

DATE OF DETERMINATION	7 February 2018
PANEL MEMBERS	Mary-Lynne Taylor, Paul Mitchell, Lindsay Fletcher and Cr Sameer Pandey
APOLOGY	Cr Steven Issa
DECLARATIONS OF INTEREST	Nil

Public meeting held at Rydalmere Operations Centre, City of Parramatta, 316 Victoria Road, Rydalmere on Wednesday 7 February 2018 opened at 3.00pm and closed at 6.30pm.

MATTER DETERMINED

Panel Reference – 2017SWC101, LGA – City of Parramatta, DA/729/2017, Address: 2-6 Paul Place and 4 Tanderra Avenue, Carlingford, (AS DESCRIBED IN SCHEDULE 1).

PANEL CONSIDERATION AND DECISION


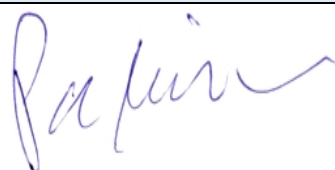

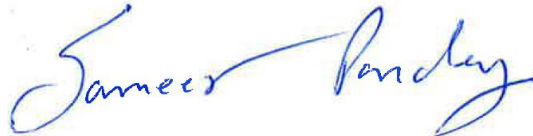
The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to refuse the development application for demolition of existing structures and construction of a 5 storey residential flat building with affordable housing as described in Schedule 1 for the reasons set out in the Recommendation of the Council's Assessment Report pursuant to section 80 of the Environmental Planning and Assessment Act 1979.

REASONS FOR THE DECISION

1. The proposed development has failed to demonstrate compliance with relevant State and Regional Environmental Planning Policies including SEPP (Affordable Rental Housing) 2009 and SEPP 65 - Design Quality Residential Apartment Development and its associated Apartment Design Guide.
2. The proposal has failed to demonstrate compliance with the applicable provisions and objectives of The Hills LEP 2012 and The Hills DCP 2012.
3. The applicant's submission under cl.4.6 for variation of the height of buildings development standards of The Hills LEP 2012 is not considered to adequately justify any variation.
4. The proposed development is considered likely to adversely impact on the amenity and future development potential of adjacent properties.
5. In consideration of conclusions 1-4 above the Panel considers the proposed development is not a suitable development of the site and refusal of the proposal is in the public interest.

The decision was unanimous.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Paul Mitchell
 Lindsay Fletcher	 Sameer Pandey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Reference – 2017SWC101, LGA – City of Parramatta, DA/729/2017
2	PROPOSED DEVELOPMENT	Residential flat building
3	STREET ADDRESS	2-6 Paul Place and 4 Tanderra Avenue, Carlingford
4	APPLICANT/OWNER	Applicant – A1 Green Garden Pty Ltd Owner - Qun Lin – A1 Green Garden Pty Ltd XiaoShi Dai Yu Chen Jim Arvanitis Xiao Qing Wang
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value >\$5million – Private and Infrastructure Community
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Vegetation in non-rural areas) 2017 State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (Building Sustainability Index: BASIX)

		<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • The Hills Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> • The Hills Development Control Plan 2012 • Planning agreements: Nil <ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Regulation 2000</i>: Section 92 of the EP&A Regulation • 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, draft conditions of consent and written submissions. • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object: Mrs Wing ○ On behalf of the applicant – Nil ○ On behalf of Council – Jonathan Cleary
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final Briefing Meeting – 7 February 2018 from 5.30 pm to 5.51 pm • Public Meeting – 7 February 2018 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor, Paul Mitchell, Lindsay Fletcher and Cr Sameer Pandey. ○ <u>Council assessment staff</u>: Jonathan Cleary
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A