



DATE OF DETERMINATION	Thursday, 26 July 2018
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Paul Mitchell, Lindsay Fletcher, Chris Quilkey and Kevin Gillies
APOLOGIES	Kathie Collins
DECLARATIONS OF INTEREST	None

Public meeting held at Blacktown City Council on 26 July 2018, opened at 2:40 pm and closed at 3:50 pm.

MATTER DETERMINED

2016SYW072 – Blacktown - JRPP-16-03305 at 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 approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

1. The proposal will provide additional housing stock and a wider range of housing types, as such it will contribute to improved housing affordability.
2. The site of the proposed development is appropriately zoned, conveniently located near the Blacktown CBD and has no environmental or other constraints to development. As such, the site is suitable for the proposed use.
3. The proposal satisfies nearly all applicable standards and guidelines. The exception is compliance with the maximum building height standard where a variation of up to 4m (or 7.2%) is sought. The Panel considers that compliance with the standard in this instance is unnecessary because the objectives will be satisfied - no material adverse impacts on neighbouring properties will occur. The variation enables a better planning outcome because it provides high amenity communal open space on the roof top. The variation enables development that is compatible with relevant zone objectives and overall the Panel believes its approval is in the public interest.

CONDITIONS

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

- Add to condition 6.10.1 a new dot point at the end "To compensate for the removal of the existing tree along Prince St and additional street trees are to be installed in Prince St

and Second Ave with details to be submitted for the approval of Council's Manager Civil Maintenance'

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Paul Mitchell OAM
 Lindsay Fletcher	 Chris Quilkey
 Kevin Gillies	

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	9-17 Second Ave, Blacktown
4	APPLICANT OWNER	Fauborg 24 Pty Ltd Better Buildings Pty Ltd and Australia's Sun International (Sydney) Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State & 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 Regional Environmental Policy No 20 – Hawkesbury-Nepean River ○ Blacktown Local Environmental Plan 2015 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ 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

		<ul style="list-style-type: none"> • 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: 27 October 2017 • Written submissions during public exhibition: Nil • Supplementary Council Assessment Report: 4 July 2018 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – David Archbold
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection by Lindsay Fletcher on 14 December 2017 • Briefing meeting and Panel discussion on 18 December 2018 • Final briefing meeting to discuss council's recommendation, 25 July 2018, 2:00 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Chair), Paul Mitchell, Lindsay Fletcher, Chris Quilkey and Kevin Gillies ○ <u>Council assessment staff</u>: Ruth Bennett, Bertha Gunawan, Holly Palmer and Judy Portelli
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the supplementary council assessment report