

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at Blacktown City Council on 20 May 2015 at 11.30 am

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Mr Stuart McDonald (by telephone)

Apologies: None Declarations of Interest: None

Determination and Statement of Reasons

2014SYW149 – Blacktown – DA JRPP-14-1907 [Lot16B, 38 Pelican Road, Schofields] as described in Schedule 1.

Date of determination: 20 May 2015

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.

Reasons for the panel decision:

The Panel unanimously approves the application for the followings reasons:

- 1 The Panel has considered the Applicant's request to vary the development standards contained in CI 4.2 (Height of Buildings) and CI 4.3 (Floor Space Ratio) of SEPP (Sydney Region Growth Centres) 2006 and considers that;
 - In regard to CI 4.2 that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the variation is minor, and will not add additional units or additional impacts to the amenity of adjoining premises;
 - In regard to CI 4.3 there are sufficient environmental planning grounds to justify contravening the standard as the variation facilitates widening of the adjacent local roads without loss of development yield;
 - The development remains consistent with the objectives of the applicable R3 High Density Residential Zone and with the anticipated scale and form of the development in the locality.
- 2 The proposed facility will add to the supply and choice of housing within the Northwest Growth Centre in a location selected for such development and with ready access to rail transport services and to the increasing supply of services offered by Schofields Centre.
- 3 The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP (Sydney Region Growth Centres) 2006, SEPP 65 Design Quality of Residential Flat Development and associated Residential Flat Design Code, SEPP (Infrastructure) 2007 and SEPP 55 Remediation of Land.
- 4 The proposal adequately satisfies the provisions and objectives of Blacktown City Council Growth Centre Precincts DCP 2010.
- 5 The scale, architectural treatment and landscape treatment adopted for the proposal are consistent with the character of planned residential development in the locality.
- 6 The proposed development will have no significant adverse impacts on the natural or built environments including the amenity of established dwellings and planned future residential flat development, or on the performance of the local road network.
- 7 In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Conditions:

The development application was approved subject to the conditions in the Council Assessment Report and as amended at the meeting with the following amendments and additions:

Amended conditions as follows:

- 3.5.1 Each stage of the development is to provide a Work Method Statement and Construction Traffic Management Plan (CTMP) must be prepared for the development by a suitably qualified person and submitted to Council's Co-ordinator, Traffic Management for separate approval prior to the release of the Construction Certificate. The Work Method Statement is to demonstrate how the basement is to be excavated. The CTMP is to address truck movements associated with the construction, in particular the disposal of excavated soil from the site as well as the impact on adjacent pedestrian and traffic movement.
- 3.7.1 New construction on Block C and E shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
- 10.11.3 The Owners Corporation is to manage the total maintenance plan and total security management plan. The recommendations of the plan are to be integrated into a Strata Management Agreement and by-laws.

Additional conditions as follows:

4.10 **Site Contamination**

- 4.10.1 Prior to the issue of any Construction Certificate, the recommendations provided in the Detailed Contamination Assessment prepared by Geotechnique Pty Ltd, referenced 13061/5-AA and dated 8 April 2014 shall be implemented.
- 4.10.2 A final site contamination Validation Report for the specific site, being the entire site known as Lot 16B, confirming the suitability of the site for the development is to be endorsed by Council prior to the release of any construction certificate. The Validation Report shall be prepared by a consultant engaged under the terms of Council's Contaminated Lands Policy.

10.24 **State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development**

- 10.24.1 No occupation certification must be issued unless all design verifications have been provided in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000, a certifying authority must not issue a construction certificate for residential flat development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

Panel members:



Mary-Lynne Taylor



Bruce McDonald



Stuart McDonald

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	2014SYW169 – Blacktown – Council Reference: DA JRPP-14-1907
2	Proposed development: Construction of Six (6) Residential Flat Buildings containing 250 units, associated basement parking and landscaping
3	Street address: Lot16B, 38 Pelican Road, Schofields
4	Applicant/Owner: Universal Property Group Pty Ltd
5	Type of Regional development: Capital Investment >\$20Million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • Environmental Planning & Assessment Act 1979 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No.55 – Remediation of Land • State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development • Residential Flat Design Code • State Environmental Planning Policy (Building Sustainability Index:BASIX) 2004 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • Blacktown City Council Growth Centres Precincts Development Control Plan 2010 • 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 Environmental Planning Assessment Act 1979 or Environmental Planning Assessment Regulation 2000. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated 6 May 2015 Written submissions during public exhibition: 8 Verbal submissions at the panel meeting: Support- None; Against- None; On behalf of the applicant - None
8	Meetings and site inspections by the panel: Preliminary Briefing Meeting, Site Inspection: 20 May 2015; Final Briefing: 20 May 2015; Determination Meeting: 20 May 2015
9	Council recommendation: Approved with conditions
10	Draft conditions: As provided by Council