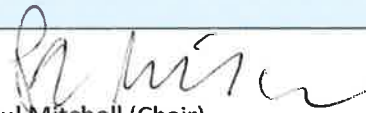
The reasons for the decision of the Panel were:

1. The Panel notes the application seeks a 7.2% variation (up to four metres) of the building height standard and that there is a requirement for a detailed flood study to be undertaken. The latter could add further to the building height.

The Panel requires the flood study to be completed and the final building height determined. A revised Clause 4.6 variation request may be needed at that time.

2. The Panel also requires submission of an additional plan which clearly shows the relationship between Stages 1 and 2, and specifically the shadowing impacts on the communal open space identified on plan DAL101 29/2/16.
3. The Panel notes the assessment report does not adequately address the requirements of Clause 7, SEPP 55 – Remediation of Land and requires that a site investigation report be provided that addresses all the relevant requirements of the SEPP.

Once this information has been received and a supplementary report has been provided from the Council the Panel will seek to determine this matter electronically.

PANEL MEMBERS	
 Paul Mitchell (Chair),	 Lindsay Fletcher
 Chris Quilkey	 Kathie Collins

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW072 – Blacktown - JRPP-16-03305
2	PROPOSED DEVELOPMENT	2 x 18 storey mixed use buildings, including retail premises, serviced apartments, commercial premises and residential apartments.
3	STREET ADDRESS	Lots 96, 97, 98 & 99 DP 11157, No. 9-17 Second Avenue, Blacktown
4	APPLICANT OWNER	Faubourg 24 Pty Ltd Better Buildings Pty Ltd (owner of 11-17 Second Ave Blacktown, Australia's Sun International (Sydney) Pty Ltd (Owners of 9 Second Ave Blacktown)
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (State & Regional Development) 2011 ○ State Environmental Planning Policy No 55 ○ State Environmental Planning Policy No 65 ○ State Environmental Planning Policy BASIX 2004 ○ Blacktown Local Environmental Plan 2015 • Draft environmental planning instruments: Nil • Development control plans: ○ Blacktown Development Control Plan 2015 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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	• Council assessment report: 27 October 2017 • Written submissions during public exhibition: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing meeting and Panel discussion 18 December 2017. • Site Inspection Lindsay Fletcher 14 December 2017.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report