

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

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| DATE OF DETERMINATION | 7 August 2020 |
| PANEL MEMBERS | Abigail Goldberg (Chair), David Ryan and Martin Zaiter |
| APOLOGIES | Gabrielle Morrish |
| DECLARATIONS OF INTEREST | Councillor Pandey advised that he has a current family connection to the Our Lady of Mercy College and as such would not participate in discussion or determination of this application. |

Papers circulated electronically between 30 July 2020 and 7 August 2020.

MATTER DETERMINED

PPSSCC-62-City of Parramatta – DA/741/2019, Our Lady of Mercy College, 2-6 Victoria Road, Parramatta, Demolition works to part of heritage-listed 'Brigid Shelly' building, construction of a new four (4) storey extension to heritage-listed 'Brigid Shelly' school building (Our Lady of Mercy College, Parramatta) with rooftop terrace, associated earthworks and landscaping works (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6 as well as the material listed at item 7 and 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. 4.3 is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

the Panel is satisfied that:

- a) the applicant's written request adequately addresses 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 cl. 4.3 of the LEP and the objectives for development in the R2 Low Density Residential zone; and
- c) the concurrence of the Secretary has been assumed.

The Panel determined to uphold the Clause 4.6 variations in relation to building height and floor space ratio; and approve the application for the reasons outlined in the Council Assessment Report.

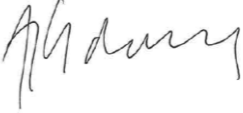


The decision was **unanimous**.

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 there were no written submissions made during the public exhibition.

| PANEL MEMBERS | |
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|  Abigail Goldberg |  David Ryan |
|  Martin Zaiter | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | PPSSCC-62-City of Parramatta – DA/741/2019 |
| 2 | PROPOSED DEVELOPMENT | Demolition works to part of heritage-listed 'Brigid Shelly' building, construction of a new four (4) storey extension to heritage-listed 'Brigid Shelly' school building (Our Lady of Mercy College, Parramatta) with rooftop terrace, associated earthworks and landscaping works |
| 3 | STREET ADDRESS | 2-6 Victoria Road, Parramatta |
| 4 | APPLICANT/OWNER | SJB/Trustees of The Sisters of Mercy |
| 5 | TYPE OF REGIONAL DEVELOPMENT | Education establishment with CIV of more than \$5million |
| 6 | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017 ○ State Environmental Planning Policy No. 64 (Advertising and Signage) ○ Parramatta Local Environmental Plan 2011 ○ Draft environmental planning instruments: Nil ○ Development control plans: <ul style="list-style-type: none"> ○ Parramatta Development Control Plan 2011 ○ Planning agreements: Nil ○ Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> ○ Coastal zone management plan: [Nil] ○ The likely impacts of the development, including environmental |

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| | | <p>impacts on the natural and built environment and social and economic impacts in the locality</p> <ul style="list-style-type: none"> ○ 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: July 2020 ● Clause 4.6 written request ● Written submissions during public exhibition: 0 |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY | <ul style="list-style-type: none"> ● Briefing – 14 May 2020 ● Papers were circulated electronically between 30 July 2020 and 7 August 2020. |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Attached to the Council Assessment Report |