

MAJOR APPLICATION

ITEM NUMBER	9.6
SUBJECT	1-5 Chestnut Avenue & 6-8 Burke Street, Telopea (Lot 101 DP 36691, Lot 102 DP 1691, Lot 103 DP 36691, Cor Lot 124 DP 36691 & Lot 123 DP 36691) (Elizabeth Macarthur Ward)
DESCRIPTION	Demolition, tree removal and construction of an affordable rental housing development under Division 1 of the Affordable Rental Housing SEPP comprising 5 buildings containing a total of 24 units, carparking for 14 vehicles and consolidation of all lots into 1 lot.
REFERENCE	DA/116/2011 - Submitted 8 March 2011
APPLICANT/S	NSW Department of Housing
OWNERS	NSW Department of Housing
REPORT OF	Manager Development Services

DATE OF REPORT 22 MAY 2012

REASON FOR REFERRAL TO COUNCIL

The proposal relates to a development proposed under the SEPP (Affordable Rental Housing) 2009.

EXECUTIVE SUMMARY

The application seeks approval for demolition, tree removal and construction of an affordable rental housing development comprising 5 x 2 storey buildings containing a total of 24 dwellings with car parking for 14 vehicles.

The proposal has been submitted to Council as infill housing under State Environmental Planning Policy (Affordable Rental Housing) 2009. At the time of lodgement the provisions of the 2009 SEPP permitted residential flat buildings in a site irrespective of the zoning. However, amendments made to the SEPP on 20 May 2011 [State Environmental Planning Policy (Affordable Rental Housing) Amendment 2011] would now prohibit the proposed infill development in the medium density zone. Clause 54A (2) - Savings and Transitional provisions enables consent authorities to retrospectively apply the prohibition clause.

The subject application is subject to a savings clause under the SEPP that requires Council to consider compatibility with the character of the surrounding local area. This process has found the development to be compatible for a number of reasons, including floor space ratio, building form, height, landscaping, external appearance and impact upon neighbouring properties.

In response to the notification of the application, 20 individual submissions and a petition containing 45 signatories plus an additional petition containing 25 signatories was received. An on-site meeting was held on 7 May 2011 between Councillors, Council officers, the applicant and concerned residents. Following receipt of amended plans, a further notification resulted in 5 submissions being received. In total, 44 households objected to the proposed development. The main issues raised in the submissions included the development being out of character with the local

area, parking and traffic impacts, noise impacts, overlooking, property values and social impacts.

The public submissions are considered within the Section 79C assessment report contained in Attachment 1.

The application is recommended for approval subject to the imposition of appropriate conditions. The proposal is considered to be acceptable as it complies with the provisions of SEPP (Affordable Rental Housing) 2009 and is generally consistent with the aims and objectives of Parramatta Local Environmental Plan 2001. Accordingly, the application is recommended for approval.

As the applicant is a Crown authority, the concurrence of the NSW Department of Housing is required with respect to the recommended conditions of consent before the application can be approved.

RECOMMENDATION

- (a) **That** Development Application No. DA/116/2011 for the demolition, tree removal and construction of an affordable rental housing development under Division 1 of the Affordable Rental Housing SEPP comprising 5 buildings containing a total of 24 units, carparking for 14 vehicles and consolidation of all lots into 1 lot on land at 1-5 Chestnut Avenue & 6-8 Burke Street, Telopea be approved subject to conditions of consent as outlined in Attachment 1 once the concurrence of the NSW Department of Housing for the imposed conditions has been received.
- (b) **Further, that** the objectors and the head petitioner be advised of Council's determination of the application.

Katherine Lafferty
Senior Development Assessment Officer

ATTACHMENTS:

- | | | |
|---|---------------------------------|----------|
| 1 | Section 79C Assessment Report | 79 Pages |
| 2 | Locality Map | 1 Page |
| 3 | Plans & Elevations | 20 Pages |
| 4 | Confidential Plans & Elevations | 3 Pages |

REFERENCE MATERIAL