

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Thursday, 20 July 2017
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell, Chris Quilkey and Kathie Collins
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Blacktown City Council on 20 July 2017, opened at 6:20 pm and closed at 7:10 pm.

MATTER DETERMINED

2017SWC018 – Blacktown City Council – JRPP-16-03323 AT 2-10 George St, Seven Hills (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 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 application by granting approval for the following reasons:

1. The site of the proposed development is suitable for the use. It is close to public transport and shops, and is large, mostly level and substantially free of vegetation.
2. The proposed development will be compatible with the planned future character of the locality as the area is zoned R4 High Density Residential and a number of apartment buildings of similar scale are under construction or have been approved.
3. The proposed development complies with all applicable development standards except for building height. The breach of the building height standard is nevertheless considered to be satisfactory for the reasons given in Point 5 below.
4. The proposed development will add to the supply and choice of housing available in the locality, and will contribute to improved housing affordability. It will therefore be beneficial from a social perspective.
5. The proposed development exceeds the 20m height limit in a number of positions (by up to 3.17m) to accommodate lift overruns and similar structures. The breaches will not have any adverse impacts on neighbours or the streetscape generally; the height proposed will result in development that is compatible with the objectives of the standard and enable development that is compatible with the zone objectives. Thus compliance with the height standards is unnecessary in this instance.

The proposed development will provide level access corridors and open space throughout, thus facilitating accessibility. This is a better outcome than a stepped building that would comply with the height limit throughout. There are sufficient environmental planning grounds to justify the variation sought.

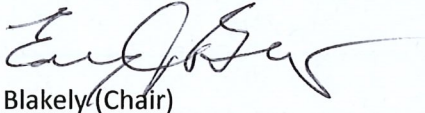

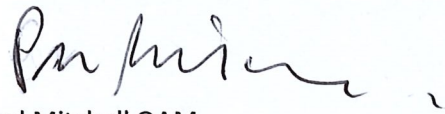
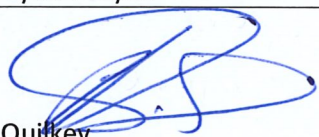

Overall, the proposed development is in the public interest given its consistency with the objective for the height standard and development within the zone.

The Panel concludes that the applicant's written request to vary the building height standard is satisfactory. The Panel also agrees with the Council's assessment that the property at 12 George St is not isolated as it can be redeveloped in accordance with the current zone, particularly in conjunction with 14-18 George Street.

CONDITIONS

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

- Condition 2.1.1: All Architectural plans to be changed to revision F, the Schedule of colours and materials to also be changed to Revision F; corresponding updates to Council's File Enclosure Number column.
- Condition 6.2.1 (g) to be added: "The balconies of any units approaching the 6m front and side setback be redesigned to comply with the Apartment Design Guide requirement."
- Condition 6.4.1: the words 'held at Enclosure 46B-D on Council's file JRPP-16-03323' are to be deleted and replaced with 'as documented in Condition 2 above'.
- Condition 6.4.2 to be deleted.
- Condition 6.8.1: the words 'held at Enclosure 24A on Council's file JRPP-16-03323' to be deleted and replaced with 'as attached'.
- Condition 6.8.2 to be added "The CCTV shall be operated, managed and maintained by the building manager, in accordance with the recommendations of the CPTED report recommendations prepared by Planning Direction Pty. LTD dated August 2016."
- Condition title 11.11: the words to be changed from "Aboriginal Archeology" to "Archeology".
- New condition 11.11.2 to be inserted with Council's standard wording for European heritage.
- Condition 13.1.1: the condition to be changed to read "The lots shall be consolidated into one registered property title".
- Condition 13.15.4 to be added: "The CCTV shall be operated, managed and maintained by the building manager, in accordance with the recommendations of the CPTED report recommendations prepared by Planning Direction Pty. LTD dated August 2016."

PANEL MEMBERS	
 Edward Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell OAM	 Chris Quilkey
 Kathie Collins OAM	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2017SWC018 – Blacktown City Council – JRPP-16-03323
2	PROPOSED DEVELOPMENT	Demolition works and construction of a part 6 storey and part 7 storey residential flat building
3	STREET ADDRESS	2-10 George St, Seven Hills
4	APPLICANT OWNER	Urban Link Pty Ltd on behalf of Civic Properties Group P/L SH3 Housing P/L, W Smith, T Kirkman & M Chu
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development • Apartment Design Guide (ADG) • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Draft West Central District Plan • Blacktown Local Environment Plan 2015 • Blacktown Development Control Plan 2015 • 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: 5 July 2017 • Written submissions during public exhibition: two (2) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – David Archibald, Raj Sharma and ○ On behalf of the applicant – Tony Jreige and Alison Davidson
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and final briefing meeting to discuss council's recommendation, 20 July 2017, 5:00 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell, Chris Quilkey and Kathie Collins ○ <u>Council assessment staff</u>: Judith Portelli and Pauline Daw
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report