

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	20 December 2021
DATE OF PANEL DECISION	20 December 2021
PANEL MEMBERS	Abigail Goldberg (Chair), Roberta Ryan, Ken McBryde and Jane Fielding
APOLOGIES	Richard Thorp
DECLARATIONS OF INTEREST	<p>David Ryan advised that he is conflicted as his company has undertaken assessments for DAs related to the site. He is also providing expert witness services for the Council in a Land and Environment Court appeal brought by the applicant related to a DA for the site.</p> <p>Clr S Pandey and Clr M Zaiter advised that they participated in workshops/meetings and have voted on the planning proposal related to this site which came to the chamber. In addition, this property was sold to the developer by Council. As such they are conflicted and will not participate in the determination.</p>

Papers circulated electronically on 13 December 2021.

MATTER DETERMINED

PPSSCC-135 – DA/493/2020 – City of Parramatta, 189 Macquarie Street, Parramatta

Construction of two residential towers comprising 708 apartments above the existing seven storey podium, the use of existing basement levels 1-5 for residential parking and various adjustments to the existing building to allow for the integration of those towers (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 refuse the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to refuse the application for the reasons outlined in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS





In coming to its decision, the Panel considered nine written submissions made during the public exhibition.

The Panel notes that issues of concern in the written submissions included:

- Ongoing development is saturating the residential market thereby lowering property values and reducing rental incomes for investors
- PLR construction is driving away rental tenants
- Increased traffic and noise is adding to the unattractive nature of the CBD
- Adverse impacts from overshadowing, loss of privacy and loss of views
- Object to retail shops in this location, particularly at Hassall Street, which is a residential area

- The tower at Hassall Street should only be 25 storeys
- Compliance and monitoring of development application approval

The Panel considers that concerns raised in the submissions have been adequately addressed in the Council Assessment Report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Roberta Ryan
 Ken McBryde	 Jane Fielding

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-135 – DA/493/2020 – City of Parramatta
2	PROPOSED DEVELOPMENT	Construction of two residential towers comprising 708 apartments above the existing seven storey podium, the use of existing basement levels 1-5 for residential parking and various adjustments to the existing building to allow for the integration of those towers
3	STREET ADDRESS	189 Macquarie Street, Parramatta
4	APPLICANT/OWNER	Applicant – Toplace Pty Ltd Owner – JKN PARA Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value > \$30M
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 State Environmental Planning Policy No. 65 State Environmental Planning Policy (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (BASIX) 2004 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (State Regional Development) 2011 Parramatta Local Environmental Plan 2011 Draft environmental planning instruments: <ul style="list-style-type: none"> Draft amendments to Parramatta Local Environmental Plan 2011 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: December 2021 Written submissions during public exhibition: Nine
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 3 March 2021 Briefing: 1 December 2021 Site inspection - site inspections have been curtailed due to COVID-19

		<p>precautions. Where relevant, Panel members undertook site inspections individually.</p> <ul style="list-style-type: none"> Papers circulated electronically on 13 December 2021
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A