

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	22 December 2020
PANEL MEMBERS	David Ryan (Acting Chair), Noni Ruker, Ken McBryde and Richard Thorp
APOLOGIES	Abigail Goldberg and Gabrielle Morrish
DECLARATIONS OF INTEREST	<p>Ms J Fielding declared an interest as the Stage 3 DA extends into the area subject to the St Johns Cathedral Planning Proposal which she has worked, on and which is currently before Council.</p> <p>Councillor M Zaiter declared an interest in respect to 5, 7 & 8 Parramatta Square, Parramatta. This is due to the City of Parramatta Council being the owner of the land and himself being an elected Councillor. In addition, he has been involved in various meetings with the applicant and participated in numerous workshops relating to this site.</p> <p>Councillor S Pandey declared an interest in respect in relation to the DA due to the City of Parramatta Council being the owner of the land, and himself being an elected Councillor.</p>

Papers circulated electronically on 9 December 2020.

MATTER DETERMINED

2019CCIO28 – City of Parramatta – DA/189/2019, 5, 7 and 8 Parramatta Square, Part Lot 43 in DP 1238612 and ‘Church Street Wedge’, Parramatta, Public domain works within proposed Stage 3 of Parramatta Square including realignment of levels across the site, hard landscaping, digital carpet (schematic design subject to final design approval), paving, street furniture, shade structures, lighting and deep soil planter zone; soft landscaping including tree planting; and services infrastructure augmentation, diversions, and re-instatement (as required) and stormwater drainage (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at items 7 and 8 in Schedule 1.

Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Parramatta Local Environmental Plan 2011 (LEP), that has demonstrated that:

- compliance with cl. 7.4(2) is unreasonable or unnecessary in the circumstances; and
- there are sufficient environmental planning grounds to justify contravening the development standard

the Panel is satisfied that:





- the applicant’s written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- the development is in the public interest because it is consistent with the objectives of cl 7.4 for sun access of the PLEP 2011 and the objectives for development in the B4 Mix Use zone pursuant to Clause 2.3 of the PLEP 2011; and
- the concurrence of the Secretary has been assumed.

The Panel determined to uphold the Clause 4.6 variation to sun access having considered the matters pursuant to CI 4.6(4) of the PLEP 2011; and approve the application for the reasons outlined in the Council Assessment Report.

The decision was **unanimous**.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that there were no submissions received during the public exhibition process.

PANEL MEMBERS	
 David Ryan (Acting Chair)	 Noni Ruker
 Ken McBryde	 Richard Thorp

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019CCIO28 – City of Parramatta – DA/189/2019
2	PROPOSED DEVELOPMENT	Public domain works within proposed Stage 3 of Parramatta Square including realignment of levels across the site, hard landscaping, digital carpet (schematic design subject to final design approval), paving, street furniture, shade structures, lighting and deep soil planter zone; soft landscaping including tree planting; and services infrastructure augmentation, diversions, and re-instatement (as required) and stormwater drainage
3	STREET ADDRESS	5, 7 and 8 Parramatta Square, Part Lot 43 in DP 1238612 and ‘Church Street Wedge’, Parramatta
4	APPLICANT/OWNER	Walker Parramatta Square Developments Pty Limited and Walker PS3 Developments Pty limited/City of Parramatta Council.
5	TYPE OF REGIONAL DEVELOPMENT	Council related development CIV over \$5million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy No. 64 – Advertising and signage State Regional Environmental Plan (Sydney Harbour Catchment) 2005 Parramatta Local Environmental Plan 2011

		<ul style="list-style-type: none"> • Draft environmental planning instruments: <ul style="list-style-type: none"> ○ Draft Consolidated Parramatta Local Environmental Plan ○ 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 ○ 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: 4 December 2020 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Briefings – 5 August 2020 • Site inspection - Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. • Papers circulated electronically on 9 December 2020.
9	COUNCIL RECOMMENDATION	Approval subject to conditions
10	DRAFT CONDITIONS	“Attachment 1 – Conditions of Consent.”