

DATE OF DETERMINATION	28 June 2022
DATE OF PANEL DECISION	23 June 2022
DATE OF PANEL MEETING	23 June 2022
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Chris Wilson, George Mannah
APOLOGIES	None
DECLARATIONS OF INTEREST	John Faker has advised of a COI and has removed himself from the Panel.

Meeting held by teleconference on 23 June 2022, opened at 2:30pm and closed at 3pm.

Papers circulated electronically on 14 June 2022.

MATTER DETERMINED

PPSSEC-145 - Burwood Council - DA.2021.79 at 3-7 Lyons Street And 18 Parnell Street Strathfield NSW 2135 - Demolition of all existing structures and construction of 1 x three (3) storey and 1 x nine (9) storey residential flat building comprising a total of seventy-one (71) apartments and two (2) retail tenancies with three (3) levels of basement parking, communal open spaces and associated landscaping (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 briefings listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

The Panel notes the proposal has undergone significant changes in response to urban design issues and compliances. The Panel is now satisfied the development is appropriate for the site and satisfies the height and FSR standards as well as general compliance with the ADG requirements.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendment.

- Conditions 60 to 65 to become subclauses of Condition 59.
- Condition 115 to be altered as follows:
 - At the end of the first sentence the words “*prior to public domain construction*” be added.
- Councils standard condition regarding public art for development over \$10 million be added.

In coming to its decision, the Panel notes that 1 written submission was made during public exhibition however the Panel notes that the proposal is within the 30m height limit.

PANEL MEMBERS

A blue ink signature of Carl Scully, featuring a stylized 'C' and 'S'.

Carl Scully (Chair)

A black ink signature of Jan Murrell, with a cursive 'J' and 'M'.

Jan Murrell

A black ink signature of Chris Wilson, consisting of a large, looped 'C' and 'W'.

Chris Wilson

A blue ink signature of George Mannah, with a stylized 'G' and 'M'.

George Mannah

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-145 - Burwood Council - DA.2021.79
2	PROPOSED DEVELOPMENT	Demolition of all existing structures and construction of 1 x three (3) storey and 1 x nine (9) storey residential flat building comprising a total of seventy-one (71) apartments and two (2) retail tenancies with three (3) levels of basement parking, communal open spaces and associated landscaping.
3	STREET ADDRESS	3-7 Lyons Street & 18 Parnell Street, Strathfield
4	APPLICANT/OWNER	Applicant: Mr Georges Jreije c/o Urbanlink Pty Ltd Owner: Mr John Georges, Mr Joseph Michael Georges, Mr Michael Tannous, Mr Milan Kalina
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 (Vegetation in Non-Rural Areas) 2017 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 State Environmental Planning Policy 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development Burwood Local Environmental Plan (LEP) 2012. Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Burwood Development Control Plan (DCP) 2013 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: 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: 9 June 2022 Written submissions during public exhibition: 1 Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 03 March 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Jan Murrell <u>Council assessment staff</u>: Brian Olsen, Emma Buttress-Grove, Julia Warren, Stuart Gordon, Karina Final briefing to discuss council's recommendation: 23 June 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Chris Wilson, George Mannah. <u>Council assessment staff</u>: Dylan Porter, Brian Olsen, Holly Duan, Julia Warren, Stuart Gordon, Karina Turvey <u>Applicant representatives</u>: John Georges, Georges Jreije.

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report