

DATE OF DETERMINATION	21 June 2023
DATE OF PANEL DECISION	21 June 2023
PANEL MEMBERS	Abigail Goldberg (Chair), Steve Murray, David Ryan, Sameer Pandey
APOLOGIES	Dan Siviero
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 14 June 2023.

MATTER DETERMINED

PPSSCC-409 – City of Parramatta – DA/905/2022- 36 Alice Street, Harris Park - Alterations and additions to existing school building (Block H) and the provision of signage.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters 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. 4.6 in relation to the building height is unreasonable or unnecessary in the circumstances; and
- b) compliance with cl. 4.6 in relation to the floor space ratio is unreasonable or unnecessary in the circumstances; and
- c) there are sufficient environmental planning grounds to justify contravening the development standards

the panel is satisfied that:

- a) the applicant's written requests adequately address 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 the height of buildings and floor space ratio controls and the objectives for development in the 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

The panel determined to uphold the Clause 4.6 variations to building height and floor space ratio; and approve the application for the reasons outlined in the council assessment report, specifically:

Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any fundamental issues of concern. The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.


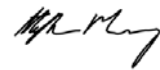


The variations to the Building Height control in Clause 4.3 and Floor Space Ratio control in Clause 4.4 of Parramatta LEP 2011, being satisfied that the applicants written request has adequately addressed the matters required to be demonstrated by Clause 4.6 of that Plan, and the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone.

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	
Abigail Goldberg (Chair) 	Steve Murray 
David Ryan 	Sameer Pandey 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-409 – City of Parramatta – DA/905/2022
2	PROPOSED DEVELOPMENT	Alterations and additions to existing school building (Block H) and the provision of signage.
3	STREET ADDRESS	36 Alice Street, Harris Park
4	APPLICANT/OWNER	Applicant: Robinson Urban Planning Pty Ltd Owner: Trio Enterprises Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Industry and Employment) 2021 Parramatta Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Parramatta Development Control Plan 2011 City of Parramatta Council (Outside CBD) Development Contributions Plan 2021 (Amendment 1) Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</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: 29 May 2023 Clause 4.6 variations to Building Height and Floor Space Ratio controls in the Parramatta LEP 2011. 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"> Kick Off Briefing: 23 February 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair) <u>Council assessment staff</u>: Darren Wan, Claire Stephens <u>Applicant representatives</u>: Kyeema Doyle, Kate Taggart, Daniel Smith, Denise Matovic
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report