

DATE OF DETERMINATION	23 December 2020
DELEGATED DECISION MAKER	David Birds, Acting Executive Director, City Planning and Design

Decision made on 23 December 2020

MATTER DETERMINED

PPSSCC-93 – Parramatta – DA/242/2020 at 264 – 268 Pennant Hills Road, Carlingford – Consolidation of the 2 existing lots, re-subdivision to create 4 lots with associated road and pathway infrastructure, civil works and construction of an affordable housing development comprising 162 apartments with basement parking on Lot A (as described in Schedule 1)

This decision was made under the delegation of the **SYDNEY CENTRAL CITY PLANNING PANEL** made on 14 December 2020

CONSIDERATION AND DECISION

The decision maker considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings as discussed in the report and 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 2011 (LEP), that has demonstrated that:

- a) compliance with cl. 4.3 (Height of Buildings) is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

The Council 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 (Height of Buildings) of the LEP and the objectives for development in the R4 – High Density Residential zone; and
- c) the concurrence of the Secretary has been assumed.

Development application

It was determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

REASONS FOR THE DECISION

It was determined to uphold the Clause 4.6 variation to building height and approve the application for the reasons outlined in the council assessment report.


CONDITIONS

The development application was approved subject to the conditions within the document titled Appendix 3 Conditions of Consent - revised 11 December 2020.

CONSIDERATION OF COMMUNITY VIEWS

In coming to the decision written submissions made during the public exhibition were considered.

Concerns raised by the community have been adequately addressed in the assessment report.

PANEL DELEGATE
 David Birds, Acting Executive Director, City Planning and Design

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-93 – Parramatta – DA/242/2020
2	PROPOSED DEVELOPMENT	Consolidation of the 2 existing lots, re-subdivision to create 4 lots with associated road and pathway infrastructure, civil works and construction of an affordable housing development comprising 162 apartments with basement parking on Lot A
3	STREET ADDRESS	264 – 268 Pennant Hills Road, Carlingford
4	APPLICANT/OWNER	BaptistCare NSW & ACT
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment (EP&A) Act 1979 EP&A Regulation 2000 SEPP (Building Sustainability Index: BASIX) (BASIX SEPP) 2004 SEPP (Infrastructure) (ISEPP) 2007 SEPP (State and Regional Development) 2011 SEPP (Sydney Harbour Catchment) (SEPP Sydney Harbour) 2005 SEPP No. 55 (Remediation) (SEPP 55) SEPP No. 65 (Design Quality of Residential Apartment Development) (SEPP 65) & Apartment Design Guide (ADG) Parramatta Local Environmental Plan (PLEP) 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Parramatta Development Control Plan 2011 Planning agreements: Yes – Voluntary Planning Agreement Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92, Clause 98 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	<ul style="list-style-type: none"> Council assessment report: 4 December 2020 Clause 4.6 Variation Request Parramatta Design Excellence Advisory Panel comments: 11 June 2020 Parramatta Design Excellence Advisory Panel comments: 27 August 2020 Parramatta Design Excellence Advisory Panel comments: 9 September 2020 Written submissions during public exhibition: Nine Total number of unique submissions received by way of objection: Nine
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 12 November 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish <u>Council assessment staff</u>: Frances Mehrstens, Jonathan Cleary

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Appendix 3 Conditions of Consent - revised 11 December 2020.