

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	4 December 2019
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan and Richard Thorp AM
APOLOGIES	None
DECLARATIONS OF INTEREST	Sameer Pandey and Martin Zaiter advised that they are conflicted for this item because, as councillors of City of Parramatta Council, they have participated at various briefings and voted at Council meetings regarding this site planning proposal.

Public meeting held at Rydalmere Operations Centre, 316 Victoria Road, Rydalmere on 4 December 2019, opened at 1.10pm and closed at 1.25pm.

MATTER DETERMINED

PPSSCC-20 – City of Parramatta – DA476/2019 - Lot 8 DP 1252009 Civic Place, Parramatta - (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

The Panel does not consider a clause 4.6 variation is required in relation to Clause 7.4 'Sun Access' of Parramatta Local Environmental Plan 2011 (LEP) as the spire allows dappled sunlight through its structure and as such does not constitute overshadowing.

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Parramatta Local Environmental Plan 2011 (LEP), a variation to the development standard under Clause 4.3 'Height of Buildings' is acceptable as the applicant has demonstrated that:

- compliance with cl. 4.3 is unreasonable or unnecessary in the circumstances; and
- there are sufficient environmental planning grounds to justify contravening the development standard

the panel is satisfied that:

- the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- 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 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 proposal will provide valuable community facilities in a convenient, central location.
 2. The site of the proposed development is well suited to the intended use, having all necessary infrastructure and few, if any, material environmental constraints. An exception to the latter factor is that the site is flood prone, but the proposal and surrounding Parramatta Square have been designed to reduce impacts to acceptable levels.
 3. The design of the proposal is outstanding in quality and will enhance the built environment of Parramatta Square by providing an iconic structure that will become strongly associated with Parramatta. In particular, the building design embraces and protects the adjoining heritage listed Town Hall.
 4. The proposal will not have any substantive adverse impacts on neighbouring or nearby properties, Parramatta Square and local infrastructure including the road network.
- For the reasons given above approval of the proposal 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 notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Paul Mitchell
 Peter Brennan	 Richard Thorp AM

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-20 – City of Parramatta - DA/476/2019
2	PROPOSED DEVELOPMENT	6 storey community facility extension to rear of Parramatta Town Hall, partial demolition and alterations to rear of Parramatta Town Hall local heritage item, 2 storey basement with connection to adjoining basement, partial demolition of existing external amenities block, tree removal, public domain and landscape works.
3	STREET ADDRESS	Lot 8 DP 1252009 Civic Place, Parramatta
4	APPLICANT/OWNER	Anthony Serratore on behalf of City of Parramatta
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ol style="list-style-type: none"> 5. Environmental planning instruments: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act and Regulations ○ State Environmental Planning Policy No. 64 – Advertising and Signage ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Parramatta Local Environmental Plan 2011 6. Draft environmental planning instruments: Nil 7. Development control plans: <ul style="list-style-type: none"> ○ Parramatta Development Control Plan 2011 8. Planning agreements: Nil 9. Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 10. Coastal zone management plan: Nil 11. The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality 12. The suitability of the site for the development 13. Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations 14. The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ol style="list-style-type: none"> 15. Council assessment report: 18 November 2019 16. Clause 4.6 variation request – Height 17. Council addendum assessment report: 3 December 2019 18. Written submissions during public exhibition: Nil 19. Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ <u>Council assessment officer</u>: – Alex McDougall ○ <u>Other</u>: Paul Manning, Scott Barwick (independent consultants) ○ On behalf of the applicant – Simon Gunasekara, Darren Wood
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE	<ul style="list-style-type: none"> ● Briefing: 16 October 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell,

	PANEL	<p>Peter Brennan</p> <ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: Alex McDougall, Paul Sartor, Thomas Fernandez, Andrew Golden, Brad Roeleven, Myfanwy McNally, Mark Leotta ○ <u>Other</u>: Paul Manning, Scott Barwick (independent consultants) <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, Richard Thorp AM ○ <u>Council assessment staff</u>: Alex McDougall, Myfanwy McNally, Kim Crestani, Mark Leotta ○ <u>Other</u>: Tom Fletcher, Richard Does, Thierry Lacoste (Lacoste and Stevenson Architects) ● Site inspection: 16 October 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan ○ Ric Thorpe visited the site prior to 6 November 2019. ○ <u>Council assessment staff</u>: Alex McDougall ● Final briefing to discuss council's recommendation, 4 December 2019, 12pm Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan, Richard Thorp AM ○ <u>Council assessment staff</u>: Alex McDougall, Paul Sartor, Thomas Fernandez, Andrew Golden, Myfanwy McNally, Mark Leotta ○ <u>Other</u>: Paul Manning, Scott Barwick (independent consultants)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report