

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Parramatta City Council** on **Wednesday 9 December 2015 at 2.00 pm**

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

Apologies: None

Declarations of Interest: Stuart McDonald declared a non-significant non pecuniary interest in relation to this particular matter because the respective project architects are working on unrelated development projects with his firm, SJB Planning. He advised that the respective architects have not discussed the development application with Mr McDonald and his firm have had no involvement of any nature. As a result Mr McDonald is of the opinion that he will consider the development application in an impartial and objective manner.

Determination and Statement of Reasons

2015SYW058 – Parramatta, DA/164/2015, Tree removal, subdivision, new roads and construction of a mixed use development complex containing 496 apartments and 4 retail/commercial tenancies, No. 1 Broughton Street and No. 2 Morton Street, Parramatta.

Date of determination: 9 December 2015

Decision:

The panel unanimously 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 matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing within the West Central Metropolitan Subregion and the City of Parramatta in a location with ready access to the metropolitan transport, amenities and services available within the Parramatta Central Business District.
2. The Panel has considered the applicant's written request to vary the development standards contained in Clause 4.3 (Height of Buildings) PLEP 2011 and considers that compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation would not result in the building that is inconsistent with the scale and form of buildings planned for this locality and the development remains consistent with the underlying intent of the standard.
3. The proposed development adequately satisfies the relevant State legislation and State Environmental Planning Policies including, the Water Management Act 2000, SEPP 65 (Design Quality of Residential Flat Development) and its associated Residential Flat Design Code, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the provisions and objectives of Parramatta LEP 2011 and Parramatta DCP 2011.
5. The proposed development is consistent with the concept plan approved in 2012 pursuant to Section 83B of the EPA Act in relation to these lands.
6. The proposed development, subject to the conditions imposed, will have unacceptable adverse impacts on the natural or built environments including the local flora amenity of nearby residential premises, heritage items in the locality including viewsheds or on the operation of the local road system.
7. In consideration of conclusions 1-6 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 development application was approved subject to revised conditions dated 8 December 2015 presented at the meeting with amendments to Condition 7, Condition 27 and Condition 28.

Condition 7 to read as follows:

For the purpose of the relevant Construction Certificate the plans at Condition 1 shall be amended:

- (i) Through the use of fixed screens or other measures, in the following locations to ensure adequate levels of privacy between apartments:

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- a) Between buildings B1 and B2: At level 8
- b) Between buildings B1 and B5: At level 8

- (ii) The provision of planter boxes with a minimum width 1 metre and screen planting at the eastern and western edges of the terraces at Level 8 of Building B5 and at the eastern edge of Building B2.

Condition 27 to read as follows:






Water quality treatment devices shall be installed prior to disposal of stormwater from the proposed buildings to the street system. Details of the devices shall be submitted for the approval of the Principal Certifying Authority prior to the determination of the Construction Certificate. Water Sensitive Urban Design (WSUD) is required to be incorporated within the proposed development design in accordance with Parramatta Development Control Plan Part 3 Clause 3.3.6 to the satisfaction of Council's Catchment Management Engineer's Unit prior to the issue of Construction Certificate. In this regard, an electronic copy of MUSIC Modelling would be required to be included in the submission to Council.

The internal public domain stormwater system is to be reviewed and shall be redesigned to satisfy water sensitive urban design (WSUD) requirements as follows. The proposed public domain stormwater system must be based on and further developed from the Landscape Design by Scape Design, Revision F page 1 SKO1-7, by creating rain gardens and/or bioswales, which can detain and treat water. The applicant must pursue the WSUD approach described above including extended detention and bioretention. Water quality for public domain runoff shall not be achieved by reliance on 'end-of-pipe' treatment technology, but shall be integrated into the landscape and water management system for the proposed public domain area. The stormwater system for the proposed public domain must be designed in close consultation with Council and approved by Council's Service Manager DTSU prior to release of the relevant Construction Certificate.

Condition 28 to read as follows:

All public domain work, including roads, parking areas, associated drainage, edge treatments, vehicle barriers, pedestrian and bicycle pathways, landscaping and planting in 'New Zealand Street', 'Internal Road' from 'New Zealand Street' to 'Foreshore Road', and 'Foreshore Road' between Broughton Street and Foreshore Road are to be constructed using 'Water Sensitive Urban Design' principles and technology in accordance with Council's DCP 2011 and sound workable practice for the public domain environment. Details are to be developed in close consultation with Council and must be approved by Council's Service Manager DTSU prior to release of the relevant Construction Certificate.

Panel members:

 Mary-Lynne Taylor	 Bruce McDonald	 Stuart McDonald
 Andrew Wilson	 Jean Pierre Abood	

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SCHEDULE 1

1	JRPP Reference – 2015SYW058, LGA – Parramatta City Council, DA/164/2015
2	Proposed development: Tree removal, subdivision, new roads and construction of a mixed use development complex containing 496 apartments and 4 retail/commercial tenancies.
3	Street address: No. 1 Broughton Street and No. 2 Morton Street, Parramatta.
4	Applicant: Starryland Sydney Pty Ltd
	Owner: Starryland Sydney
5	Type of Regional development: Schedule 4A – Clause 3 – Development over \$20 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 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (BASIX) 2004 ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Parramatta Local Environmental Plan 2011 • Draft environmental planning instruments: Parramatta Section 94A Contributions Plan. • Development control plans: <ul style="list-style-type: none"> ○ Parramatta Development Control Plan 2011 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council assessment report and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Kate Tudehope • Matthew Richards
8	Meetings and site inspections by the panel: 9 December 2015 - Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report