

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Parramatta City Council** on **Wednesday 9 September 2015 at 4.30 pm**

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

Apologies: Cr Jean Pierre Abood

Declarations of Interest: Bruce McDonald declared that he was previously a Board member of Evolve Housing and has retired from that position about 3 years ago and has had no engagement with Evolve Housing since that time.

Determination and Statement of Reasons

2015SYW052 – Parramatta, DA/316/2014, Demolition of all structures and the construction of a part three storey, part four storey residential flat building containing 47 units with basement car park. The application is made under State Environmental Planning Policy (Affordable Rental Housing) 2009 as 22 units are nominated as affordable rental housing for a period of 10 years once the building is complete, 89-93 Wentworth Avenue, Wentworthville, Lot 1 (Sec 2) DP 976563, Lot 2 DP 774637 and Lot 3 in DP 603447.

Date of determination: 9 September 2015

Decision:

The panel unanimously 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 matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing, including affordable housing in the Central West Metropolitan Subregion and City of Parramatta in a location requiring substantial key worker employment. Further the location has ready access to transport services provided by Wentworthville Rail Station and the services and amenities offered by Wentworthville Village Centre.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 4.3(4) (Height of Buildings) contained in Parramatta LEP and considers that compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation is generated as a design response to the bonus floor area secured under the Affordable Rental Housing SEPP and will not result in a building that is inconsistent with the scale of buildings planned for this locality. The development remains consistent with the underlying intent of the standard and the objectives of the LEP.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP Affordable Rental Housing 2009, SEPP 65 Design Quality Residential Flat Development, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
4. In relation to SEPP 55 the Panel noted a statement in the SEE which said that the subject property has been used for residential purposes for approximately 7 decades. The panel received further information from Council Officers confirming that none of the uses given in Table 1 of the Managing Land Contamination Planning Guidelines (DUAP 1998) had occurred on the site since 1943. Accordingly the Panel decided that the provisions of SEPP 55 had been satisfied.
5. The proposal adequately satisfies the provisions and objectives of Parramatta LEP 2011 and Parramatta DCP 2011.
6. The architectural treatment, site development treatment and the landscape treatment adopted for the proposal will effectively integrate the proposed development into the character and scale of development planned for the locality in which the site is placed. In this regard the Panel regards the increased height reflected in the design to accommodate the affordable housing bonus is acceptable and does not impact negatively on the amenity of nearby residences or the character of the locality.
7. The proposed development, subject to the conditions imposed will have no significant adverse impacts on the natural or built environments including the amenity of adjoining or nearby residential premises, or the operation of local road network.
8. In consideration of conclusions 1-7 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

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Conditions: The development application was approved subject to recommended conditions in the Council Town Planning Report with an additional condition relating to potential contamination.





New Condition to read as follows:

DURING WORK

In the event that material is identified at the subject site as contaminated as defined in the Managing Land Contamination Planning Guidelines prepared by the Department of Urban Affairs and Planning dated 1998, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. Any soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

Reason: To ensure that the provisions set out in Clause 7 of State Environmental Planning Policy No.55 – Remediation of Land has been met and that the use of the land poses no risk to the environment and human health.

Panel members:

 Mary-Lynne Taylor	 Bruce McDonald	 Paul Mitchell
 Andrew Wilson		

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SCHEDULE 1

1	JRPP Reference – 2015SYW052, LGA – Parramatta City Council, DA/316/2014
2	Proposed development: Demolition of all structures and the construction of a part three storey, part four storey residential flat building containing 47 units with basement car park. The application is made under State Environmental Planning Policy (Affordable Rental Housing) 2009 as 22 units are nominated as affordable rental housing for a period of 10 years once the building is complete.
3	Street address: 89-93 Wentworth Avenue, Wentworthville, Lot 1 (Sec 2) DP 976563, Lot 2 DP 774637 and Lot 3 in DP 603447.
4	Applicant and Owner: Applicant: John Maroun & Andre Moussa. Owner: Wentville Group Pty Ltd.
5	Type of Regional development: The development includes affordable housing and has a value of over \$5 million (Private Infrastructure and community facilities over \$5 million).
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 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Affordable Rental Housing) 2009 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ Parramatta Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Parramatta Development Control Plan 2011 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment 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: Council assessment report with recommended conditions and written submissions. Verbal submissions at the panel meeting: Nil
8	Meetings and site inspections by the panel: 9 September 2015 – Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report