

DATE OF DETERMINATION	4 October 2017
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan, Richard Thorp, David Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Rydalmere Operations Centre at 316 Victoria Road, Rydalmere on 4 October 2017, opened at 12:30 pm and closed at 1:00 pm

MATTER DETERMINED

2017SWC004 - Parramatta – DA496-2016-B at 1 Post Office Street (also known as 794 Pennant Hills Road) CARLINGFORD (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 96 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 Panel determines the request for modifications to the approved apartment building by granting consent, for the following reasons:

- The Panel is satisfied that this development as modified is substantially the same as that originally approved.
- The modifications will not add to the bulk or scale of the approved building, nor cause greater overshadowing, traffic generation or other adverse impacts.
- The modifications will be beneficial for future occupants by providing greater noise insulation and privacy.
- The Panel supports the two proposed dual-key apartments (comprising less than 4% of the total dwellings) as the Panel does not believe that the inclusion of only two dual-key units will change the nature of the development nor set a precedent for unsatisfactory dual-key development in this area, but will require the dual-key units to be one strata lot. The Panel found the dual-key units to be functional, particularly as each has a balcony and sufficient space and design to accommodate essential furniture. The dual-key units meet the intent of the Apartment Design Guidelines, and increase housing choice.

CONDITIONS

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

- Insert Condition 2A: The two dual-key units are each to be on a single strata title.

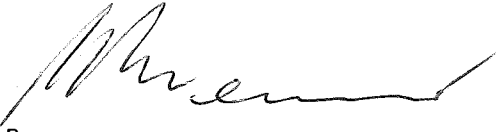
PANEL MEMBERS



Mary-Lynne Taylor (Chair)



Paul Mitchell OAM

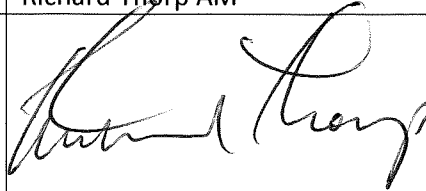


Peter Brennan

Richard Thorp AM



David Ryan



SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2017SWC004 - Parramatta – DA496-2016-B
2	PROPOSED DEVELOPMENT	Section 96(2) modification to DA/496/2016 - an approved construction of a nine storey residential flat building containing 53 units with ground floor retail. The proposed modifications include changes to the balconies on L4-6 which increases the gross floor area, conversion of 2 units into dual key units, minor external and internal changes and corrections to errors in plans
3	STREET ADDRESS	1 Post Office Street (also known as 794 Pennant Hills Road) CARLINGFORD
4	APPLICANT/OWNER	LATERAL ESTATE PTY LTD / Best Village Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 96(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 65 ○ State Environmental Planning Policy BASIX ○ Parramatta Local Environment Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Parramatta Development Control Plan 2011 • Planning agreements: Section 94A Contributions Plan • Apartment Design Guide • 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	<ul style="list-style-type: none"> • Council assessment report: 6 September 2017 • Written submissions during public exhibition: Two (2) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Benji Levy
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting 5 July 2017. • Final briefing meeting to discuss council's recommendation, 4 October 2017 at 11:00 am to 11:15 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan, Richard Thorpe, David Ryan ○ <u>Council assessment staff</u>: Bertha Gunwan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report