

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	20 November 2025
DATE OF PANEL DECISION	20 November 2025
DATE OF PANEL BRIEFING	20 November 2025
PANEL MEMBERS	Abigail Goldberg (Chair), Natasha Harras, Steve Murray, Sameer Pandey
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 13 November 2025.

MATTER DETERMINED

PPSSCC-692 – City of Parramatta – DA/273/2025 – 10 James Street, Carlingford - Partial demolition of existing structural elements, the construction of a 16-storey Residential Flat Building with parking, and associated landscaping, public domain works, and infrastructure improvements.

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.

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 2023 (LEP), the Panel considers that the applicant has not demonstrated:

- that compliance with cl. 4.4 (Floor Space Ratio FSR) is unreasonable or unnecessary in the circumstances; nor
- that there are sufficient environmental planning grounds to justify contravening the development standard.

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 determined to refuse the application for the reasons outlined in the council assessment report.

The panel observations included that:

- The site is capable of being developed and the panel is supportive in principle of development and housing delivery on the site.
- However, the panel also supports high quality design outcomes.
- The site is heavily constrained by its context including the form of existing and approved neighbouring development, and the proposal as submitted does not adequately address the site context or achieve acceptable design quality outcomes. Key concerns identified through the assessment process in this regard have not been responded to by the applicant as part of the application before the panel.

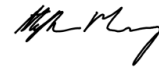
- In addition, a cl 4.6 request to vary a technical non-compliance with the height control under cl. 4.3 of the LEP has not been made, and therefore the panel has no power to grant consent to the development application in its current form.
- Based on the information before the Panel, the application must be refused.
- The panel understands the matter is being pursued through a deemed refusal appeal within the Land and Environment Court, and there may be opportunities to resolve outstanding issues through that process.

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:

- Impact on amenity levels of residents at the adjoining development
- Setbacks
- Unclear how scaffolding is erected
- Light impacts on adjoining building
- Impossible for boundary façade maintenance for 2-8 James
- Dust construction impacts
- Unclear where construction pickup/drop off would occur
- Construction traffic management unclear
- Adverse geotechnical impacts
- Traffic report not agreed with respect to peak times traffic loads

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

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-692 – City of Parramatta – DA/273/2025
2	PROPOSED DEVELOPMENT	Partial demolition of existing structural elements, the construction of a 16-storey Residential Flat Building with parking, and associated landscaping, public domain works, and infrastructure improvements.
3	STREET ADDRESS	10 James Street, Carlingford
4	APPLICANT/OWNER	Applicant: Capió Property/ The Trustee for Captag James Project Trust Owner: Captag James Project Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - Environmental Planning and Assessment Act 1979 - Environmental Planning and Assessment Regulation 2021 - State Environmental Planning Policy (Housing) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 - Parramatta Local Environmental Plan 2023 - Draft environmental planning instruments: Nil - Development control plans: - Parramatta Development Control Plan 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	- Council assessment report: 11 November 2025 - Clause 4.6 variation request: Floor Space Ratio (FSR) - Written submissions during public exhibition: 3 - Total number of unique submissions received by way of objection: 3
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Final briefing to discuss council's recommendation: 20 November 2025 <u>Panel members</u>: Abigail Goldberg (Chair), Natasha Harras, Steve Murray, Sameer Pandey <u>Council assessment staff</u>: Greg Samardzic, Myfanwy McNally <u>Applicant representatives</u>: Nil in attendance
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not applicable