

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	2 November 2020
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan and Susan Budd
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	<p>Gabrielle Morrish advised that as she has worked on the wider Westmead Health precinct for State Government, which relates to this site, she would not participate in this matter.</p> <p>Martin Zaiter and Sameer Pandey declared a potential perceived conflict of interest and will not participate in discussion of this matter.</p>

Papers circulated electronically on 12 October 2020.

#### MATTER DETERMINED

PPSSCC-92 - City of Parramatta – DA/241/2020, Lot 1 in DP 1095407, 2 Darcy Road, Westmead, Demolition of existing two-storey 'Brothers residence' building, removal of thirty-five (35) trees, construction of a new three-storey car park in the north-east corner of the site for 260 vehicles with access from Darcy Road and associated landscaping works, pedestrian access upgrades and ancillary structures. The proposal is Nominated Integrated Development under the Water Management Act 2000 (as described in Schedule 1)

#### PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and 8 in Schedule 1.

The Panel determined to approve the development application for the reasons outlined in the council assessment report and based on the following additional considerations:

- The Panel acknowledges existing traffic congestion issues in the surrounding traffic network and that additional traffic may be generated from currently approved and likely major development in the area. The Panel is satisfied that those future conditions have been factored into the traffic modelling undertaken by the applicant and provide a reasonable basis upon which to assess the impacts likely to be generated by this development.
- The Panel notes that existing access provisions for the site entail most traffic arriving and departing the site from and to the west. The proposal enables a 'splitting' of traffic movements such that less will be channelled to the west and more to the east and south east, representing an improvement to current conditions to the west.
- The Panel has reviewed the applicant's Preliminary Site Investigation report and determines that the requirements of Clause 7 of State Environmental Planning Policy 55 in relation to the suitability of the site for the proposed use have been satisfied.
- In accordance with Clause 35 of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, the Panel has taken into consideration:
  - (a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and
  - (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.




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 they were no written submissions made during public exhibition.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-92 - City of Parramatta – DA/241/2020
2	PROPOSED DEVELOPMENT	Demolition of existing two-storey 'Brothers residence' building, removal of thirty-five (35) trees, construction of a new three-storey car park in the north-east corner of the site for 260 vehicles with access from Darcy Road and associated landscaping works, pedestrian access upgrades and ancillary structures. The proposal is Nominated Integrated Development under the Water Management Act 2000
3	STREET ADDRESS	Lot 1 in DP 1095407, 2 Darcy Road, Westmead
4	APPLICANT/OWNER	Applicant - Catholic Education Office - Diocese of Parramatta Owner - Trustees of The Marist Brothers
5	TYPE OF REGIONAL DEVELOPMENT	Clause 5 of Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011 as the development has a Capital Investment Value (CIV) in excess of \$5 million.
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 55 – Remediation of Land</li><li>• State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li><li>• State Environmental Planning Policy (Infrastructure) 2007</li><li>• State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li><li>• State Environmental Planning Policy (State and Regional Development) 2011</li><li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li><li>• Water Management Act 2000</li><li>• Parramatta Local Environmental Plan 2011</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 2011</li></ul></li><li>○ Planning agreements: Nil</li><li>○ Provisions of the Environmental Planning and Assessment Regulation</li></ul>

		<p>2000</p> <ul style="list-style-type: none"> <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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 12 October 2020</li> <li>• Environmental Health Referral - Contamination referral comments and conditions</li> <li>• Preliminary Site Investigation Report</li> <li>• Written submissions during public exhibition: 0</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b>	<ul style="list-style-type: none"> <li>• Briefing – 3 June 2020</li> <li>• Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspections individually.</li> <li>• Final briefing to discuss council’s recommendation, 21 October 2020, 3.30pm (teleconference) Attendees:  <u>Panel members:</u> Abigail Goldberg (Chair), David Ryan, Sameer Pandey and Martin Zaiter  <u>Council assessment staff:</u> Shaylin Moodliar and Claire Stephens  <u>Issues discussed:</u> <ul style="list-style-type: none"> <li>• Discussion on the briefing issues raised on 3 June 2020</li> <li>• Traffic implications</li> </ul> </li> <li>• Final briefing to discuss council’s recommendation, 30 October 2020, 9.00am (teleconference) Attendees:  <u>Panel members:</u> Abigail Goldberg (Chair), David Ryan and Susan Budd  <u>Council assessment staff:</u> Claire Stephens, Shaylin Moodliar, Richard Searle  <u>Applicant’s representatives:</u> Ken Hollyoak, Santi Botross  <u>Issue discussed:</u>  Traffic conditions and impacts associated with development </li> <li>• Papers were circulated electronically on 12 October 2020.</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report