

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 1 August 2018
PANEL MEMBERS	Paul Mitchell (Acting Chair), Peter Brennan and Sameer Pandey
APOLOGIES	Lindsay Fletcher
DECLARATIONS OF INTEREST	None

Public meeting held at Rydalmere Operations Centre on Wednesday, 1 August 2018, opened at 5:35 pm and closed at 7:15 pm.

MATTER DETERMINED

2017SWC041 – City of Parramatta Council – DA/158/2017 AT 49 and 51 North Rocks Road and 2 Speers Road, North Rocks (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 4.16 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 reasons for the decision of the Panel were:

1. The proposal will provide facilities that are in demand and will be beneficial for residents of the North Rocks area.
2. The proposal is of an appropriate density and form for the R3 Medium Density Residential zone in which it is located.
3. The proposal includes improvements to two civic assets – the intersection of Speers and North Rock Roads and the footpath along Speers Road. These new or improved assets will improve traffic and pedestrian circulation and safety.
4. The on-site parking to be provided is sufficient for the forecast demand and the proposed staggered opening and closing periods at the facility mean that it will not generate excessive local traffic.
5. For the reasons given above, the Panel considers the proposal to be a suitable use of the site and that its approval is in the public interest.

CONDITIONS

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

- Conditions 17, 24 and 36 to be deleted
- Condition 72 to be amended so that it applies to Speers Road Only
- A new condition requiring a dilapidation report on the OSD tanks at No 1 Speers Rd.
- The condition regarding the Traffic Management Plan to be amended to refer to the satisfaction of Council, not the PCA.

- A new condition to be added requiring Council undertake monitoring of traffic and parking conditions in Speers Road over a 18 month period following opening of the new centre. If Council identifies the need to improve on street parking or traffic management arrangements, including modification of the operational traffic management plan, Council may impose additional restrictions and the costs of any such restrictions are to be borne by the applicant.
- Condition 1 to be moved to Prior to CC and amended to read as follows:

Amended Stormwater plans

Amended stormwater plan shall be submitted incorporating the measures to address the following issues:

a. Additional On-site detention (OSD) tank Cross-sectional details

Additional cross-section drawings that show details of both primary and secondary orifices, and the Cross-Sectional details of the OSD tank including, invert levels, grate levels, weir levels and dimensions shall be provided.

a. Sectional details to demonstrate how the incorporation of rainwater tank with OSD system works

There are no details that demonstrate the functioning of the combined system of rainwater tank incorporated into the OSD system hydraulically. Details showing the rainwater tank cross-section and connection of rainwater tank with the OSD system including the levels (invert and surface levels), size and dimensions are to be provided to enable the assessment of hydraulic functioning of the rainwater tank as a part of the OSD system.

b. Insufficient storage

The OSD storage provision made for the primary storage (storage for 1 in 1.5 year's storm event), secondary detention storage (flood detention for storm event exceeding 1 in 1.5-year's storm event) and total storage are insufficient. The available storage provisions are noted to be **48.8m³**, **26.6m³** and **75.4m³** respectively with the shortfall of **14m³**, and **6m³** totalling **20m³**. The OSD tank capacity should be increased to comply with these requirements.

The OSD tank capacity shall be increased to comply with the following OSD storage requirements as outlined below.

- **62.8m³** for the extended detention storage (primary storage) capacity for **1 in 1.5 year's** storm event,
- **32.4m³** for flood detention (secondary storage) as additional storage for storm event exceeding **1 in 1.5 year's** storm event with
- **95.2m³** of total storage capacity.

Revised plans showing the above increased OSD tank capacity are to be provided to Council and must be to Council's satisfaction.

c. Site discharge



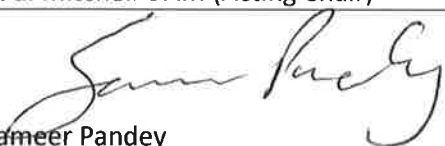
The total discharge from the site, that is the controlled flow and the uncontrolled flow including runoff from the OSD bypass area shall not be more than **30 l/s**. Alternatively, if the total discharge exceeds **30l/s** then provision shall be made for the outflow to discharge directly into the street stormwater infrastructure (street stormwater pipe system, not onto the kerb & gutter).

Revised plans showing either of the above arrangements are to be submitted to Council.

d. **Inconsistencies between the plans.**

- The floor levels on the architectural plans and the stormwater plan are inconsistent.
- The amendments made to the stormwater plan shall be incorporated into revised versions of the landscape and architectural plans.
- The revised landscape and relevant architectural plans are to be submitted to Council and must be to the satisfaction of Council.
- The revision numbering and dates shall be consistent across all of the amended drawings and the amendments shall be marked with the cloud/bubble.

The above additional information and plans are to be to the satisfaction of Council.

PANEL MEMBERS	
 Paul Mitchell OAM (Acting Chair)	 Peter Brennan
 Sameer Pandey	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC041 – City of Parramatta Council – DA/158/2017
2	PROPOSED DEVELOPMENT	Amalgamation of three (3) allotments, demolition of existing structures and construction of a child care centre with 99 child places and associated car parking with 25 car parking spaces.
3	STREET ADDRESS	49 and 51 North Rocks Road and 2 Speers Road, North Rocks
4	APPLICANT OWNER	Angsana Range Pty Ltd Mr QD Nguyen and Mrs CCTN Nguyen
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 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 (Infrastructure) 2007 ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 ○ The Hills Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ The Hills Development Control Plan 2012 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil] • Coastal zone management plan: Nil

		<ul style="list-style-type: none"> • 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: 28 March 2018 • Written submissions during public exhibition: 32 • Letter from the applicant dated 1 May 2018 • Verbal submissions at the public meeting on 2 May 2018: <ul style="list-style-type: none"> ○ Object – Kerrie Carter, Maria Simpson, Robert Langley, Myra Gurney and Gwen Walker ○ On behalf of the applicant – Brad Delapierre, Nathan Winter and Tom Heal • Supplementary Council Assessment Report: 18 July 2018 • Verbal submissions at the public meeting on 1 August 2018: <ul style="list-style-type: none"> ○ Object – Robert Langley, Kerrie M Carter and Oscar Albarracin ○ On behalf of the applicant – Tom Heal, Nathan Winter and Brad Delapierre
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting on 2 August 2017 • Lindsay Fletcher inspected the site on 20 April 2018 • The other Panel members inspected the site on 2 May 2018 • Final briefing meeting to discuss council's recommendation, 2 May 2018, 3:40 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Lindsay Fletcher, Peter Brennan and Sameer Pandey ○ <u>Council assessment staff</u>: Sohini Sen and Wendy Wang • Final briefing meeting to discuss council's recommendation, 1 August 2018, 5:05 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Peter Brennan and Sameer Pandey ○ <u>Council assessment staff</u>: Sohini Sen and Wendy Wang
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to Supplementary Council Assessment Report