

DATE OF PANEL DECISION	15 March 2024
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Sameer Pandey, Jane Fielding
APOLOGIES	Steve Murray
DECLARATIONS OF INTEREST	None

DELEGATION REQUEST – DETERMINATION OF 4.55(2) MODIFICATION APPLICATION PPSSCC-524

Modification Application

PPSSCC-524 – Parramatta – DA/240/2021/A– 2 Palmer Street, Parramatta - Section 4.55(2) modification of DA/240/2021 for construction of a seven storey centre-based child care facility to accommodate 184 children over two levels of basement car parking.

Modifications include an increase in the number of children from 184 to 232, provision of a children and parents community garden on the roof, an increase to the building height of up to 3m, an extension to the footprint of the outdoor play area on level 6, and internal and external alterations.

BACKGROUND

The Minister for Planning and Public Spaces provided approval under section 2.16(6) of the Environmental Planning and Assessment Act 1979 (EP&A Act) for any Sydney district or regional planning panel to delegate any of its functions under the EP&A Act or any other Act (other than the power of delegation) to the general manager or other staff of a council, for any area or part of any area for which the Sydney district or regional planning panel is constituted.

With respect to PPSSCC-524 (DA/240/2021/A), Parramatta City Council have made a request of the Sydney Central City Planning Panel that delegation to determine DA/240/2021/A be granted. The panel have been advised by Council:

This modification application has been referred to Sydney Central City Planning Panel as it is being lodged under section 4.55 of the Environmental Planning and Assessment Act 1979 and as per Instruction on functions exercisable by Council on behalf of Sydney District or Regional Planning Panels – Applications to modify Development Consents and Part 3.3 Functions of Planning Panels in SCCPP Operation Procedures, Planning Panels are to determine applications to modify consent for regionally significant development under section 4.55(2) of the EP&A Act which seek to modify development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.

In this application the proposal is to vary the 24m height standard (PLEP 2023 Clause 4.3) by 16.25% or 3.901m. It is noted that the original approved development varied the 24m LEP height control by 4.04% or 0.971m providing a total approved height of 24.971m. It is now proposed to further increase the overall height of the development by 2.93m from 24.971m to 27.901m floor to facilitate the proposed modifications. This results in a total height variance of 3.901m or 16.25% (an additional 12.21%).

Application Details

DA/240/2021/A (Panel reference: PPSSCC-524) lodged on 16/11/2023 for Section 4.55(2) modification application DA/240/2021/A.

Applicant: Parramatta P Holdings Pty Ltd

Owner: Parramatta P Holdings Pty Ltd

Planner: Caladines Town Planning Pty Ltd
CIV: \$6,248.831.00

History:

- Original Development Application approved 23/08/2022;
- Modification application lodged on 16/11/2023;
- The application was notified from 11/12/2023 to 23/01/2024 and no submissions were received;
- The application was registered as an RSDA via the Portal on 22/02/2024;

Summary:




The proposed modification to the approved development is minor and not considered contentious, and in this regard, it is appropriate for the panel to grant the City of Parramatta Council its delegation to determine the application.

PANEL RESOLUTION

This is a resolution of the Panel made on Date in accordance with Schedule 2 Part 5 of the EP&A Act.

That pursuant to section 2.16(6)(c) of the EP&A Act 1979 the Panel resolves to delegate to Parramatta City Council the power to make a determination as consent authority under section 4.56 of the EP&A Act on:

PPSSCC-524 – Parramatta – DA/240/2021/A– 2 Palmer Street, Parramatta.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	David Ryan 
Sameer Pandey 	Jane Fielding 