

<b>DATE OF DETERMINATION</b>	21 November 2024
<b>DATE OF PANEL DECISION</b>	20 November 2024
<b>PANEL MEMBERS</b>	David Ryan (Chair), Steve Murray, Brian Kirk
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 11 November 2024.

#### **MATTER DETERMINED**

PPSSCC-554 – City of Parramatta – DA/716/2020/A - 42 East Street, Granville - Section 4.55(2) modification to DA/716/2020 for approved lot consolidation, demolition and construction of a 26-storey mixed-use development comprising 2 retail tenancies on the ground floor, 3 levels of podium car parking comprising 76 car spaces and 108 residential units above. The modification seeks to construct an additional basement level, reduce the overall number of floors from 26 to 25 and to amend the internal layout on each floor to accommodate the revised structural grid, building core and services requirements. The modification application is Nominated Integrated development under the provisions of 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 in Schedule 1.

#### **Development application**

The panel determined to approve the development application pursuant to section 4.55 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 following reasons:

- 1. The modified development satisfactorily addresses the provisions under Section 4.55 (2) of the EP&A Act and the modifications result in substantially the same development as that originally approved.*
- 2. The modified development continues to be permissible within the MU1 Mixed Use zone. The modified development also satisfies the requirements of all the applicable planning controls.*
- 3. The modified development remains compatible with the emerging and planned future character of the area.*
- 4. The proposed modifications to conditions previously imposed by the Panel are considered to still achieve the purpose behind the original conditions*
- 5. For the reasons above, approval of the modification application is in the public interest.*

#### **CONDITIONS**

The development application was approved subject to the conditions in the council assessment report with the following amendments.

#### **PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

##### **163. Residential Apartment Noise Attenuation**

The design and construction of the project is required to be undertaken in accordance with and to satisfy Condition 78 of this consent ~~such~~ and that the following minimum requirements are achieved:

1. All requirement of the National Construction Code and Building Code of Australia requirements.
2. All floors separating sole occupancy units shall have a weighted standardised impact sound pressure level L'nT,w not more than 55dB when measured in-situ in accordance with AS ISO 140.7-2006 "Field measurements of impact sound insulation of floors" and rated to AS ISO 717.2-2004 "Rating of sound insulation in buildings and of building elements. Part 2: Impact sound insulation". This clause shall not apply to the floor of a kitchen, bathroom, toilet or laundry in a residential sole occupancy unit.
3. A statement from an appropriately qualified acoustical consultant eligible for membership of the Association of Australian Acoustic Consultants, certifying that the acoustic mitigation measures outlined above have been satisfied, must be submitted to the Certifying Authority for approval prior to the issue of any Occupation Certificate.

Reason: To comply with best practice standards for residential acoustic amenity.




Amended as per DA/716/2020/A

### 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:

- Overlooking
- Solar access
- Traffic and parking
- Construction impacts

The panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
David Ryan (Chair) 	Steve Murray 
Brian Kirk 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-554 – City of Parramatta – DA/716/2020/A
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification to DA/716/2020 for approved lot consolidation, demolition and construction of a 26-storey mixed-use development comprising 2 retail tenancies on the ground floor, 3 levels of podium car parking comprising 76 car spaces and 108 residential units above. The modification seeks to construct an additional basement level, reduce the overall number of floors from 26 to 25 and to amend the internal layout on each floor to accommodate the revised structural grid, building core and services requirements. The modification application is Nominated Integrated development under the provisions of the Water Management Act 2000.
3	STREET ADDRESS	42 East Street, Granville
4	APPLICANT/OWNER	Applicant: Think Planners/Mave Grand Pty Ltd Owner: Mave Grand Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Housing) 2021</li> <li>State Environmental Planning Policy (Sustainable Buildings) 2022</li> <li>Parramatta Local Environmental Plan 2023 (LEP 2023)</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Parramatta Development Control Plan 2023</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 29 October 2024</li> <li>Written submissions during public exhibition: 2</li> <li>Total number of unique submissions received by way of objection: 2</li> </ul>
8	COUNCIL RECOMMENDATION	Approval
9	DRAFT CONDITIONS	Attached to the council assessment report