

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	18 March 2021
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Martin Zaiter and Sameer Pandey
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 9 March 2021.

MATTER DETERMINED

PPSSCC-143 – City of Parramatta – DA/556/2020, 8 Holker Street, Newington, alterations and additions to the existing building including partial demolition of the internal walls, layout, internal fit-out and change of use to office premises, medical centre and training facility associated with Family Planning NSW. Proposed operating hours will be from Monday - Friday 8:00am to 8:00pm and on Saturday from 8:00am to 5:00pm (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.

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

The decision was unanimous.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with amendment to No. 5 of the draft conditions of consent to read as follows –

PA0011 #Demolition of Buildings

5. Approval is granted for the demolition of relevant internal walls and **external structures** as outlined on the architectural plans currently on the property, subject to compliance with the following:-

- (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.
Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the

demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.

- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition is to be completed within 5 days of commencement.
- (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (k) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (l) Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.
- (m) Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.






CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that there were 2 written submissions received during the public exhibition. These submissions raised issues of:

- An increase in traffic
- Incompatibility with the local area

- Increase in noise
- Hours of operation

The Panel has carefully considered the issues raised by the submitters and believes that where possible they are addressed by the conditions recommended by Council. The Panel believes the issues do not warrant refusal of the application, which is generally compliant with the applicable zoning and planning controls.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Gabrielle Morrish	 Sameer Pandey
 Martin Zaiter	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-143 – City of Parramatta – DA/556/2020
2	PROPOSED DEVELOPMENT	Alterations and additions to the existing building including partial demolition of the internal walls, layout, internal fit-out and change of use to office premises, medical centre and training facility associated with Family Planning NSW. Proposed operating hours will be from Monday - Friday 8:00am to 8:00pm and on Saturday from 8:00am to 5:00pm
3	STREET ADDRESS	8 Holker Street, Newington
4	APPLICANT/OWNER	Applicant – Family Planning NSW Owner – Family Planning NSW
5	TYPE OF REGIONAL DEVELOPMENT	Crown Development 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 (Infrastructure) 2007 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ Auburn Local Environmental Plan 2010 ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ Draft environmental planning instruments: Nil ○ Development control plans: <ul style="list-style-type: none"> ○ Auburn Development Contributions Plan 2010

		<ul style="list-style-type: none"> ○ 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: 16 February 2021 ● Written submissions during public exhibition: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> ● Papers circulated electronically on 9 March 2021.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report