

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 10 May 2017
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell and Richard Thorp
APOLOGIES	None
DECLARATIONS OF INTEREST	David Ryan declared a conflict of interest as his company CityPlan prepared the SEE for the application.

Public meeting held at Mantra Parramatta on Wednesday, 10 May 2017, opened at 1:30pm and closed at 2:45 pm.

MATTER DETERMINED

2016SYW162 – Parramatta – DA/730/2016 AT 5-7 Parkes Street, PARRAMATTA (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 consent for the following reasons:

1. The proposed development is permissible in the B4 zone, a suitable use of the site and of an appropriate scale and design being the winning scheme in a design excellence competition run by Parramatta City Council.
2. Council's Design Jury has found the application does not adversely affect the development potential of the adjoining site, despite some non-compliance with rear/side setback requests of the Apartment Design Guide. The Council has assessed the application as satisfactory in terms of hours of solar access and privacy in this area. The Panel concludes that the application will not compromise the development potential of the southern adjoining property nor the quality urban design outcome of the subject site.
3. The site of the proposed development is in the Central Business District, adjoins Jubilee Park and is within an urban renewal precinct under State Environmental Planning Policy (Urban Renewal) 2010. The scale of development proposed will enable effective use of this central location, especially by providing housing close to a major employment node, public transport and community facilities.
4. The site of the proposed development is generally suitable for the intended use. The Panel notes that it experiences some flooding but that the design has been adapted to address relevant risks and it is considered to be satisfactory by Council's Stormwater and Flood Engineer.
5. The proposed development will enhance the adjoining Jubilee Park, and otherwise will have no material adverse effects on the natural or built environment including on local roads and other public infrastructure.
6. The proposed development will add to the number and type of housing available in the locality. Accordingly, it will contribute to improving housing affordability and as such have a positive social impact.

7. For the reasons given above, approval of the proposal is in the public interest.



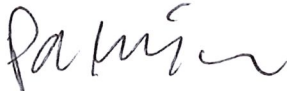

CONDITIONS

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

- Condition 148 is amended as follows: add after the last sentence: "This condition excludes any terms under the Voluntary Planning Agreement executed on 28 June 2016."
- The following condition to be added:

Condition 148A

- (i) A subdivision certificate will not be issued until an interim or final occupation certificate for any final lot to be created has been submitted to Council. For the purposes of this condition, a final lot is a lot that will not be further subdivided (other than strata subdivided) as part of the development.
- (ii) This condition does not apply to a subdivision only to excise land to be dedicated to the Council for roads and parks, in accordance with the planning agreement applying to the land at the date of this consent.

PANEL MEMBERS	
 Edward Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell OAM	 Richard Thorp AM

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW162 – Parramatta – DA/730/2016
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a 24 storey mixed use development containing 173 residential apartments and ground floor retail and commercial area, four levels of basement car parking and associated subdivision for road dedication. The proposed development is identified as Nominated Integrated Development for the purposes of the Roads Act 1993 and the Water Management Act 2000.
3	STREET ADDRESS	5-7 Parkes Street, PARRAMATTA
4	APPLICANT OWNER	Dyldam Developments Pty Ltd Parkmeng Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental Planning & Assessment Act 1979, Part 4 – Development Assessment & Schedule 4A – Development for which regional panels are authorised to exercise consent authority functions of councils Environmental Planning & Assessment Regulation 2000, Part 6 – Procedures relating to Development Applications

		<ul style="list-style-type: none"> • State Environmental Planning Policy (Infrastructure) 2007 • 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 (Building Sustainability Index: BASIX) 2004 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Parramatta Local Environmental Plan 2011 • Parramatta Development Control Plan 2011 • Voluntary Planning Agreement dated 28 June 2016 entered into under section 93F • Roads Act 1993 (Nominated Integrated Development); • Water Management Act 2000 (Nominated Integrated Development) • 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: 27 April 2017 • Written submissions during public exhibition: five (5) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – Adam Coburn on behalf of adjoining Holiday Inn ○ On behalf of the applicant – Matthew Norman and Aleksander Jelcic
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site visit and briefing meeting on 26 October 2016 (Mary-Lynne Taylor, Paul Mitchell and Richard Thorp)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report