

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	10 December 2019
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Lindsay Fletcher and Peter Brennan
APOLOGIES	Paul Mitchell
DECLARATIONS OF INTEREST	Councillor S Pandey and Councillor M Zaiter advised that they participated in the council meeting relating to the planning proposal of this site.

Public meeting held at Rydalmere Operations Centre on 10 December 2019, opened at 1.00pm and closed at 1.08pm.

MATTER DETERMINED

PPSSCC-12 - City of Parramatta – DA/1066/2016/D at 2-10 Phillip Street, Parramatta – Section 4.55 (2) modification (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.

Development application

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determines this application to modify the approved development for the following reasons:

1. The modified development is substantially the same as that which was originally approved.
2. The modified development will have essentially the same impacts on the built and natural environment as the originally approved development and these impacts were found to be acceptable.
3. The development as modified will remain consistent with the reasons given for the original approval.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with an additional condition to read as follows –

Prior to issue of any Occupation Certificate, the applicant must create a Restriction as to user under Section 88E of the Conveyancing Act 1919, prohibiting the 7 serviced apartments at Levels 54-55 of the building hereby approved from use as any form of residential accommodation, as defined by Parramatta Local Environmental Plan 2011.

Note: All restrictions created as part of this consent are to contain a provision that they cannot be released, varied or modified except with the written consent of Parramatta City Council.

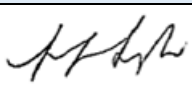
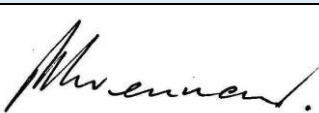

Reason: To ensure that the development meets the requirements of Clause 7.13 of Parramatta Local Environmental Plan 2011.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- Changes to heritage item;
- Additional residential;
- Higher traffic generation;
- Proposal does not meet the objectives of the Water Management Act 2000;
- BASIX score is not accurate
- Unacceptable fire risk to occupants;
- Acoustic amenity.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Peter Brennan
 Lindsay Fletcher	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-12 - City of Parramatta – DA/1066/2016/D
2	PROPOSED DEVELOPMENT	Section 4.55 (2) modification to approved mixed-use tower development, specifically 1 additional level (no height change, achieved by reduction in floor level heights), 10 fewer hotel rooms, addition of 7 two-storey services apartments, relocation of bar from roof levels to mid-tower, relocation of ballroom from base to mid-tower, minor external changes, revised internal layout and revised landscaping.
3	STREET ADDRESS	2-10 Phillip Street, Parramatta (Lots 1 & 2 DP 986344 and Lot 1 DP 228697)
4	APPLICANT OWNER	GJC Property Holdings Pty Ltd / Coronation Parramatta Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55 (2) modification
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none">• Environmental planning instruments:<ul style="list-style-type: none">○ State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development○ Parramatta Local Environmental Plan 2011

		<ul style="list-style-type: none"> • 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 <i>Environmental Planning and Assessment Regulation 2000</i>: 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: November 2019 • Written submissions during public exhibition: four (4) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Alex McDougall ○ On behalf of the applicant – Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 7 August 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell and Mark Grayson ○ <u>Council assessment staff</u>: Alex McDougall and Mark Leotta • Final briefing to discuss council's recommendation, 10 December 2019, 11:30 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Lindsay Fletcher and Peter Brennan ○ <u>Council assessment staff</u>: Alex McDougall
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to council assessment report