

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

2013SYW090 – Parramatta, DA/601/2013, Tree removal, re-subdivision and construction of a residential flat building complex containing 157 apartments along the Mobbs Lane frontage of the site, Part Lot 1 & Lot 11 DP 270605 Midson Road, (former Eastwood Brick Pit), Eastwood.

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 standard Clause 4.3 Height of Buildings Floor Space Ratio contained in of the Parramatta LEP 2011. The Panel considers that compliance with the standard is unnecessary in the circumstances of this proposal as the variation sought is not visible from adjacent streets and does not impact on the amenity of residential premises opposite in Carrington Road and Mobbs Lane. There are as described in the Panels statement of reasons for approval sufficient environmental planning grounds to justify the requested variation and the proposed development is consistent with the objectives of the standard and the objectives of the B2 Local Centre Zone.





Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing in the Central Metropolitan Subregion and the Eastwood district and constitutes an attractive viable contemporary use of land degrade by its earlier use and excavation for brick making.
2. 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 and SEPP 32 Urban Consolidation (Redevelopment of Urban Land).
3. Given that the Panel has agreed to vary the development standards contained in Clause 4.3 and Clause 4.5 of Parramatta LEP 2011 in respect of height and floor space ration the proposal is considered to adequately satisfy the provisions of the LEP.
4. The proposed development is considered to satisfactorily respond to the principles of the master plan prepared to guide redevelopment of this site and consequently provides a satisfactory interface with the established development opposite in Carrington Crescent and Mobbs Lane and building heights, forms and presentations that will integrate successfully into the broader district context.
5. The proposed development will not have significant adverse impact on the natural or built environment including nearby residential development and the operation of the local road network.
6. In consideration of the 1-5 above the Panel considers approval of the development is in the public interest.

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Conditions: The development application was approved subject to the conditions in the Council Assessment Report.

Panel members:

 Mary-Lynne Taylor (Chair)	 Paul Mitchell	 Bruce McDonald
 Andrew Wilson		

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SCHEDULE 1

1	JRPP Reference – 2013SYW090, LGA – Parramatta City Council, DA/601/2013
2	Proposed development: Tree removal, re-subdivision and construction of a residential flat building complex containing 157 apartments along the Mobbs Lane frontage of the site.
3	Street address: Part Lot 1 & Lot 11 DP 270605 Midson Road, (former Eastwood Brick Pit), Eastwood.
4	Applicant/Owner: Applicant – DBL Property, Owner – AVJBOS Eastwood Developments Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M
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 - BASIX ◦ State Environmental Planning Policy (Infrastructure) 2007 ◦ State Environmental Planning Policy 65 – Design Quality of Residential Flat Development ◦ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ◦ Parramatta Local Environmental Plan 2011 ◦ Parramatta S94A Development Contributions Plan 2008 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Parramatta Development Control Plan 2011 ◦ Eastwood Brickpits Masterplan (Adopted by Council 6/6/2003 and is a Deemed DCP under Parramatta Development Control Plan 2011) • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ◦ Environmental Planning and Assessment Act Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: The development application was considered by the Panel on 2 October 2014 when the Panel resolved to defer consideration of the application. Concerns were raised by the Panel Members with regard to the height of the proposed development. Original Council Assessment Report with attachment, Draft Conditions and Addendum Report. Submissions: 205 (two notifications) Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Eugene Marchese
8	Meetings and site inspections by the panel: 31 October 2013 - Briefing Meeting, 2 October 2014 - Site Inspection and Final Briefing meeting, 18 December 2014 – Final briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report