

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	9 October 2019
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Paul Mitchell and Mark Grayson
APOLOGIES	Lindsay Fletcher
DECLARATIONS OF INTEREST	<p>Councillor Sameer Pandey advised that he has a conflict for 12A Parkes Street, Harris Park. A related Planning Proposal, site specific DCP and draft VPA for this site was reported to council in December 2018</p> <p>Councillor Zaiter advised that he has a conflict of interest in respect to the matter concerning 12A Parkes Street, Harris Park. Reason for this conflict is due to a related Planning Proposal, site specific DCP and draft VPA being reported to council previously.</p> <p>Richard Thorp advised that the Architects for this project are from his previous firm, which he has retired from in 2009. However, given that the firm still has Mr Thorp's name attached - FJMT (Francis-Jones Morehen Thorp), he suspects that most people would consider him to be conflicted. Accordingly, he advised that he cannot be part of this Panel when it is assessing the 12A Parkes Street matter.</p>

Public meeting held at Rydalmere Operations Centre, City of Parramatta on 9 October 2019, opened at 3.30pm and closed at 3.35pm.

MATTER DETERMINED

2017SWC009 - City of Parramatta – DA1263/2016 – 12A Parkes Street, Harris Park, - Construction of a 23 storey mixed use development comprising 113 residential units with 3 levels of basement parking (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

1. The proposal is permissible development in the B4 Mixed Use zone, is consistent with the zone objectives and complies with all applicable development standards.
2. The proposal has been found to have design excellence by a suitably qualified design jury. The Panel agrees with this.
3. The site of the proposed development is largely unconstrained except with respect to flooding. The site is affected by the 1% AEP flood and would experience overland flows in this event in this event. Notwithstanding, the proposal has been designed to enable effective conveyance of floodwater around new structures, to keep all habitable areas above the flood planning level and

to provide a flood-free communal emergency access area. As such, the flood risk has been effectively mitigated and overall the site is suitable for the proposed development.

4. The proposal will provide additional and more diverse housing thus contributing to improved housing choice and affordability. The proposal will, therefore, be socially beneficial.
5. The Panel has carefully considered the matters raised in the objector submission and believes they have been resolved by the amended design of the proposal. The residual matters raised do not warrant refusal of the application.
6. For the reasons given above the Panel believes that approval of the application 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 12 to be amended to read as follows:
The building hereby approved must not exceed a maximum building height of 82.8 metres, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lighting rods, any roof top garden planting, exhaust flues, etc. A survey report confirming compliance is to be submitted to the satisfaction of the Principal Certifying Authority prior to the release of any Occupation Certificate. A copy of the report is to be provided to Council for their records.




Reason: To comply with the requirements of the Parramatta LEP 2011 and the Design Excellence.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and did not have anyone wishing to address the Panel at the public meeting. The Panel notes that issues of concern included:

- Excessive building height
- Loss of sunlight; and
- View loss

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Paul Mitchell
 Mark Grayson	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2017SWC009 - City of Parramatta – DA1263/2016
2	PROPOSED DEVELOPMENT	Construction of a 23 storey mixed use development comprising 113 residential units with 3 levels of basement parking
3	STREET ADDRESS	12A Parkes Street, Harris Park
4	APPLICANT/OWNER	Applicant – Coronation Parramatta Pty Ltd Owner – FJMT Architects
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million (at the time of lodgment).
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Water Management Act 2000 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – (Design Quality of Residential Apartment Development) ○ 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 • Provisions of the <i>Environmental Planning and Assessment Regulation</i> 2000 • 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: July 2019 • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting 9 October 2019: <ul style="list-style-type: none"> ○ In support – nil ○ In objection – nil ○ Council assessment officer – Deepa Randhawa, Rosemarie Barretto ○ On behalf of the applicant – Aras Labutis
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection and Briefing: 3 April 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Lindsay Fletcher, Mark Grayson and Richard Thorp ○ <u>Council assessment staff</u>: Mark Leotta, Steven Chong and Deepa Randhawa • Final briefing to discuss council’s recommendation, 9 October 2019, 12.30pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell and

		Mark Grayson o <u>Council assessment staff</u> : Deepa Randhawa
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report