

# COUNCIL ADDENDUM REPORT

<b>Panel Reference</b>	PPSSEC-176
<b>DA Number</b>	2021/327
<b>LGA</b>	Strathfield
<b>Proposed Development</b>	Construction of 17 additional storeys above an approved 8 storey mixed use building comprised of 148 residential apartments. The proposal also includes alterations to the ground level podium, ground floor communal open spaces and inclusion of external planters between Levels 1-7 of the building.
<b>Street Address</b>	21 Parramatta Road, Homebush
<b>Applicant/Owner</b>	Andrew Shehadeh / Lyda Holdings Pty Ltd
<b>Date of DA lodgement</b>	20 December 2021
<b>Total number of Submissions</b> <b>Number of Unique Objections</b>	<ul style="list-style-type: none"> <li>15 written submissions received</li> </ul>
<b>Recommendation</b>	<b>Deferred</b>
<b>Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011</b>	<b>Cost of works \$ 40,282,853 (excl. GST)</b>
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>SEPP (Transport and Infrastructure) 2021;</li> <li>SEPP (Biodiversity and Conservation) 2021;</li> <li>SEPP 65 – Design Quality of Residential Apartment Development;</li> <li>SEPP (Building Sustainability Index: BASIX);</li> <li>Strathfield Local Environmental Plan 2012 (SLEP);</li> <li>DCP 20 – Parramatta Road Corridor</li> <li>Part H – ‘Waste Management’ Strathfield Consolidated Development Control Plan 2005;</li> <li>Part I – ‘Provision of Off Street Parking Facilities’ Strathfield Consolidated Development Control Plan 2005; and</li> <li>Section 7.11 Direct Development Contributions Plan (2010-2020)</li> <li>Parramatta Road Urban Transformation Strategy</li> </ul>
<b>List all documents submitted with this report for the Panel’s consideration</b>	<ul style="list-style-type: none"> <li>Architectural plans (Issue C)</li> <li>Additional 3D modelling</li> <li>Landscape Plan (Issue L)</li> <li>A Structural Engineer Report</li> </ul>
<b>Clause 4.6 requests</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Summary of key submissions</b>	<ul style="list-style-type: none"> <li>Traffic and parking concerns which will further be exacerbated by the increased density of the area as a result of the proposal</li> <li>Building height and precedent the building will set in the streetscape and along the Parramatta Road corridor</li> <li>Overshadowing impacts as a result of the proposed tower</li> <li>Over population of units</li> </ul>
<b>Report prepared by</b>	<b>L Gibson</b>

<b>Report date</b>	22 November 2022
<b>Summary of s4.15 matters</b>	
Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	<b>Yes</b>
<b>Legislative clauses requiring consent authority satisfaction</b>	
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	<b>Yes</b>
<b>Clause 4.6 Exceptions to development standards</b>	
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	<b>Not applicable</b>
<b>Special Infrastructure Contributions</b>	
Does the DA require Special Infrastructure Contributions conditions (S7.24)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	<b>Yes</b>
<b>Conditions</b>	
Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	<b>No</b>

**SYDNEY EASTERN CITY PLANNING PANEL MEETING  
8 DECEMBER 2022**

PPSSEC-176 – Strathfield – DA2021/327 – 21 Parramatta Road,  
Homebush

<b>Property:</b>	21 Parramatta Road HOMEBUSH DA 2021/327
<b>Proposal:</b>	Construction of 17 additional storeys above an approved 8 storey mixed use building comprised of 148 residential apartments. The proposal also includes alterations to the ground level podium, ground floor communal open spaces and inclusion of external planters between Levels 1-7 of the building.
<b>Applicant:</b>	A Shehadeh
<b>Owner:</b>	Lyda Holdings Pty Ltd
<b>Date of lodgement:</b>	20 December 2021
<b>Notification period:</b>	24 December 2021 - 4 February 2022
<b>Submissions received:</b>	15 written submissions
<b>Assessment officer:</b>	L Gibson
<b>Estimated cost of works:</b>	\$44,311,138.00
<b>Zoning:</b>	B4-Mixed Use - SLEP 2012
<b>Heritage:</b>	N/A
<b>Flood affected:</b>	No
<b>Is a Clause 4.6 Variation Proposed:</b>	No



*Figure 1: Aerial view of subject site outlined in yellow with location of subject building shown within dashed yellow line.*

## EXECUTIVE SUMMARY

### Proposal

Development consent is being sought for the construction of 17 additional storeys above an approved 8 storey mixed use building comprised of 148 residential apartments. The proposal also includes alterations to the ground level podium, ground floor communal open spaces and inclusion of external planters between Levels 1-7 of the building.

