

DATE OF DETERMINATION	Wednesday 5 September 2018
PANEL MEMBERS	Mary-Lynne Taylor, Paul Mitchell, Peter Brennan and Cr Sameer Pandey
APOLOGY	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held at Mantra Parramatta, Corner Parkes Street and Valentine Avenue, Parramatta on Wednesday 5 September 2018 opened at 4.05pm and closed at 5.42pm.

MATTER DETERMINED

Panel Ref – 2017SWC110 - LGA – City of Parramatta, DA776/2017 AT 10 Grand Avenue, Rosehill (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 pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR DECISION

The Applicant has submitted a written request to vary the heights of two buildings by 24.5% and 23.7% being 2.94 and 2.78m respectively. The request demonstrates that compliance with the height of buildings standard is unnecessary in this particular instance because the subject buildings are located a considerable distance from the site's boundaries and will have no adverse effects on neighbouring properties. As such, the objectives of the building height standard are met notwithstanding the non-compliance.

The Panel believes there are sufficient environmental planning grounds to justify the variation. The increased height is caused by the need for fill and reinforced concrete to seal contaminated materials below. By helping to remediate the land the variation will have significant environmental benefits. It will also enable development that is consistent with the zone objectives.

For the reasons given above the Panel believes that approval of the variation is in the public interest and that, overall, the written variation request is satisfactory. Accordingly, the Panel upholds the variation request.

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




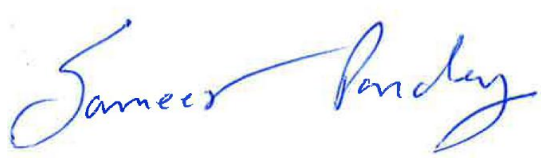
1. The proposal will result in redevelopment and continued productive use of this well located industrially zoned site. Continued industrial use will preserve job opportunities and

facilitate continued supply of roofing materials which are essential for Sydney's construction industry.

2. Redevelopment of the site will enable remediation of contaminated land which will be environmentally beneficial.
3. The proposal complies with nearly all applicable standards and guidelines, with the exception of building height and the landscaped area guideline. The variation to the building height is dealt with in the determination of the variation request above. The variation to the landscaping DCP guideline is considered to be minor and inconsequential and the amended plans providing and compliant landscape setback from the street and reducing the oversupply of parking to increase the overall landscape area is now a satisfactory planning outcome.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with amendment to Condition 22 to allow for the staged payment of Section 94A Contributions, amounts and staging to be determined following further discussion between Council and the Applicant.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Paul Mitchell
 Peter Brennan	 Sameer Pandey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2017SWC110 - LGA – City of Parramatta - DA776/2017
2	PROPOSED DEVELOPMENT	Demolition of existing structures, site clearing and remediation works. Construction of a warehouse and distribution centre with associated carparking, landscaping and civil works. The proposal will be constructed in two (2) stages to allow for the continued operation of the existing use on the site.
3	STREET ADDRESS	Lot 4, DP 623497 - 10 Grand Avenue, Rosehill
4	APPLICANT/OWNER	Applicant – W McGarry Owner – Grand 4 Investment Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value >\$20million.

6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2000 State Environmental Planning Policy No. 55 – Remediation of Land Sydney Environmental Planning Policy (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 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 <ul style="list-style-type: none"> <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil 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 – August 2018 Written submissions during public exhibition: 0 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Support – Nil Object – Nil On behalf of the applicant – Fergie Pattern
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site Inspection and Briefing – 1 August 2018 Final briefing and Public meeting – 5 September 2018 Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Mary-Lynne Taylor, Paul Mitchell, Peter Brennan and Cr Sameer Pandey <u>Council assessment staff</u>: Wendy Wang
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Submitted with council report

