

DATE OF DETERMINATION	17 March 2020
PANEL MEMBERS	Abigail Goldberg (Chair), Brian Kirk, Clare Brown, Ned Attie and Eddy Sarkis
APOLOGIES	David Ryan and Gabrielle Morrish
DECLARATIONS OF INTEREST	Nil

Public meeting held at Cumberland City Council on 17 March 2020, opened at 1.00pm and closed at 1.48pm.

MATTER DEFERRED

PPSSCC-33 - Cumberland – DA2019/141/1 – 11-17 Joyner Street, Westmead – Demolition of existing structures, consolidation of four (4) allotments), and construction of a five (5) storey residential flat building under State Environmental Planning Policy (Affordable Rental Housing) 2009 comprising 46 units (including 12 Dual key units) over two (2) levels of basement parking for 57 vehicles and a car wash bay (as described in Schedule 1)

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL DECISION

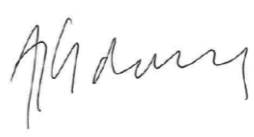
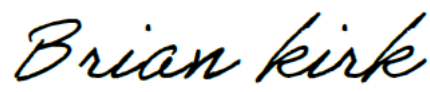
The Panel will defer the application to –


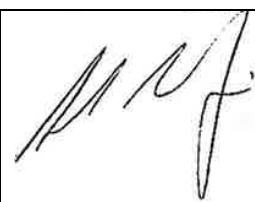
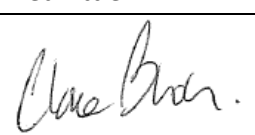
- Enable the Applicant to prepare an amended Basix Certificate that relates to the amended plans before the panel for determination;
- Enable the Applicant to prepare an amended clause 4.6 variation request to address the specific environmental planning considerations of the variation to the height control;
- Enable Council to prepare amended conditions of consent that respond to the Applicant's request for various amendments and to include corrections to unit numbering, timing for payment of contributions and the timing of the discharge of conditions; and
- Enable the applicant to confirm in writing that the draft conditions are acceptable.

The Panel requires the Council to submit a supplementary report within 14 days following completion of actions (a) to (d) above.

When this information has been received and assessed, the Panel will consider the determination of this application electronically.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Brian Kirk

	
Ned Attie	Eddy Sarkis
	
Clare Brown	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-33 - Cumberland – DA2019/141/1
2	PROPOSED DEVELOPMENT	Demolition of existing structures, consolidation of four (4) allotments), and construction of a five (5) storey residential flat building under State Environmental Planning Policy (Affordable Rental Housing) 2009 comprising 46 units (including 12 Dual key units) over two (2) levels of basement parking for 57 vehicles and a car wash bay
3	STREET ADDRESS	11-17 Joyner Street, Westmead
4	APPLICANT/OWNER	Applicant – Mr Joshua Wehbe Owners – NSW Land and Housing Corporation
5	TYPE OF REGIONAL DEVELOPMENT	Crown development - CIV excess of \$5million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) Holroyd Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Holroyd Development Control Plan 2013 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil

		<ul style="list-style-type: none"> • 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"> • Original Council assessment report: 27 November 2019 • Addendum report – 9 December 2019 • Addendum report – March 2020 • Clause 4.6 variation • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Peter Brackenreg ○ Council assessment officer – Sifa KC, Karl Okorn and Sohail Faridy ○ On behalf of the applicant – Jonathan Wood
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection: 17 March 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Brian Kirk, Clare Brown, Ned Attie and Eddy Sarkis ○ <u>Council assessment staff</u>: Sifa KC • Final briefing to discuss council's recommendation, 17 March 2020, 11.30am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Clare Brown, Brian Kirk, Ned Attie and Eddy Sarkis ○ <u>Council assessment staff</u>: Sifa KC, Karl Okorn and Sohail Faridy
	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report