

DATE OF DETERMINATION	27 August 2024
DATE OF PANEL DECISION	26 August 2024
DATE OF PANEL BRIEFING	22 August 2024
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Steve Murray, Sameer Pandey
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 12 August 2024.

MATTER DETERMINED

PPSSCC-549 – City of Parramatta – DA/222/2024 – 15A Moseley Street, Carlingford - Staged Development comprising Stage 1 - Demolition of existing buildings, tree removal and construction of a part 4/part 7 storey residential flat building comprising 46 units and a shared basement carpark; Stage 2 - construction of a 6 storey mixed use development comprising an 80 place centre based child care centre and 45 residential units. A total of 22 residential units will be allocated for affordable housing in accordance with the requirements of the State Environmental Planning Policy (Housing) 2021.

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.

Development application

The panel determined to refuse 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 observed that the proposed development is consistent with the In-fill Affordable Housing provisions of the Housing SEPP in relation to:

- providing affordable housing in a highly accessible area, in proximity to Carlingford Light Rail station
- complying with the applicable bonus building height and FSR standards for the proposed amount of affordable housing

The provision of such well located affordable housing is encouraged in the SEPP by enabling a development yield that may result in a scale of development greater than envisaged in Council's DCP. Such development may nonetheless be acceptable, subject to considering whether it is compatible with the desired future character of the precinct (per Section 20(3) of the SEPP).

Notwithstanding this, as the panel did not have the benefit of any response from the applicant in relation to some of the technical and other matters of detail described in the Council's assessment report, it considered that it was not in a position to determine the application by anything other than refusal.

The panel therefore determined to refuse the application for the following reason:

The information submitted with the application is inadequate and lacks some details, which has prevented a complete assessment of the application.

CONDITIONS





Not applicable

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- Traffic impacts
- Insufficient parking
- Acoustic impacts
- Character
- Overdevelopment of area

The panel considers that concerns raised by the community have been either adequately addressed in the assessment report or may be able to be addressed subject to design resolution.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	David Ryan 
Steve Murray 	Sameer Pandey 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-549 – City of Parramatta – DA/222/2024
2	PROPOSED DEVELOPMENT	Staged Development comprising Stage 1 - Demolition of existing buildings, tree removal and construction of a part 4/part 7 storey residential flat building comprising 46 units and a shared basement carpark; Stage 2 - construction of a 6 storey mixed use development comprising an 80 place centre based child care centre and 45 residential units. A total of 22 residential units will be allocated for affordable housing in accordance with the requirements of the State Environmental Planning Policy (Housing) 2021.
3	STREET ADDRESS	15A Moseley Street, Carlingford
4	APPLICANT/OWNER	Applicant: Capio Property Owner: The Trustee for Captag Investments 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 (Housing) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Building) 2022 State Environmental Planning Policy (Planning Systems) 2021 Parramatta Local Environmental Plan 2023 (PLEP 2023) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Parramatta Development Control Plan 2023 (PDCP 2023) 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: 8 August 2024 Written submissions during public exhibition: 4 Total number of unique submissions received by way of objection: 4
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 22 August 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair), Steve Murray, David Ryan, Sameer Pandey <u>Council assessment staff</u>: Eamon Murphy, Myfanwy McNally <u>Applicant representatives</u>: Non attendance

9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not Applicable