

DETERMINATION AND STATEMENT OF REASONS
SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 1 March 2017
PANEL MEMBERS	Ed Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell, David Ryan and Richard Thorp
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Rydalmere Operations Centre on Wednesday, 1 March 2017, opened at 2:30 pm and closed at 2:45 pm.

MATTER DETERMINED

2016SYW094 – Parramatta – 286/2016 AT 26 – 28 Lydbrook St, Westmead (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 decision was unanimous.

REASONS FOR THE DECISION

The Panel determines the application by granting approval for the following reasons:



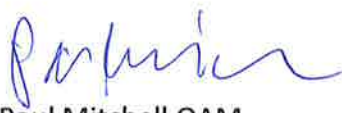
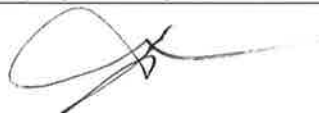
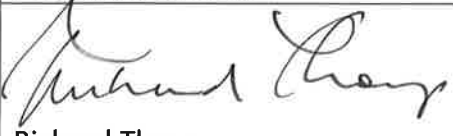
1. The application is permissible in the R4 zone and generally satisfies the requirements of all applicable Environmental Planning Instruments, including the majority of the standards given in State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP). The two non-compliances with the provisions of the ARH SEPP are minor and considered to be inconsequential.
2. The application will be consistent with the planned character of the locality as demonstrated by the results of the prescribed character test.
3. This application will exceed the maximum building height given in Parramatta Local Environmental Plan 2011. Notwithstanding, the proposal will be of a similar height to other apartment buildings in the street and the breach will not result in any material adverse impacts on neighbours; therefore compliance with the standard is considered to be unnecessary. The proposal will enable development that is consistent with the objectives of the R4 zone and will have environmental planning benefits, being the provision of a well-designed building and affordable housing in an appropriate location. The Panel is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) and the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone. Accordingly, the Panel believes that the application for variation is satisfactory and supports it.
4. The site is suitable for the proposed development.

5. The proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions attached to the Council memorandum of 21 February 2017 with the following amendments:

- Delete conditions 77 and 88 to prevent duplication

PANEL MEMBERS	
 Edward Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell OAM	 David Ryan
 Richard Thorp	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW094 – Parramatta – 286/2016
2	PROPOSED DEVELOPMENT	Demolition of existing structures, removal of trees, consolidation of two lots and construction of a four storey Residential Flat Building comprising 26 units over basement parking. 13 units are dedicated for affordable housing under the State Environmental Planning Policy (Affordable Rental Housing) 2009.
3	STREET ADDRESS	26 – 28 Lydbrook St, Westmead
4	APPLICANT OWNER	Haroutoonian Properties No. 2 Pty Ltd Mr J D Touma and Mrs B Touma
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (Affordable Rental Housing) 2009 • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development • State Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Parramatta Local Environmental Plan 2011 • Parramatta Development Control Plan 2011 • 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: 15 February 2017 • Written submissions during public exhibition: none • Memorandum received from City of Parramatta Council on 21 February 2017, amending recommended conditions of consent
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site visit and briefing meeting on 17 August 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council memorandum of 21 February 2017