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| DATE OF DETERMINATION | Thursday 9 July 2020 |
| PANEL MEMBERS | Carl Scully (Chair), Jan Murrell, Roberta Ryan, Mike Ryan, Vivienne Albin |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | None |

Public meeting held via Microsoft Teams on 9 July 2020, opened at 10.05am and closed at 11am.

MATTER DETERMINED

PPSSEC-35 – Strathfield – DA2019/196 - 52 Powell Street, 54 Powell Street and 125 Parramatta Road, Homebush (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 and the matters observed at site inspections listed at item 8 in Schedule 1.

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

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 is satisfied that the development will be consistent with surrounding development in the context of the streetscape and setbacks.
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- The Panel notes the development generally complies with the controls, including FSR and Height controls, and the Apartment Design Guidelines. However, the setback to Parramatta Road is less than the 6 m that is now required and the Applicant proposes landscaping treatment to enhance this facade. This is conditioned to be maintained for the life of the development, and in its context, the reduced setback would not warrant refusal of the application, given the constraints of the site.
- The Panel has deleted that part of Condition 19 that requires 10% of the gross floor area to be affordable housing given that this requirement of Council has not yet been formally included in its LEP, and therefore is ultra vires. Consequently, Clause 19 is amended accordingly.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments:

- Clause 19 to be amended to delete all reference to affordable housing.
- Clause 103 is deleted in its entirety.
- Condition 17 and Condition 18 to be amended to replace the words 'construction certificate' with 'occupation certificate' for the timing of payments for the development contributions.

CONSIDERATION OF COMMUNITY VIEWS





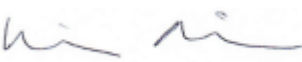
In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel.

The Panel received a submission at the public meeting from a consultant, on behalf of the adjoining property at 119 Parramatta Rd, regarding the eastern communal open space, elevation and setbacks of the proposal. The Panel considers that a redevelopment of this site would also have regard to the ADG requirements in terms of setbacks and that the provision of open space and a pathway in the proposal provides a greater separation distance than required. As such, the Panel is satisfied the development provides appropriate potential redevelopment of the adjoining site.

The Panel also took note of the written submissions from the community which covered issues including the following:

- Too many residential units
- Lack of parking in surrounding area
- Viability of commercial units
- Lack of 3 bedroom /4 bedroom units
- Overdevelopment, bulk and scale
- Construction works
- Traffic
- Property values
- Waste collection
- Urban design
- Setbacks
- Overshadowing
- Visual privacy
- Internal amenity

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues, appropriate conditions have been imposed.

| PANEL MEMBERS | |
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|  Carl Scully (Chair) |  Jan Murrell |
|  Roberta Ryan |  Mike Ryan |
|  Vivienne Albin | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | PPSSEC-35 – Strathfield – DA2019/196 |
| 2 | PROPOSED DEVELOPMENT | Demolition of existing buildings and construction of two (2) towers including a nine (9) storey mixed used building containing one (1) commercial unit and 44 residential units and a 4-8 storey residential flat building containing 71 residential units over two (2) basement levels |
| 3 | STREET ADDRESS | 52 Powell Street, 54 Powell Street and 125 Parramatta Road, Homebush |
| 4 | APPLICANT/OWNER | Urban Link Pty Ltd |
| 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 No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ Strathfield Local Environmental Plan 2012 (SLEP 2012) • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Strathfield Consolidated Development Control Plan 2005 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • 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: 24 June 2020 • Written submissions during public exhibition: 5 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Karla Castellanos ○ Council assessment officer – Stephen Clements, Kandace Lindeberg, Miguel Rivera ○ On behalf of the applicant – Ziad BouMelhem, Christiane Hall, Tony Jreige, Jeff Mead |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> • Site inspection: Due to Coronavirus precautions, the Panel visited the site independently, prior to 9 July 2020 • Final briefing to discuss council's recommendation, 9 July 2020, 9.30am. Attendees: |

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| | | <ul style="list-style-type: none">○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Mike Ryan, Vivienne Albin○ <u>Council assessment staff</u>: Stephen Clements, Kandace Lindeberg, Miguel Rivera |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Attached to the council assessment report |