

DATE OF DETERMINATION	6 June 2018
PANEL MEMBERS	Paul Mitchell (Acting Chair), Lindsay Fletcher and Sameer Pandey
APOLOGIES	Mary-Lynne Taylor, Steven Issa and Martin Zaiter
DECLARATIONS OF INTEREST	Stuart McDonald declared a conflict of interest as the applicant is a client of his company SJB Planning elsewhere in Sydney. Mr McDonald and his firm have had no involvement in this application, but to avoid any perception of a conflict of interest, he has not participated in any discussion of this application today, and he will not form part of the Panel for that item

Public meeting held at Mantra Parramatta on 6 June 2018, opened at 11:35 am and closed at 12:10 pm.

MATTER DETERMINED

2017SWC107 – City of Parramatta – DA/763/2017 AT 14-16 Hill Road – Sydney Olympic Park (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 the Panel meeting 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 4.15 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION




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

1. The proposal is consistent with strategic planning objectives for the area (given in the Hill Road Urban Activation Precinct planning studies) and will add to housing availability and choice and thus contribute to improved housing affordability.
2. The proposal complies with nearly all applicable standards and guidelines. The exceptions are some minor variations to provisions of the Wentworth Point Precinct Development Control Panel which are not consequential.
3. The proposal provides a smaller area of floorspace than the approved allocation given in the concept plan for Lot 101. Thus, the intensity of the proposed development, including its effects on the local road network and other infrastructure, will be less than was anticipated in planning for this site and thus be satisfactory.
4. The proposal includes remediation of land that is contaminated. It also includes substantial landscaping and public domain works. These aspects of the development will be environmentally beneficial and overall the proposal's impacts will be acceptable.

5. For the reasons given above, approval of the application is in the public interest.

CONDITIONS

The development application was approved subject to the revised conditions supplied by Council on 5 June 2018.

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Lindsay Fletcher
 Sameer Pandey	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC107 – City of Parramatta – DA/763/2017
2	PROPOSED DEVELOPMENT	Phase 1 redevelopment of the site. The Phase 1 application is for subdivision into 3 lots, remediation, construction of a road around proposed Lot 101, construction of a residential sleeved podium containing internal car parking, with four residential flat buildings above ranging in height between 3 to 25 storeys and a total of 362 apartments
3	STREET ADDRESS	14-16 Hill Road – Sydney Olympic Park
4	APPLICANT/OWNER	SH Hill Road Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Coastal Management) 2018 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ Auburn Local Environmental Plan 2010 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Wentworth Point Precinct Development Control Plan 2014 ○ Auburn Development Control Plan 2010 • Planning agreements: Nil • Provisions of the <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: 23 May 2018 • Written submissions during public exhibition: one (1) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Aaron Sutherland
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting on 2 May 2018 • Final briefing meeting to discuss council's recommendation, 2 May 2018, 11:20 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Chair), Lindsay Fletcher and Sameer Pandey ○ <u>Council assessment staff</u>: Kate Lafferty and Mark Leotta
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Revised conditions supplied by Council on 5 June 2018.

COUNCIL ASSESSMENT REPORT

Panel Reference	2017SWC107
DA Number	DA/763/2017
LGA	City of Parramatta Council
Proposed Development	Phase 1 redevelopment of the site. The Phase 1 application is for subdivision into 3 lots, remediation, construction of a road around proposed Lot 101, construction of a residential sleeved podium containing internal car parking, with 4 residential flat buildings above ranging in height between 3 to 25 storeys and a total of 364 apartments.
Street Address	14-16 Hill Road – Sydney Olympic Park Lot 3 DP 859608
Applicant Owner	SH Hill Road Development Pty Ltd SH Hill Road Development Pty Ltd
Date of Lodgement	1 September 2017
Number of Submissions	1
Recommendation	Approval subject to conditions
Regional Development Criteria	General Development >\$30 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act and Regulations • SEPP 55 – Remediation of Land • SEPP65 - Design Quality of Residential Apartment Development • SEPP (Infrastructure) 2007 • SEPP (Coastal Management) 2018 • SREP (Sydney Harbour Catchment) 2005 • Auburn LEP 2010 • Wentworth Point Precinct DCP 2014 • Auburn DCP 2010
List of Relevant Documents	As appearing in Condition 1 of Attachment B
Report Prepared By	Kate Lafferty – Executive Planner
Report Date	23 May 2018

Summary of S4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions **Not Applicable**

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

EXECUTIVE SUMMARY

1. Summary

This report considers a proposal for the subdivision of the site into 3 lots, remediation, construction of a road around proposed Lot 101, construction of a residential sleeved podium containing internal car parking, with 4 residential flat buildings above ranging in height between 3 to 25 storeys and a total of 364 apartments.

Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any fundamental issues of concern. The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.

This report recommends that the Panel:

- Approve the application, subject to conditions of consent.

2. Key Issues

- Non-compliances with the Wentworth Point DCP – including building heights and tower location.

3. Background and Site Context

The Wentworth Point Urban Activation Precinct is part of a NSW government initiative established in 2013 to facilitate housing supply and increase housing choice and affordability in the broader Sydney metropolitan region. The precinct to be developed comprises of 2 parcels of land known as the **Burroway Road Site** (Pt Lot 2 in DP 859608) and the **Hill Road Site** (Pt Lot 3 in DP 859608). The two parcels are located at the northern end of Wentworth Point with a total combined land area of approximately 18.6 hectares. These precincts are indicated in the aerial photograph below.



This application relates only to the **Hill Road UAP** which is located at the western end of Hill Road adjoining the Parramatta River. This is indicated in the map below.



The land was formally under the ownership of the NSW Roads and Maritime Services (RMS) until such time as the tender for purchase was approved and the site purchased by SH Hill Road Development Pty Limited (Sekisui House) in 2016.

The land has a street frontage to Hill Road and is surrounded to the west and south by SOPA parklands, including the millennium marker directly south of the site. The site has an area of **94,580m²** and is partially vacant and partially occupied by industrial uses.

This land was previously under the former Auburn LGA until amalgamations in July 2016. The site has previous approvals for subdivision into residential lots and roads (Auburn Ref: DA-274/2014) and for a staged development proposal for distribution of gross floor area across lots 101 to 107 including demolition of existing buildings, tree removal, earthworks, site remediation, construction of roads, sea wall and public domain works (Auburn Ref: DA-41/2015).



Approved subdivision pattern of the site (Auburn Ref: DA-274/2014)

	<p>through various methods including the provision of the following:</p> <ul style="list-style-type: none"> • Ventilated car park (underground or undercroft) • Reinforced concrete ground bearing foundation raft with limited service penetrations cast into slab • Passive sub-floor ventilation with high performance • Reinforced concrete cast in situ or positioned suspended slab with minimal service penetrations and water bars around all penetrations and at joints • Proprietary gas-resistant membrane to reasonable levels of workmanship under independent construction quality assurance. <p>Different combinations of protection methods could be selected to achieve the requirements for the desired land use, which is to be in accordance with EPA (2012) guidelines. In practice, most residential space will have vented subgrade parking structures below living spaces which will ensure that residents in apartments and site users in residential structures or passing through the underground garages are not exposed to unacceptable risk from ground gases.</p> <p>Detailed measures will be incorporated into the detailed RAP to be submitted for approval by the site auditor.</p>
Light rail- potential line - want to protect corridor (future proof) - Panel agrees	The proposed development provides for the future proofing of the corridor for the proposed Stage 2 delivery of the light rail. See detailed discussion within the "Referrals" section of this report.
Non-compliance with height in DCP and in terms of location of tower but not problematic and compliance with LEP height limit but not DCP, note LEP prevails	Noted. This is discussed in further detail in Attachment B. The DCP height non-compliances and tower location have been considered in detail by Council's DEAP who consider the proposed development to be acceptable.
Cycleway passes across site - need easement to protect - Panel agrees	A cycleway currently exists within the Hill Road front setback within the property boundary. The applicant proposes to provide a 4.5m wide combined cycleway/pedestrian path to maintain the cycleway and pedestrian access. This will be secured by an easement, which forms part of this application.

14. Conclusion

On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework. The application is recommended for approval subject to the imposition of appropriate conditions.

15. Recommendation

That the Sydney Central City Planning Panel approve the application DA/763/2017 subject to the conditions contained within **Attachment B** of the Assessment Report.

