

# SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Parramatta City Council** on **Thursday 18 December 2014 at 6.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Paul Mitchell, Bruce McDonald and Cr Andrew Wilson

**Apologies:** Cr Jean Pierre Abood and Cr John Chedid

**Declarations of Interest:** None

## Determination and Statement of Reasons

**2013SYW044 – Parramatta, DA/168/2013,** Demolition of existing structures and construction of a part 5, part 6 storey mixed use development containing 1 retail tenancy, a supermarket and 60 residential apartments over 3 levels of car parking, 55 Adderton Road and 1-11 Telopea Street, Telopea.

**Date of determination:** 18 December 2014

### Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

### Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

### Standard Variation:

Having considered the applicant's request to vary the development standards contained in Clause 4.4 Floor Space Ratio contained in of the Parramatta LEP 2011, the Panel considers that compliance with the standard is unreasonable in the circumstances of this proposal as the variation facilitates redevelopment of the site to accommodate contemporary facilities and additional residential provision adjacent to Telopea railway station.

Having considered the applicant's request to vary the development standard Clause 4.3 Height of Buildings contained in Parramatta LEP 2011, the Panel considers compliance is unnecessary in the circumstances of this proposal as the minor increased height is located on the Adderton Road frontage portion of the site and will not impact on the amenity of adjacent residential premises.

The majority of the Panel (ML Taylor, P Mitchell and B McDonald) resolves to approve the application for the following reasons.

### Reasons for the panel decision:

1. The proposal will revitalise a failing local centre and provide contemporary retail facilities for the benefit of the neighbourhood catchment.
2. The proposal will provide a substantially improved built environment particularly for the residents of Garden Street.
3. While there is a loss of local on-street parking the proposal provides its own parking in accordance with Council's standards and the professional advice of Council's Traffic Engineer is that the additional need to compensate for the on street parking loss will be met elsewhere in the vicinity.
4. The proposal will expand the retail service offered to the local community by Telopea Village.
5. The proposed development adequately complies with the provisions of the relevant State Environmental Planning Policies including SEPP 65 Design Quality Residential Flat Buildings and associated Residential Flat design Code, SEPP 55 Remediation of Land, SEPP Infrastructure 2007.

In relation to compliance with SEPP 55, the Panel notes that there is no historical use of the site that suggests that there is contamination of the site but the Council expressed concern that there may be transmission of contaminants from the service station site and has recommended a condition of consent requiring further analysis. As a result of the imposition of this condition and as there will be a need for demolition of the existing building that will enable further testing to be undertaken and because the site development will need to remove the soil for two storeys of underground parking, the Panel is satisfied that the provision of SEPP 55 will be met.

6. The supermarket proposal is suitable for a neighbourhood centre and is in accordance with the zoning.





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7. Given that the Panel has agreed to vary the development standards contained in Clause 4.3 and Clause 4.4 of Parramatta LEP 2011 the proposal is considered to adequately satisfy the provisions of the LEP.
8. The proposed development will not have significant adverse impact on the natural or built environment including the adjacent residential context or the performance of the local road network.
9. Because of the reasons 1-8 above, the Panel believes that the development is in the public interest.

Councillor Wilson accepts that there are substantial community benefits to this development, however he does not believe these justify an increase of 0.5:1 in the FSR over the site. He considers that to give this bonus will encourage applicants not to produce "excellent designs". While he notes Council's urban designer finds this design acceptable, he does not believe design excellence has been achieved here.

**Conditions:** The development application was approved subject to deferred commencement conditions in the Council Assessment Report including revised conditions 14, 16 and 142.

**Panel members:**

 <b>Mary-Lynne Taylor (Chair)</b>	 <b>Paul Mitchell</b>	 <b>Bruce McDonald</b>
 <b>Andrew Wilson</b>		

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## SCHEDULE 1

1	<b>JRPP Reference – 2013SYW044, LGA – Parramatta City Council, DA/168/2013</b>
2	<b>Proposed development:</b> Demolition of existing structures and construction of a part 5, part 6 storey mixed use development containing 1 retail tenancy, a supermarket and 60 residential apartments over 3 levels of car parking.
3	<b>Street address:</b> 55 Adderton Road and 1-11 Telopea Street, Telopea.
4	<b>Applicant/Owner:</b> <b>Applicant:</b> Brooks Project Architects. <b>Owner:</b> Sleiman Holdings Pty Ltd.
5	<b>Type of Regional development:</b> Capital Investment Value > \$20M
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy 64 (Advertising and Signage)</li> <li>○ State Environmental Planning Policy 65 – Design Quality of Residential Flat Development</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)</li> <li>○ Parramatta Local Environmental Plan 2011</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Parramatta Development Control Plan 2011</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: <ul style="list-style-type: none"> <li>○ Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council assessment report with recommended conditions and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>• Meagan Crisp</li> <li>• Brett Brown</li> <li>• Steve Culliver</li> <li>• Lesley Thompson</li> <li>• Brian Moody</li> <li>• George Sleiman</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 8 August 2013 - Briefing meeting, 18 December 2014 – Site Inspection and Final Briefing meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Deferred Commencement Conditions:</b> Attached to council assessment report