

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Parramatta City Council** on **Wednesday 11 November 2015 at 11.30 am**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Stuart McDonald, Cr Jean Pierre Abood and Cr Andrew Wilson

**Apologies:** None

**Declarations of Interest:** Mary-Lynne Taylor declared a non-significant non pecuniary interest and advised that she is currently working with Mr Harding who is the applicant's town planner but she has no involvement with this site.

### Determination and Statement of Reasons

**2015SYW077 – Parramatta City Council, DA244/2015,** Consolidation of sites, demolition of existing structures and construction of a four storey mixed use development complex comprising of ground floor shops and a supermarket with residential units above across three separate buildings over two levels of basement car parking for 262 vehicles, Lot 131 DP 528534 and Lots 1-3 DP 20945, at 365 Clyde Street and 48-52 Wellington Road, South Granville

**Date of determination:** 11 November 2015

**Decision:**

The panel determined to refuse 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.

**Panel Decision:**






While acknowledging that the proposed development would introduce retail capacity and add to the supply and choice of housing to the South Granville locality consistently with the use typology planned for the subject site and consistent with the zoning of the land under Parramatta LEP 2011, the application is refused for the following reasons:

**Reasons for refusal:**

1. Having regard to the advice of the RMS and Council's assessment of traffic impacts the Panel cannot be satisfied, as required by Clause 101 (2) (b) of SEPP Infrastructure (2007), that safety efficiency and ongoing operation of Wellington Road, which is a classified regional road, will not be adversely affected by the development.
2. Having regard to the review of the proposal conducted by the Design Excellence Advisory Panel and the assessment by Council the proposal is considered to not adequately satisfy the provisions of SEPP 65 Design Quality of Residential Flat Development 2002 or its associated Residential Flat Design Code.
3. Given the absence of a Details Site Investigation the Panel cannot be satisfied as required by relevant clause of SEPP 55 Remediation of Land that the site is or can be made suitable for the proposed use.
4. The proposal breaches the development standard contained in Clause 4.3 Height of Buildings contained in PLEP 2001. Having considered the applicant's submission in this regard the Panel has decided that requirement to comply with the standard is reasonable in this case and no substantial environmental planning reason has been advanced meriting relaxation of the standard.
5. In consideration of conclusions stated in 1-5 above the Panel considers that development of the site as proposed would not be in the public interest.

Further the Panel in its consideration of this matter observes that the development potential of this site and adjoining lands similarly zoned B1 Neighbourhood Centre presents a significant opportunity to realise a contemporary, attractive integrated new neighbourhood facility to service this locality. The Panel strongly recommends that Council develop and adopt strategic development and design principles in consultation with the land owners to guide integrated development of all land within the zone.

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Panel members:		
 <b>Mary-Lynne Taylor</b>	 <b>Bruce McDonald</b>	 <b>Stuart McDonald</b>
 <b>Andrew Wilson</b>	 <b>Jean Pierre Abood</b>	

## SCHEDULE 1

1	<b>JRPP Reference – 2015SYW077, LGA – Parramatta City Council, DA 244/2015.</b>
2	<b>Proposed development:</b> Consolidation of sites, demolition of existing structures and construction of a four storey mixed use development complex comprising of ground floor shops and a supermarket with residential units above across three separate buildings over two levels of basement car parking for 262 vehicles.
3	<b>Street address:</b> Lot 131 DP 528534 and Lots 1-3 DP 20945, at 365 Clyde Street and 48-52 Wellington Road, South Granville
4	<b>Applicant and Owner: Applicant –</b> Mr P Doroch. <b>Owner:</b> SA & RT Tesoriero Pty Ltd
5	<b>Type of Regional development:</b> The development has a capital investment value of more than \$20 million.
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>◦ BASIX SEPP</li> <li>◦ Section 94A Plan</li> <li>◦ State Environmental Planning Policy (Infrastructure) 2007</li> <li>◦ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)</li> <li>◦ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>◦ State Environmental Planning Policy 65 – Design Quality of Residential Flat Development</li> <li>◦ Urban Renewal SEPP</li> <li>◦ Policy for the Handling of Unclear insufficient and amended development applications</li> <li>◦ Parramatta City Centre Local Environmental Plan 2007</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Parramatta Development Control Plan 2011</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: <ul style="list-style-type: none"> <li>◦ Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council assessment report with recommended conditions, Council Memo dated 9 November 2015 and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>• Stuart Harding (applicant's town planner)</li> <li>• Pavlo Doroch (applicant's architect)</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 11 November 2015 – Final Briefing meeting.

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9	<b>Council recommendation:</b> Refusal
10	<b>Reasons:</b> Attached to council assessment report