

DATE OF DETERMINATION	13 February 2020
PANEL MEMBERS	Abigail Goldberg (Chair), Gabrielle Morrish, David Ryan, Jane Fielding and Martin Zaiter
APOLOGIES	Sameer Pandey
DECLARATIONS OF INTEREST	None

Public meeting held at Rydalmere Operations Centre on 13 February 2020, opened at 3.00pm and closed at 3:09pm.

MATTER DETERMINED

PPSSCC-2 – City of Parramatta - DA/340/2019, HTW House, 13 Aird Street, Parramatta, Demolition of all existing structures, construction of a 35 storey mixed use development 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.

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 B4 zone; and
- c) the concurrence of the Secretary has been assumed.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

1. The development is permissible in the B4 zone and satisfies the requirements of all the applicable planning controls with one minor exception being the maximum building height control proposed.
2. A written request to vary the building height development standard has been received. The variation sought is minor and will not have any adverse impacts.
3. The Panel notes that the site is relatively small and narrow, which requires some design challenges in relation to activation of the ground floor, above ground parking and windows to site boundaries.

The Panel is satisfied that these challenges have been adequately responded to in the building design.

4. The Panel notes that the development has been awarded design excellence by the Design Excellence Jury.
5. The development will be compatible with the emerging and planned future character of the area.
6. For the reasons above, approval of the application is in the public interest.

CONDITIONS

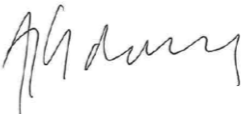




The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition, noting that no submitters registered to address the Panel. The Panel notes that written issues of concern included:

- Building height incompatibility with surroundings
- Obstruction of views to Parramatta Park from apartments at No. 15 Campbell Street, Parramatta
- Traffic congestion
- Potential structural impacts to adjoining buildings
- Dust control during the construction period
- Asbestos management
- Noise pollution
- Overshadowing of adjoining properties.

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	
 Abigail Goldberg (Chair)	 Gabrielle Morrish
 David Ryan	 Jane Fielding
 Martin Zaiter	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSSCC-2 – City of Parramatta - DA/340/2019
2	PROPOSED DEVELOPMENT	Demolition of all existing structures, construction of a 35 storey mixed use development comprising one basement level, ground floor retail and building services, five above ground car park levels, commercial floor area, communal open space on a podium and rooftop level and 104 residential apartments.
3	STREET ADDRESS	HTW House, 13 Aird Street, Parramatta
4	APPLICANT/OWNER	Hamptons Pty Ltd and Dayaf Investments Pty Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy 55- Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (BASIX) 2004 ○ Parramatta Local Environmental Plan 2011 • 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: 13 January 2020 • Clause 4.6 of the LEP • Written submissions during public exhibition: 9 • Verbal submissions at the public meeting:

		<ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Sohini Sen ○ On behalf of the applicant – Kristy Hodgkinson, Peter Israel ad Viet Dang
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> ● Briefing: 6 November 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell and Martin Zaiter ○ <u>Council assessment staff</u>: Sohini Sen and Wendy Wang ● Site inspection: 13 February 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Gabrielle Morrish, David Ryan, Jane Fielding and Martin Zaiter ○ <u>Council assessment staff</u>: Sohini Sen and Wendy Wang ● Final briefing to discuss council’s recommendation, 13 February 2020, 2.30pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Gabrielle Morrish, David Ryan, Jane Fielding and Martin Zaiter ○ <u>Council assessment staff</u>: Sohini Sen and Wendy Wang
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report