



<b>DATE OF DETERMINATION</b>	17 October 2025
<b>DATE OF PANEL DECISION</b>	10 October 2025
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), Steve Murray, Natasha Harras, Michael Ng, Sameer Pandey
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 7 October 2025.

#### **MATTER DETERMINED**

PPSSCC-678 – Parramatta – A/845/2022/A at 9-11 Thallon Street, Carlingford – Section 4.56 to approved 13-storey shop-top housing development, specifically modifications to parking layout, services, ground floor layout to increase lobby and shop and reduce restaurant/cafe, external access to restaurant/cafe and Level 1 COS, apartment layouts, materials and finishes, and condition 62.

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 in Schedule 1.

#### **Application for modification of consent**

The Panel determined to approve the modification application pursuant to section 4.56 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 reasons outlined in the Council Assessment Report which have been summarised below:

This application is for S4.56 approval for modifications to a previously approved 13-storey shop-top housing development at 9-11 Thallon Street, Carlingford. The modifications include:

- changes to parking layout
- services
- ground floor configuration (increasing lobby and shop area, reducing restaurant/café space)
- external access arrangements
- apartment layouts, materials and finishes
- amendments to certain conditions of consent.

The application does not meet the criteria for delegation to Council staff as per the Sydney Central City Planning Panel resolution dated 26 March 2024, as the proposal meets the criteria relating to departure from development standards set out in Schedule 1 of Instruction on Functions Exercisable by Council on Behalf of Sydney District or Regional Planning Panels – Applications to Modify Development Consents.

The amended application maintains the approved number of residential units (83) despite adjustments to the dwelling mix and minor increases in gross floor area. The development continues to provide active ground floor uses and maintains compliance with key planning controls, including those relating to high-density residential zoning, building height, and floor space ratio.

Overall, the proposed modifications are assessed as being substantially the same as the originally approved development, with draft conditions recommended to address:

- privacy of first floor units
- safe access between parking and commercial tenancies
- bathroom windows for natural light and ventilation where possible
- conflict with stormwater infrastructure
- proposed reallocation of parking spaces.

An assessment of the Application against the relevant provisions of s. 4.56 of the Act was undertaken. The following environmental planning instruments are considered to be relevant for the purposes of the s.4.15 assessment: State Environmental Planning Policy (Sustainable Buildings) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Housing) 2021, Parramatta Local Environmental Plan 2023. The provisions of the development control plan have been applied in accordance with the requirements of s. 4.15(3A) of the Act.

The proposed modification(s) do not alter the original assessment of the suitability of the site for the development undertaken as part of the determination of the original development application. Based on the findings of the s.4.15 assessment undertaken, the proposal is considered to be in the public interest.

## CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment.

## 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:

- Increased traffic generation
- Insufficient student capacity
- Impact on property values
- Loss of solar access
- Loss on amenity
- Construction impacts
- Lack of social infrastructure
- Anti-social behaviour concerns
- Increase in noise
- Impact on shared services

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	Steve Murray 
Natasha Harras 	Michael Ng 
Sameer Pandey 	

**SCHEDULE 1**

<b>1</b>	<b>PANEL REF – LGA – DA NO.</b>	PPSSCC-678 – Parramatta – A/845/2022/A
<b>2</b>	<b>PROPOSED DEVELOPMENT</b>	Section 4.56 to approved 13-storey shop-top housing development, specifically modifications to parking layout, services, ground floor layout to increase lobby and shop and reduce restaurant/cafe, external access to restaurant/cafe and Level 1 COS, apartment layouts, materials and finishes, and condition 62.
<b>3</b>	<b>STREET ADDRESS</b>	9-11 Thallon Street, Carlingford
<b>4</b>	<b>APPLICANT/OWNER</b>	D. R. Design (NSW) PTY Limited
<b>5</b>	<b>TYPE OF REGIONAL DEVELOPMENT</b>	Section 4.56 Modification Application
<b>6</b>	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Planning Systems) 2021</li> <li>○ State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>○ State Environmental Planning Policy (Sustainable Buildings) 2021</li> <li>○ State Environmental Planning Policy (Housing) 2021</li> <li>○ Parramatta Local Environmental Plan 2023</li> <li>○ Apartment Design Guide</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>• Relevant 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>
<b>7</b>	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council Assessment Report: October 2025</li> <li>• Written submissions during public exhibition: Four (4)</li> <li>• Total number of unique submissions received by way of objection: Four (4)</li> </ul>
<b>8</b>	<b>COUNCIL RECOMMENDATION</b>	Approval
<b>9</b>	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report