

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

|                                 |  |
|---------------------------------|--|
| <b>DATE OF DETERMINATION</b>    | 28 February 2020   |
| <b>PANEL MEMBERS</b>            | Abigail Goldberg (Chair), Ken McBryde, David Ryan, Sameer Pandey and Martin Zaiter   |
| <b>APOLOGIES</b>                | None   |
| <b>DECLARATIONS OF INTEREST</b> | <p>David Ryan advised that he has been engaged for several years by NSW Land and Housing Corporation (LAHC) to review REF's prepared by LAHC prior to their sign off by a senior manager of LAHC, to confirm the REFs have adequately addressed relevant procedural matters and confirm that the proposals have planning merit. The site on the Panel's agenda is not one that has come before him in that capacity and given the administrative nature of the work he has been doing on behalf of LAHC (neither as a proponent or determining agent for its projects), he does not believe there is any actual or perceived conflict of interest in his participating in this item of the Panel's agenda.</p> <p>The Panel Chair supports Mr Ryan to remain on the panel for this matter and agrees that it is not a conflict of interest under the circumstances.</p> <p>Gabrielle Morrish advised that her practice GMU has undertaken work on sites close to or adjacent to the subject site and will not participate in this matter.</p> <p>Jane Fielding advised that her firm, Architectus, has been engaged by NSW Land and Housing Corporation (LAHC) since 2018 to prepare DAs and REF's for LAHC, and is currently under commission to provide these services. The site on the Panel's agenda is not one that that has come before her in that capacity. As such she advised of a perceived conflict of interest in his participating in this item of the Panel's agenda.</p> |

Papers circulated electronically between 19 February 2020 and 28 February 2020.

#### MATTER DETERMINED

2019CCI038 – City of Parramatta – DA/279/2019 – 8-10 Collett Parade, Parramatta – Lot consolidation, demolition of existing structures, tree removal and construction of a residential flat building under SEPP Affordable Rental Housing comprising 16 units with basement parking for 8 vehicles, landscaping works (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 listed at item 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:

- a) compliance with cl. 4.3 is unreasonable or unnecessary in the circumstances; and

- b) there are sufficient environmental planning grounds to justify contravening the development standard

the panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 of the LEP and the objectives for development in the R4 zone; and
- c) the concurrence of the Secretary has been assumed.

The Panel determined to approve the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, for the reasons outlined in the council assessment report, noting also that the local area is undergoing transition; as a result, both the proposed use and built form are considered appropriate."






The decision was unanimous.

#### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that they were no written submissions made during public exhibition.

| PANEL MEMBERS   |   |
|---|---|
| <br>Abigail Goldberg (Chair) | <br>Ken McBryde   |
| <br>David Ryan               | <br>Sameer Pandey |
| <br>Martin Zaiter            |   |

| SCHEDULE 1 |                                   |   |
|------------|-----------------------------------|---|
| 1          | PANEL REF – LGA – DA NO.          | 2019CCIO38 – City of Parramatta – DA/279/   |
| 2          | PROPOSED DEVELOPMENT              | Lot consolidation, demolition of existing structures, tree removal and construction of a residential flat building under SEPP Affordable Rental Housing comprising 16 units with basement parking for 8 vehicles, landscaping works.  |
| 3          | STREET ADDRESS                    | 8-10 Collett Parade, Parramatta   |
| 4          | APPLICANT/OWNER                   | NSW Land and Housing Corporation  |
| 5          | TYPE OF REGIONAL DEVELOPMENT      | Crown development with a Capital investment value over \$5million   |
| 6          | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Affordable Rental Housing) 2009</li> <li>○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>○ Parramatta Local Environmental Plan 2011</li> </ul> </li> <li>○ Draft environmental planning instruments: Nil</li> <li>○ Development control plans: <ul style="list-style-type: none"> <li>○ Parramatta Development Control Plan 2011</li> </ul> </li> <li>○ Planning agreements: Nil</li> <li>○ Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i></li> <li>○ Coastal zone management plan: [Nil]</li> <li>○ The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>○ The suitability of the site for the development</li> <li>○ Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>○ The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL  | <ul style="list-style-type: none"> <li>• Council assessment report: December 2019</li> <li>• Clause 4.6 written request</li> </ul>  |

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|    |  | <ul style="list-style-type: none"> <li>Written submissions during public exhibition: 0</li> </ul>                                      |
| 8  | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY | <ul style="list-style-type: none"> <li>Papers were circulated electronically between 19 February 2020 and 28 February 2020.</li> </ul> |
| 9  | COUNCIL RECOMMENDATION   | Approval   |
| 10 | DRAFT CONDITIONS   | Attached to the council assessment report  |