

DATE OF DETERMINATION	31 July 2019
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Stuart McDonald, Sameer Pandey and Martin Zaiter
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held at Rydalmere Operations Centre on 31 July 2019, opened at 2.24pm and closed at 6.05pm.

MATTER DETERMINED

2017SWC087 - City of Parramatta – DA/560/2017 at 7 Charles Street and 116 Macquarie 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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

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 consistent with the B4 zone objectives and represents design excellence. With respect to the latter, a detailed assessment of each applicable criterion has been undertaken which clearly shows that the building is well designed and construction will be compatible with its neighbours and the broader surrounds, and building materials to be used will be high quality.
2. The proposal satisfies all applicable development standards and most guidelines. Variations from the latter are generally minor and inconsequential, or compensatory design measures have been adopted.
3. The proposal is suitable development for the CBD site and will have no material adverse impacts on neighbouring properties. The building's relationship with the adjoining school has been satisfactorily resolved by maintaining sufficient separation and limiting to a small number the units that overlook the school and locating all but one of these at high levels. Given the school is in a CBD location the resulting level of privacy will be as expected.

4. The proposal will add to the stock and range of housing available, thus improving housing choice and affordability which will be socially beneficial.

5. The Panel has carefully considered all the issues raised in submissions and concludes that most have been resolved by design amendments and/or conditions to be imposed. The remaining issues are either not well-founded or not of sufficient consequence to warrant refusal of the application.

CONDITIONS

The development application was approved subject to the conditions in the Council assessment report with the amendments to Condition 167 to read as follows –

- A restriction shall be registered on the title of each ‘dual-key’ unit specifying that these units cannot be further subdivided or be sold to different owners.




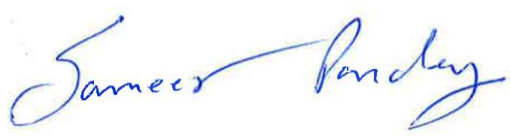

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public exhibition. The following issues were raised:

- Excessive Floor Space Ratio
- Loss of Solar Access for adjoining properties
- Bulk, scale and height
- Amenity impact on adjoining vertical school
- Poor public domain
- Traffic Impact
- Loss of on-street parking
- Poor precedent
- Loss of Privacy
- Poor waste management facilities, likely to result in amenity impacts
- Acoustic Impact
- Inappropriate median in Charles Street, impact on intersection, traffic signals should be provided
- Excessive parking, not in keeping with Council’s resolved reduction in rates
- Impact of light rail not considered in traffic report
- Lack of visitor parking
- Poor public domain activation
- Inappropriate units mix, insufficient 3-bed units
- Lack of private open space for some units
- Insufficient lifts
- Wind Impact
- Heat Island Effect
- No construction traffic management plan

The Panel considers that concerns raised by the public have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The Panel believes that these issues raised are either not relevant or inconsequential or have been addressed by appropriate conditions imposed on the consent.

PANEL MEMBERS

 Mary-Lynne Taylor	 Paul Mitchell
 Stuart McDonald	 Sameer Pandey
 Martin Zaiter	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC087 - City of Parramatta – DA/560/2017
2	PROPOSED DEVELOPMENT	Construction of a 48 storey mixed use tower comprising 382 residential units, 646sqm of retail space, 5354sqm of office floor space and 8 basement levels containing space for 237 cars, 223 bicycles, 18 motorcycles, storage, refuse and servicing, following demolition of existing buildings. The application is Nominated Integrated development under the Water Management Act 2000 and the National Parks and Wildlife Act 1974.
3	STREET ADDRESS	7 Charles Street and 116 Macquarie Street, Parramatta (Lots 3 & 4 DP17466, Lot 12 DP706694)
4	APPLICANT/OWNER	Applicant – Statewide Planning Pty Ltd Owner – Merchant Power Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value of more than \$20million (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 ○ National Parks and Wildlife Act 1974 ○ 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

		<p>Land</p> <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ State Environmental Planning Policy No. 65 – (Design Quality of Residential Apartment Development) ○ State Environmental Planning Policy No. 64 – Advertising and signage ○ 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 <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: 15 July 2019 ● Written submissions during public exhibition: 5 ● Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ Council assessment officer - Alex McDougall ○ On behalf of the applicant – Adam Byrnes, Fran Stanisic and Schandel Fortu
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> ● Briefing – 4 October 2017 ● Site Inspection – 7 November 2018 ● Public meeting – 7 November 2018 ● Final briefing to discuss council’s recommendation, 31 July 2019, 12.30pm. ● Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Stuart McDonald, Sameer Pandey and Martin Zaiter.

		○ <u>Council assessment staff</u> : Alex McDougall
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report