

Minutes of the Cumberland Local Planning Panel Meeting Electronic Determination held on Thursday 24 June 2021.

PRESENT:

The Hon. Paul Stein QC AM (Chairperson), Brian Kirk, John Brunton and Milorad Rosic.

IN ATTENDANCE:

Nighat Aamir, Esra Calim, Michael Lawani, Elma Sukurma, Darcie Huisman and Rashika Rani.

ITEM LPP024/21 - MODIFICATION APPLICATION FOR 14 CIVIC AVENUE, PENDLE HILL

Panel Decision:

That the Modification Application No. MOD2020/0309 relating to 14 Civic Avenue, Pendle Hill be refused for the following reasons:

- i. The Panel is not satisfied that the proposed Modification is substantially the same development.
- ii. The requirements of clause 115(3A) of the Environmental Planning and Assessment Regulation have not been satisfied because the modification application does not include statements verifying that (a) a qualified designer designed, or directed the design of, the modification of the development and (b) the modifications do not diminish or detract from the design quality, or compromise the design intent, of the development for which development consent was granted.
- iii. The modification application does not adequately address the requirements of clause 154A of the Environmental Planning and Assessment Regulation. It does not explain how verification of the design quality of the development shown in the plans and specifications in respect of which the construction certificate was issued will be obtained from the qualified designer upon completion.
- iv. No construction certificate has been issued for the substantive part of the build.

Panel Notation:

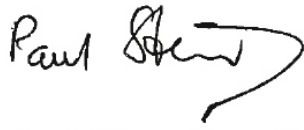
The Panel notes that conditions 49 and 148 of the original consent of the Holroyd City Council cannot be satisfied and the application has not sought to modify them.

Additionally, the Panel noted the absence of construction certificates relating to the tower block, which has already been constructed.

For: The Hon. Paul Stein QC AM (Chairperson), Brian Kirk, John Brunton and Milorad Rosic.

Against: Nil.

Signed:



Chairperson