

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 12 July 2017
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell and Chris Quilkey
APOLOGIES	Kathleen Collins
DECLARATIONS OF INTEREST	None

Public meeting held at Blacktown City Council on Wednesday, 12 July 2017, opened at 2:15 pm and closed at 2:45 pm.

MATTER DETERMINED

2016SYW132 – Blacktown – JRPP-16-003313 AT 848 Windsor Road, Rouse Hill (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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 determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous

REASONS FOR THE DECISION

The Panel determines the application by granting approval for the following reasons:

1. The application is permissible in the R3 Medium Density Residential Zone and complies with all but one of the applicable development standards. The exception is the height of buildings control. A written request to vary this standard has been submitted; the Panel finds it satisfactory and agrees with it for the reasons given in Point 5 below.
2. The site is well suited to the proposed development. It is generally level land that is free of natural constraints and well situated with regard to the required services and infrastructure. The Panel notes that a preliminary site investigation has been undertaken and that the land can be made suitable for the proposed use, subject to satisfactory implementation of a Remedial Action Plan as provided for in the conditions; thus the requirements of State Environmental Planning Policy No 55 – Remediation of Land have been addressed. Also, the proposal is compatible with the planned future character of the area.
3. The proposal will add to the availability and choice of housing available in the area, and will contribute to improved housing affordability. It will thus be of social benefit.
4. For the reasons given above, approval of the proposal is in the public interest.
5.
 - A. At a number of points the roof of the proposed development exceeds the maximum permissible height, in one place by 2.8 metres (an exceedance of 23%). None of the breaches add to the perceived bulk of the building nor causes adverse impacts on neighbours. The building's design, including height, is compatible with the objectives of the height standard. The Panel therefore believes that compliance with the standard is unnecessary.
 - B. The variation will enable well designed buildings to be provided that are compatible with the objectives for development in the R3 Zone. It will be a better planning outcome as the variation



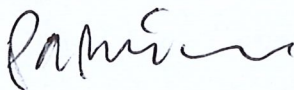

provides good access to the communal open space on the roof terrace; thus there are sufficient environmental planning grounds to justify the variation.

- C. Overall the Panel believes that the proposal, including the height variation, is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following additional condition:

11.10.2 The CCTV shall be operated and managed in accordance with the recommendations in the Total Security Management Plan and CPTED recommendations prepared by National Security Consulting Pty Ltd dated August 2015.

PANEL MEMBERS	
 Edward Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell	 Chris Quilkey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW132 – Blacktown – JRPP-16-003313
2	PROPOSED DEVELOPMENT	2 x residential flat buildings containing 140 units
3	STREET ADDRESS	Lot 1 within the subdivision of Lot 100 DP 104793 at 848 Windsor Road, Rouse Hill
4	APPLICANT/OWNER	Zhinar Architects/Southern Han Rouse Garden Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River • Blacktown City Council Growth Centre 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 14 June 2017 • Memorandum from Blacktown City Council dated 28 June 2017 • Written submissions during public exhibition: nil • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Jonathon Wood
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection on 12 July 2017 • Final briefing meeting to discuss council's recommendation, 12 July 2017 1:15 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell and Chris Quilkey ○ <u>Council assessment staff</u>: Judy Portelli, Natalie Camilleri and Danny Zabakly
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report