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| <b>DATE OF DETERMINATION</b>    | 05 December 2018                                                                                          |
| <b>PANEL MEMBERS</b>            | Mary-Lynne Taylor (Acting Chair), Paul Mitchell (OAM), Peter Brennan, Cr Steven Issa and Cr Sameer Pandey |
| <b>APOLOGY</b>                  | Nil                                                                                                       |
| <b>DECLARATIONS OF INTEREST</b> | Nil                                                                                                       |

Public meeting held at Rydalmere Operations Centre, Parramatta on Wednesday 05 December 2018 opened at 6.00pm and closed at 6.05pm.

#### **MATTER DETERMINED**

Panel Ref – 2017SWC154 - LGA – City of Parramatta, DA999/2017, Address – 37-39 Hill Road, Wentworth Point (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 the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the application as described in Schedule 1 subject to the recommended modified conditions pursuant to section 4.55 of the Environmental Planning and Assessment Act 1979.

#### **REASONS FOR THE DECISION**

The Panel approved the application for modifications for the following reasons:

1. The Panel notes that numerous design changes are proposed to this approved concept plan. However, when considered in the context of the whole development the modifications are considered to be refinements rather than material changes and no radical transformation of the proposal has occurred. Consequently, the Panel believes the proposal is substantially the same as that originally approved.
2. The Panel believes there will be no material additional impacts from the modifications and no unacceptable impacts on surrounding properties, the natural environment or local infrastructure will occur.
3. The Panel has considered the modifications in the context of its reasons for the original approval and believes the modified development remains consistent with these reasons.
4. The Panel has carefully considered the objections received and notes that some are generalised and not soundly based while others will be resolved by conditions to be imposed. Overall the Panel believes none of the issues raised warrant refusal of this application.

5. The Panel believes the modifications are appropriate refinements of the original design and that approval is in the public interest.

The decision was unanimous.

#### CONDITIONS

The development application was approved subject to the conditions in the Council assessment report.

| PANEL MEMBERS                                                                                                         |                                                                                                           |
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| <br>Mary-Lynne Taylor (Acting Chair) | <br>Peter Brennan       |
| <br>Sameer Pandey                    | <br>Paul Mitchell (OAM) |
| Approved at the meeting<br><br>Steven Issa                                                                            |                                                                                                           |

| SCHEDULE 1 |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 1          | PANEL REF – LGA – DA NO.          | Panel Ref – 2017SWC154 - LGA – City of Parramatta, DA999/2017                                                                                                                                                                                                                                                                                                                                                               |
| 2          | PROPOSED DEVELOPMENT              | Section 4.55(2) modification application to amend the approved concept plan for the site. The modifications include design refinements incorporating the following: redistribution and realignment of built form, revised location and height of residential towers, repositioning of the public park, reduction in extent of podium car parking, separation of development blocks and confirmation of car parking numbers. |
| 3          | STREET ADDRESS                    | 37-39 Hill Road, Wentworth Point                                                                                                                                                                                                                                                                                                                                                                                            |
| 4          | APPLICANT/OWNER                   | Applicant – Homebush Bay Properties Pty Ltd<br>Owner – Homebush Bay Properties Pty Ltd                                                                                                                                                                                                                                                                                                                                      |
| 5          | TYPE OF REGIONAL DEVELOPMENT      | Section 4.55(2) modification application                                                                                                                                                                                                                                                                                                                                                                                    |
| 6          | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy No. 65 – Design Quality of</li> </ul> </li> </ul>                                                                                                                                           |

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|   |                                                   | <p>Residential Apartment Development</p> <ul style="list-style-type: none"> <li>• State Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX)</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Coastal Management) 2018</li> <li>• State Environmental Planning Policy No. 24 – Homebush Bay Area</li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>• Homebush Bay West Development Control Plan 2004 and Amendment 1</li> </ul> </li> <li>• Planning agreements: Nil <ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Regulation 2000</li> </ul> </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> <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 – November 2018</li> <li>• Written submissions during public exhibition: 50</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – Nil</li> <li>○ Object – Nil</li> <li>○ On behalf of the applicant – James Harrison, Kate Tudehope and Guy Lake</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 8 | <b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b> | <ul style="list-style-type: none"> <li>• Site Inspection and Briefing – 28 June 2018</li> <li>• Final briefing meeting to discuss council’s recommendation – 5 October 2018 from 4.45pm to 6.00pm</li> <li>• Public Meeting – 3 October 2018</li> </ul> <p>Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Peter Brennan, Paul Mitchell and Sameer Pandey</li> <li>○ <u>Council assessment staff</u>: Katherine Lafferty and Myfanwy McNally</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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|----|---------------------------|-----------------------|
| 9  | COUNCIL<br>RECOMMENDATION | Approval              |
| 10 | DRAFT CONDITIONS          | Submitted with report |