

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at Auburn City Council on Thursday 21 April 2016 at 3.30 pm

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Paul Mitchell, Brian McDonald, Julie Walsh

Apologies: None Declarations of Interest: None

### Determination and Statement of Reasons

**2015SYW153 – AUBURN – DA-288/2015 [3 Burroway Road, Wentworth Point] as described in Schedule 1.**

**Date of determination:** 21 April 2016

**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.

The Panel adjourned to formulate a resolution.

**Reasons for the panel decision:**

The Panel unanimously approved the application, subject to the conditions in the Assessment Report and as amended at the meeting, for the following reasons:

1. The proposed development will provide a public school facility catering to the needs of the rapidly developing and growing residential precinct in which it is placed.
2. The proposed development subject to the conditions imposed including the Deferred Commencement provisions adequately satisfies the relevant State Environmental Planning Instruments including SEPP 55 – Remediation of Land, SEPP (Infrastructure) 2007, Greater Sydney Regional Environmental Plan No.2 – SREP (Sydney Harbour Catchment) 2005 and NSW Educational Facilities Standards and Guidelines.
3. The proposal adequately satisfies the provisions and objectives of the Wentworth Point Precinct Development Control Plan 2014. In this regard the Panel notes that the Wentworth Point DCP prevails over Auburn DCP 2010. The Panel further notes the Wentworth Point DCP contains development principles which specifically provide for construction of a primary school on this particular site.
4. Subject to satisfaction of the various conditions and subject to the conditions imposed the proposed development will have no unacceptable impacts on the built or natural environments including the amenity of nearby residential premises, the performance of the local road network or natural drainage system.
5. In consideration of conclusions 1-4 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 Panel unanimously agreed to approve the application, subject to the conditions imposed and as amended below:



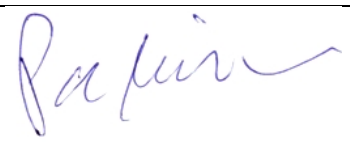


- DC1 – deleted as a Deferred Commencement Condition and to be listed as a new operational condition (now listed as Condition 4)
- DC3 – deleted as a Deferred Commencement Condition and to be listed as a new operational condition (now listed as Condition 5)
- DC4 - deleted as a Deferred Commencement Condition and to be listed as a new operational condition (now listed as Condition 6)
- Condition 2 – note removed
- Condition 13C – deleted
- Condition 43a – amended to read:  
*Remediation and validation works shall be carried out to satisfy the conclusions of the Site Audit Report provided in page 16, section 6, prepared by Coffey, dated 17 June 2015. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works. Please note that variations to the approved remediation works may require the submission to Council of a Section 96 Application or further Development Application*

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*pursuant to the Environmental Planning and Assessment Act 1979.*

- Condition 43b – amended to read:  
*After completion of the remedial works, a copy of the Validation Report shall be submitted to Council prior to the commencement of construction works. The construction works shall not commence until the final Validation Report has been submitted to Council for comment. The validation report shall be prepared in accordance with the EPA guidelines; Consulting Reporting on Contaminated Sites, and shall:*
  - i) Describe and document all works performed;*
  - ii) Include results of validation testing and monitoring;*
  - iii) Include validation results of any fill imported on to the site;*
  - iv) Show how all agreed clean-up criteria and relevant regulations have been complied with; and*
  - v) Include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.*
- Condition 43c – delete last sentence of first paragraph.
- Condition 60 – delete
- Condition 63 – amended to read:  
*The footpath and nature strip within the street frontages shall be repaired if damaged during the period of construction to Council's satisfaction.*
- Condition 65 – amended to read:  
*Prior to commencement of work a traffic management plan shall be prepared and submitted to Council for consideration and comment for all demolition, excavation and construction activities associated with the development.*
- Condition 68 – delete
- Condition 72 – amended to read:  
*Prior to occupation of the building, written consent shall be obtained from the Roads and Maritime Services to install any School Zone signs and any associated pavement markings, or to remove or relocate any existing Speed Limit signs....*
- Condition 73 – delete second dot point
- Condition 75 - delete

### Panel members:

 <b>Mary-Lynne Taylor (Chair)</b>	 <b>Bruce McDonald</b>	 <b>Paul Mitchell</b>
 <b>Brian McDonald</b>	 <b>Julie Walsh</b>	

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### SCHEDULE 1

1	<b>JRPP Reference – LGA – Council Reference:</b> 2015SYW153 – AUBURN – DA-288/2015
2	<b>Proposed development:</b> New Public School
3	<b>Street address:</b> 3 Burroway Road, Wentworth Point
4	<b>Applicant/Owner:</b> RMS/ Maritime Authority of NSW
5	<b>Type of Regional development:</b> CIV>\$5 million Crown Development
6	<b>Relevant mandatory considerations:</b> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• Sydney Regional Environmental Plan 24 – Homebush Bay Area</li> <li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>• Auburn Local Environmental Plan 2010</li> <li>• Auburn Development Control Plan 2010</li> <li>• Auburn Development Contributions Plan 2007</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 Environmental Planning Assessment Act 1979 and Regulation.</li> <li>• The public interest, including the principles of ecologically sustainable development.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated 8 April 2016 Written submissions during public exhibition: 4 Verbal submissions at the panel meeting: Against - Michael Butterworth; On behalf of the applicant- Tony McCabe, Peter Hogan
8	<b>Meetings and site inspections by the panel:</b> Briefing Meeting: 21 April 2016
9	<b>Council recommendation:</b> Deferred Commencement Approval
10	<b>Draft conditions:</b> As per Assessment Report