

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Auburn City Council** on **Wednesday 17 February 2016 at 12.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Stuart McDonald, Bruce McDonald, Garry Sheils and Julie Walsh

Apologies: Nil

Declarations of Interest: Nil

Determination and Statement of Reasons

2015SYW057 – Auburn City Council - DA-40/2015, Stages development proposal for demolition of existing buildings, tree removal, earthworks, site remediation, construction of roads, sea wall and public domain works and further subdivisions to create roads, Pt Lot 2 DP 859608, Pt lot 2 Burroway Road, Wentworth Point.

Date of determination: 17 February 2016

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 as addressed in the Council Assessment Report, the material listed at item 7 the matters presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for the panel decision:

1. The proposed development will facilitate future supply and choice of housing within the West Central Metropolitan Subregion and the Auburn local government area in a location planned for this purpose which has ready access to metropolitan ferry transport services and upon completion of bridge now under construction the rail services available at Rhodes Rail Station and access to the services and amenities available from Sydney Olympic Park.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 4.4 Auburn LEP 2014 (Floor Space Ratio) and considers the compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the development remains consistent with the underlying intent of the standard and the objectives of the zone and the variation will not result in inconsistency with the scale and pattern of development planned for this locality by the Wentworth Point DCP.
3. The proposed development adequately satisfies the relevant State Legislation and State Environmental Planning Policies including the Fisheries Act 1994, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007 and SREP (Sydney Harbour Catchment) 2005. Subject to the conditions imposed the proposal also satisfies the requirements of the Sydney Olympic Park Authority.
4. The proposal adequately satisfies the provisions and objectives of Auburn LEP 2014 and the provisions of Wentworth Point Precinct DCP 2014.
5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the local ecology the amenity or nearby residential premises or the operation of the local road system.
6. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.






Conditions: The development application was approved subject to the conditions in the Council Assessment Report. It is noted that the following conditions have been amended –

Condition 1 shall include Plan of Subdivision prepared by Calibre Consulting Numbered X13308SK91 dated 2/2/2016.
Condition 43 – the sea wall design shall be 50 years life span.

The Panel adopts the final sets of conditions presented at the meeting which has been agreed by the applicant.

Panel members:

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 Mary-Lynne Taylor	 Bruce McDonald	 Stuart McDonald
 Gary Sheils	 Julie Walsh	

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SCHEDULE 1

1	JRPP Reference – 2015SYW057, LGA – Auburn City Council, DA/40/2015
2	Proposed development: Stages development proposal for demolition of existing buildings, tree removal, earthworks, site remediation, construction of roads, sea wall and public domain works and further subdivisions to create roads.
3	Street address: Pt Lot 2 DP 859608, Pt lot 2 Burroway Road, Wentworth Point.
4	Applicant/Owner: Applicant –Urban Growth NSW, Owner – Maritime Authority of NSW
5	Type of Regional development: Capital Investment Value > \$5M Crown Development
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy 55 – Remediation of Land ○ State Environmental Planning Policy – BASIX ○ Sydney Regional Environmental Plan No. 24 – Homebush Bay Area ○ State Regional Environmental Policy (Sydney Harbour Catchment) 2005 ○ Auburn Local Environmental Plan 2010 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Wentworth Point Precinct Auburn Development Control Plan 2014 • 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: At the meeting on 3 December 2015, the Panel unanimously determined to defer the development application for the council to assess the applicant's recent legal advice and to provide an additional report to the Panel. Original Council assessment report with draft recommended conditions and written submissions. Addendum Council Report Verbal submissions at the public meeting: <ul style="list-style-type: none"> • Anne Smith • Mr Butterworth on behalf of Mr Luke Foley (MP) Office
8	Meetings and site inspections by the panel: 3 December 2015 - Final Briefing meeting. 17 February 2016 – Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report