

**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	17 December 2020
<b>PANEL MEMBERS</b>	Gabrielle Morrish (Acting Chair), David Ryan, Ken McBryde, Jane Fielding and Richard Thorp
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	<p>Sameer Pandey advised that he participated in workshops and council meetings involving the planning proposal for this site.</p> <p>Martin Zaiter advised that he participated in workshops and council meetings involving the planning proposal for this site.</p> <p>Ms Morrish advised that she personally was involved in a court case for an applicant at 116 Wigram St just down from the site and that her firm undertook work on the site across the street but that this work was more than 5 years ago.</p>

Papers circulated electronically on 10 December 2020.

**MATTER DETERMINED**

PPSSCC-94 – City of Parramatta – DA/179/2020, 14-20 Parkes Street, Harris Park, Mixed use development - Lot 10 DP 128882, Lot 13 DP 1077402, Lot 14 DP 1077402 and Lot 2 DP 128524 (as described in Schedule 1).

**PANEL CONSIDERATION AND DECISION**

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

The Panel determined to approve the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979 for the following reasons -

- The proposal is in accordance with the type of development envisaged for the site under Parramatta Local Environmental Plan 2011
- The proposal achieves design excellence under Parramatta Local Environmental Plan 2011
- The Panel stresses the importance of maintaining the integrity of the design excellence process through to completion of the development, given the significant bonuses derived from it under the LEP. In the event that the competition winning architects do not continue on the proposal, the Council's conditions will ensure that the Design Competition Jury is consulted regarding the replacement architects to ensure that they demonstrate a similar level of skill and expertise as the competition winning architects and that the design qualities of the competition winner will not be diminished.
- The proposal will contribute to the overall housing supply of the local government area
- The proposal does not result in any unreasonable environmental impacts and provides for a high quality architectural and urban design outcome.
- The Council's proposed wording for Conditions 13 and 137 is appropriate and reasonable in the circumstances of the application
- For the reasons given above, approval of the application is in the public interest.

The decision was **unanimous**.

## CONDITIONS






The development application was approved subject to the conditions within the document titled "Attachment B – Conditions of Consent – Revised 8 December 2020". The Panel declined to support the applicant's request for changes to condition 13 and 137 for the reasons outlined in the Council response to the applicant's contested conditions, dated 7 December 2020.

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during the public exhibition. The Panel notes that issues of concern in written submissions included:

- Objection to any additional retail in the area due to additional traffic, parking demands and noise;
- The proposed development is "over community capacity" for the site – it is higher than the adjoining and will impact traffic and overshadowing;
- The area suffers traffic congestion and this development will worsen the situation;
- Concern raised regarding the removal of street trees, there needs to be more green space and trees.

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

PANEL MEMBERS	
 Gabrielle Morrish (Acting Chair)	 David Ryan
 Ken McBryde	 Jane Fielding
 Richard Thorp	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-94 – City of Parramatta – DA/179/2020
2	PROPOSED DEVELOPMENT	Mixed use development - Lot 10 DP 128882, Lot 13 DP 1077402, Lot 14 DP 1077402 and Lot 2 DP 128524
3	STREET ADDRESS	14-20 Parkes Street, Harris Park, Lot 10 DP 128882, Lot 13 DP 1077402, Lot 14 DP 1077402 and Lot 2 DP 128524
4	APPLICANT/OWNER	Applicant – Pacific Planning Pty Ltd Owner – Parkes 88 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$30million

6	<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 (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• State Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>• Parramatta Local Environmental Plan 2011</li> </ul> </li> <li>• Draft environmental planning instruments: <ul style="list-style-type: none"> <li>○ Draft Consolidated Parramatta Local Environmental Plan 2020</li> </ul> </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 2000</li> <li>○ Coastal zone management plan: SEPP (Coastal Management) 2018</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: 1 December 2020</li> <li>• Attachment B – Conditions of Consent – Revised 8 December 2020</li> <li>• Written submissions during public exhibition: 3</li> <li>• Correspondence contesting conditions dated 7 December 2020.</li> <li>• Council response to applicant’s contested conditions via teleconference on 16 December 2020.</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b>	<ul style="list-style-type: none"> <li>• Briefings – 1 July 2020</li> <li>• Site inspection - Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually.</li> <li>• Papers circulated electronically on 10 December 2020</li> <li>• Briefing to discuss council’s recommendation, 16 December 2020, 4.00pm (teleconference) Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Gabrielle Morrish (Acting Chair), David Ryan, Ken McBryde, Jane Fielding and Richard Thorp</li> <li>○ <u>Council assessment staff</u>: Katherine Lafferty, Myfanwy McNally and Kim</li> </ul> </li> </ul>

		<p>Crestani</p> <p><u>Points discussed:</u></p> <ul style="list-style-type: none"> <li>• Concern regarding how design excellence can be maintained in the event that the competition winning architects are not appointed for subsequent stages of the project.</li> <li>• The proposed Design Excellence conditions and whether the proposed conditions are sufficient to ensure an architect or architectural firm of equivalent expertise and skill to the competition winning architects is appointed to replace the current architects.</li> <li>• The process by which Council assesses and agrees to a new architect for the next stages based on the proposed conditions and confirmation by Council that this process includes referral of the suggested architect/s by the applicant to the Design Competition Jury for their comments.</li> <li>• The applicants letter requesting the Panel to consider alternative wording for Conditions 13 and 137 and Councils response to the proposed alternative wording.</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval subject to conditions
10	<b>DRAFT CONDITIONS</b>	"Attachment B – Conditions of Consent – Revised 8 December 2020"