

FURTHER REPORT TO SYDNEY WEST JRPP

JRPP No	2013SYW109
DA Number	DA/805/2013
Local Government Area	Parramatta City Council
Proposed Development	Demolition of existing buildings, tree removal, removal of bowling greens and construction of a part two storey club and 3 levels of basement car parking
Street Address	2 Macquarie Street – Parramatta Lot 362 in DP752058
Applicant/Owner	APPLICANT: Paynter Dixon Constructions Pty Limited OWNER: Castle Hill RSL Club Ltd
Recommendation	Approval subject to conditions

The background to this application is provided below.

JRPP Meeting 13 November 2014

The above application was considered by the Sydney West JRPP on 13 November 2014.

The Panel deferred the determination of the application and resolved the following at that meeting:

The Panel resolved to defer the application noting it is minded to approve the application based on its consideration of the assessment undertaken by the Parramatta Design Excellence Assessment Panel, NSW Office of Environment and Heritage response, Council's Urban Designers' response, National Parks and Wildlife Services consideration and the Council staff town planning report.

The Panel, however, considers that number of technical issues requires further information and assessment by Council with a report back to the Panel namely:

- Clarification of any legal requirement to meet the provisions of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) prior to approval of this development application;*
- A response by Parramatta Council to applicant's request made at the Panel meeting to forego Section 94A Contributions or to reduce the amount required to be paid as a condition of the development;*
- A response from Parramatta City Council Assessment Staff in relation to Mr Clive Lucas' submission provided at the meeting on behalf of the National Trust.*

The Panel seeks the response to these matters as soon as is practical.

These matters were investigated and reported back to the JRPP on 11 March 2015.

JRPP Meeting 11 March 2015

The above application was considered by the Sydney West JRPP on 11 March 2015.

The Panel deferred the determination of the application and resolved the following at that meeting:

The panel has deferred this application because, although the panel finds most aspects of the application to be satisfactory it is concerned about the matter of the S.94A levy that has been challenged by the applicant in two areas:

- 1. The applicant believes, contrary to the council report that the S.94A levy should not apply to this application, and;*
- 2. Seeks this panel to consider its annual charitable works and the amount of public improvement works conditioned in this consent should be taken into account when considering any levy.*

As the panel does not believe that it should interfere with matters that have financial impacts on council as suggested, the panel has deferred the application to allow the Parramatta Council to consider the request. Otherwise the panel considers the application to be satisfactory for the following reasons:

- 1. The proposed development will provide enhanced and contemporary social, entertainment, hospitality and leisure facilities for local residents, the Parramatta workforce and users of Parramatta Park and the Parramatta business community.*
- 2. The proposed development is considered subject to the relevant conditions imposed to have no adverse impact on the adjoining old Government House and Domain - World Heritage status property. In that regard, the panel notes:*
 - (i) The advice of the Office of Environment and Heritage that conditions have been imposed on the consent as recommended by that Office (the applicant agrees with them:*
 - (ii) the need for the proposal to be referred, independently of the Environmental Planning and Assessment Act 1979 approval process, to the Australian Department of Sustainability Environment Water and Population for comment and approval before any work commences on the site.*
- 3. The proposed development subject to the relevant conditions imposed, adequately satisfies the relevant State Environmental Planning Policies including SEPP 55 - Remediation of Land, and SEPP (Infrastructure) and meets the requirements of the NSW Office of Environment and Heritage and NSW Office of Water.*
- 4. The proposal adequately satisfies the objectives and provisions of the Parramatta City Centre LEP 2007, Parramatta City Centre DCP 2007 and Parramatta DCP 2011.*

5. *Having regard to conclusions 1-4, the Panel considers that subject to the conditions imposed the proposed development is a suitable use of the subject land and its approval is in the public interest.*

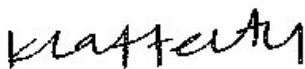
In the circumstances of the added delay in deciding this matter, the Panel respectfully requests that the matter be dealt with at Council as a matter of priority.

Post Meeting Action

The outstanding matter regarding the payment of a Section 94A contribution was reported as a confidential item to the Council at its meeting on 13 April 2015. Council resolved the following at that meeting:

- (a) That in relation to DA 805/2014 Council support the imposition of Condition 26 requiring the payment of Section 94A*
- (b) Further that the CEO be authorised to negotiate and determine the quantum of the contribution for the reasons outlined in this report.*

Discussions are currently being held between Council officers and the RSL representatives. The outcomes of these discussions will be reported to the JRPP at the meeting of 13 May 2015.



Kate Lafferty
Senior Development Assessment Officer
Parramatta Council
28 April 2015