

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	9 December 2022
DATE OF PANEL DECISION	9 December 2022
DATE OF PANEL MEETING	1 December 2022
PANEL MEMBERS	David Ryan (Chair), Brian Kirk, Richard Thorp
APOLOGIES	Dan Siviero
DECLARATIONS OF INTEREST	Abigail Goldberg, declared a conflict of interest due to having worked with an individual on the applicant's team. Sameer Pandey, declared a conflict of interest due to council considering matters related to site.

Papers circulated electronically on 28 November 2022.

MATTER DETERMINED

PPSSCC-290 – City of Parramatta - DA/883/2021 – 20 Parkes Street, Harris Park

Construction of a 46-storey mixed use development containing 6 basement levels, ground floor commercial/retail, 331 apartments and ,356m² commercial/office space on Levels 40 to 45. The proposal is Nominated Integrated Development under the Water Management Act 2000.

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 listed at item 8 in Schedule 1.

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

The panel determined to approve the application for the reasons outlined in the council assessment report.

The panel considered the applicant's representation to delete condition 203 in relation to the application of the existing Planning Agreement to the current development proposal. The panel considered it appropriate to impose the condition, with minor amended wording, to ensure that obligations under the Planning Agreement are satisfied in circumstances where the existing consent on the site could potentially be surrendered (noting that it is largely replicated by the new consent and potentially unnecessary to complete the development). For clarity, in imposing the condition, the panel, which is not a party to the Planning Agreement, expresses no opinion as to how its terms should be interpreted and applied in relation to the current development. That is a matter to be determined between the parties.


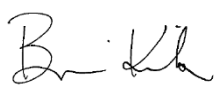

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendment to condition 203 to clarify that it simply gives effect to any obligations under the existing Planning Agreement for the site as they may apply, based on its terms, to the approved development.

- The proponent must comply with any requirement under the Planning Agreement entered into between Council and Parkes 88 Pty Ltd as trustee for the Parkes 88 Unit Trust (CAN 621 682 335) that must be complied with prior to the issue of the relevant occupation certificate.

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	
David Ryan (Chair) 	Brian Kirk 
Richard Thorp 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-290 – City of Parramatta - DA/883/2021
2	PROPOSED DEVELOPMENT	Construction of a 46-storey mixed use development containing 6 basement levels, ground floor commercial/retail, 331 apartments and, 356m ² commercial/office space on Levels 40 to 45. The proposal is Nominated Integrated Development under the Water Management Act 2000.
3	STREET ADDRESS	20 Parkes Street, Harris Park
4	APPLICANT/OWNER	Applicant: Aland Owner: Parkes 88 Pty Ltd ATF Parkes 88 Unit Trust
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 (Resilience and Hazards) 2021 State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development) State Environmental Planning Policy (Building Sustainability Index: BASIX 2004 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Parramatta Local Environmental Plan 2011 Draft environmental planning instruments: Planning Proposal – Draft Consolidated City of Parramatta Local Environmental Plan Development control plans: <ul style="list-style-type: none"> Parramatta Development Control Plan 2011 Planning agreements: a monetary contribution is to be paid in accordance with the terms of the planning agreement registered on the site Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 24 November 2022 Written submissions during public exhibition: 0 Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 1 December 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Roberta Ryan <u>Council assessment staff</u>: Paul Sartor, Myfanwy McNally Final briefing to discuss council's recommendation: 1 December 2022 <ul style="list-style-type: none"> <u>Panel members</u>: David Ryan (Chair), Brian Kirk, Richard Thorp <u>Council assessment staff</u>: Paul Sartor, Myfanwy McNally

		<ul style="list-style-type: none">○ <u>Applicant</u>: Andrew Scully, Matthew Daniel, Paul Lalic, Andrew Stacey, Nicole Elkouberci- The matters discussed was the applicant's objection to Council's recommended condition on the VPA
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report