

DATE OF DETERMINATION	6 September 2017
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell, Richard Thorp, David Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Rydalmere Operations Centre on 6 September 2017, opened at 3:00 PM and closed at 4:15 PM.

MATTER DETERMINED

2017SWC058 – City of Parramatta – DA/351/2017 AT 160-182 Church Street (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 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 decision was unanimous.

REASONS FOR THE DECISION

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

- The proposal will facilitate subsequent commercial and / or residential development and a key component of the Parramatta Square redevelopment and is compatible with the approved masterplan for the square.
- The proposal for early works and site preparation satisfies the provisions of applicable Environmental Planning Instruments and development control guidelines. The Panel notes that concurrence has been given by Sydney Trains.
- The proposal will have no material adverse impact on the natural or built environments.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments to Conditions 1 and 11:

1. To address circumstances where no subsequent development occurs on the site within three years of the granting of this approval the following conditions are to apply:
 - A. The applicant shall lodge with Council a landscape plan, prepared by a suitably qualified person, which nominates a temporary landscape treatment for the whole of the site. The scope of that treatment, including finished levels, shall be determined in consultation with Council's Urban Design Team;
 - B. All works for the temporary landscape treatment shall be completed within 3 months of Council confirming its approval of the plans required by 'A' above; and

- C. The temporary landscape treatment shall remain in place, and be maintained, until the issue of the first Construction Certificate associated with any development application for the construction of a building above the basement car park.
- D. The applicant is to commission an appropriately qualified quantity surveyor to estimate the costs of the works specified in condition 1A-C above. The applicant is to provide to Council a bond or equivalent financial instrument sufficient to meet the quantity surveyor's costs of works specified above.

The bond is to be provided prior to the issue of the first construction certificate for the development relating to this consent. The bond is to be released when any subsequent development construction reaches ground level.

2. Addition of Condition 11 to read:

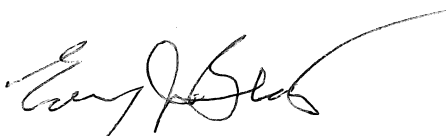


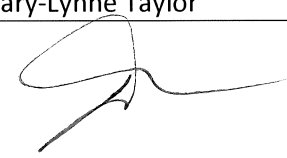
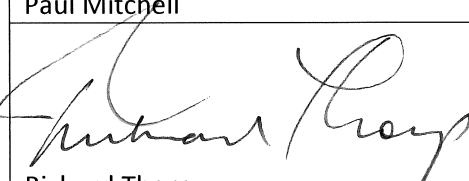
A monetary contribution comprising \$211,231.20 is payable to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta City Centre Civic Improvement Plan (Amendment No. 4). Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Parramatta City Centre Civic Improvement Plan (Amendment No. 4) can be viewed on Council's website at:

http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

The contribution will be adjusted to reflect the terms of any executed and registered Voluntary Planning Agreement. Where it is intended to enter into a Voluntary Planning Agreement but the deed is yet to be executed, the Council may accept a bond for the full amount of the contributions stated above prior to the issue of any construction certificate relating to this consent. Should a Voluntary Planning Agreement not be executed within six months from the date of this consent, the bond will be forfeited to Council as payment of the contributions.

The bond may be paid, by EFTPOS, bank cheque, or be an unconditional bank guarantee.

Reason: To comply with legislative requirements.

PANEL MEMBERS	
 Edward Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell	 David Ryan
 Richard Thorp	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC058 – City of Parramatta – DA/351/2017
2	PROPOSED DEVELOPMENT	Early works and site preparation including excavation of basement levels and construction of below ground shoring walls, piles and slabs.
3	STREET ADDRESS	<p>The subject site is generally known as 160-182 Church Street, Parramatta, and consists of the following addresses and lots:</p> <ol style="list-style-type: none"> 1. 160 Church Street (Lot 1 DP 514282) 2. 160-172 Church Street (Part Lot 1 DP 731780) 3. 169 Macquarie Street (Part Lot 2 DP 1192394) 4. 119Z Macquarie Street (Part Lot 1 DP 201075 and Part Lot 3 DP 510571) 5. 188R Church Street (Part Lot 1 DP 1158833) 6. 21R Darcy Street (Part Lot 2 DP 1158833)
4	APPLICANT/OWNER	Walker PS2 Developments Pty Ltd / City of Parramatta Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development 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 (State and Regional Development) 2011 ◦ Deemed State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ◦ 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 Environmental Planning and Assessment Regulation 2000: 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 Environmental Planning and Assessment Act 1979 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 August 2017 • Written submissions during public exhibition: 0 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ◦ Support – Nil ◦ Object – Nil ◦ On behalf of the applicant – Sylvia Hrovatin (National Manager Project Approvals – Walker Corporation)
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing meeting to discuss council's recommendation, 6 September 2017, 12:25 PM. Attendees: <ul style="list-style-type: none"> ◦ <u>Panel members</u>: Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell, David Ryan, Richard Thorp ◦ <u>Council assessment staff</u>: Myfanwy McNally, Brad Roeleven

10	DRAFT CONDITIONS	Attached to the council assessment report
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