

<b>DATE OF DETERMINATION</b>	Sunday, 16 April 2017
<b>PANEL MEMBERS</b>	Paul Mitchell (Chair), Lindsay Fletcher, John Griffin and Richard Thorp
<b>APOLOGIES</b>	Edward Blakely and Mary-Lynne Taylor
<b>DECLARATIONS OF INTEREST</b>	David Ryan declared a conflict of interest to avoid a perception of interest, as he is acting as a town planner on behalf of the landowner on a site directly opposite the site.

Electronic meeting held between 10 April 2017 and 16 April 2017.

#### **MATTER DETERMINED**

2016SYW149 – Parramatta – DA/620/2016 AT 1-5 Carter Street, LIDCOMBE (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 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 reasons for the decision of the Panel were:

1. The proposed development will add to the supply and choice of housing and childcare within the West Central Metropolitan Subregion and the Parramatta local government area in a location with ready access to the services and amenities in the neighbourhood centre and the general locality.
2. The Panel has considered the applicant's request to vary the development standard contained in Auburn Local Environment Plan 2010 Clause 4.3 relating to height of buildings and is satisfied that the request has adequately addressed the matters given in Clause 4.6 (3). The Panel considers that compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variations are mostly to small sections of the roof parapet of each building, or are very minor, and will not result in development inconsistent with this locality and the development as designed remains consistent with the underlying intent of the standard and the objectives of the zone.
3. Apart from the height variation, the proposed development generally satisfies the relevant State Environmental Planning Policies and local plans including Auburn LEP 2010, Carter St Development Control Plan 2016, SEPP 55 (Remediation of Land), SEPP 65 (Design Quality of Residential Apartment Development), SREP (Sydney Harbour Catchment) 2005 and SEPP (BASIX) 2004. The Panel notes that there are some non-compliances, such as to the building setbacks set out in the DCP, but considers that they are acceptable in the context of this site.

4. The proposed development is consistent with aims of Draft West Central District Plan.

## CONDITIONS

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

PANEL MEMBERS	
 Paul Mitchell (Chair)	 Lindsay Fletcher
 John Griffin	 Richard Thorp

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW149 – Parramatta – DA/620/2016
2	PROPOSED DEVELOPMENT	Residential flat building and child care centre
3	STREET ADDRESS	1-5 Carter Street, LIDCOMBE
4	APPLICANT OWNER	Karimbla Properties (No 22) Pty Ltd The Trust Company Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act and Regulations</li> <li>• State Environmental Planning Policy No 55 – Remediation of Land</li> <li>• State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</li> <li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>• State Environmental Planning Policy (Building Sustainability Index: Basix) 2004</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• Auburn Local Environmental Plan 2010</li> <li>• Carter Street Precinct Development Control Plan 2016</li> <li>• Carter Street Precinct Development Contributions Plan 2016</li> <li>• Clause 4.6 Variation request</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> </ul>

		<ul style="list-style-type: none"> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Council assessment report received 10 April 2017</li> <li>Written submissions during public exhibition: none</li> </ul>
8	<b>SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Site visit on 11 April 2017 by Lindsay Fletcher</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report