### Background

#### Sydney Regional Planning Panel Meeting 14 July 2022

This report is an addendum to the planning report prepared for the Panel's consideration on 14 July 2022. The Panel agreed to defer the determination of the matter until required information is provided by the applicant and Council as set out below:

- *Written documentation that there has been satisfactory arrangements made pursuant to section 7.1 of the SLEP 2012.*
- *Amended application is to be reconsidered by the members of the Design Review Panel that considered the original application and in response to their previous concerns (this may be undertaken electronically).*
- *A qualified and practising Structural Chartered Engineer with NER registrations at Engineers Australia including his/her registration number is to detail what measures need to be taken to ensure the 17-storey building can be supported by the 8-storey building and its basement and this to be provided to the Panel prior to determination.*
- *The plans are to show the necessary circuitry / infrastructure phasing for electric vehicles at each car parking space and the provision of a number of supercharge points which may also serve as visitor spaces but remain as common property. Similarly, a minimum of 4 car wash bays (one car wash bay per level).*
- *The recommended draft condition referring to tree bonding to remain.*
- *The recommended draft condition referring to the hours of construction on Saturday to remain as 8am to 1pm.*

#### Revised Plans submitted to Council – 8<sup>th</sup> and 9<sup>th</sup> August 2022

On 8<sup>th</sup> and 9<sup>th</sup> August 2022, the Applicant submitted amended plans and additional documentation via the online Planning Portal. The additional documentation received included:

- A revised set of architectural plans (Issue C);
- Additional 3D modelling of revised plans and analysis against previous design revisions considered previously by the Council and relevant Panels;

SYDNEY EASTERN CITY PLANNING PANEL MEETING  
8 DECEMBER 2022

PPSSEC-176 – Strathfield – DA2021/327 – 21 Parramatta Road,  
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- A Revised Landscape Plan prepared by Site Design Studios (Issue L); and
- A Structure Review of height uplift and supporting letter from Andrew Castle of ABC Consultants Pty Ltd (Engineer) providing advice to address the Panel's concerns relating to the building's structural capacity to support the additional levels.

The Applicant has advised Council that they are currently in discussions with the Department of Planning for satisfactory arrangements to be made pursuant to section 7.1 of the SLEP 2012

The Applicant is yet to demonstrate that the necessary circuitry/infrastructure phasing, as requested by the Panel, has been considered or incorporated to accommodate electric vehicles within the basement. The Applicant has also failed to provide for 4 car wash bays throughout the entire basement. The plans show 1 car wash bay provided on Basement Level 2 only.

The Applicant has not responded to the Panel's requirement for the drafted Tree Bond conditions and the standard hours of construction to remain unchanged. It is assumed that in the event of approval that these matters will not be contested.

Design Review Panel – 17 August 2022

The application was considered by the Design Review Panel at its meeting 17 August 2022. On 6 September 2022, the Panel provided their recommendations report. A summary of these recommendations are provided below:

- **Communal open space** is not well designed as it does not provide adequate privacy to users, nor meaningfully relate to the colonnade. COS should be designed for a program of uses for the exclusive use of occupants of the building.
- **Podium / Tower Separation** between the tower and podium is not convincing. The tower should ideally have been set in further from the podium level to make the two components more separately defined though there is still an opportunity to do this by providing additional COS on the podium roof. The Panel recommends that additional COS is located on top of the podium at level 8.
- **Entry** - Although the lobby has been redesigned, it remains inadequate for the increase in density. Wayfinding is difficult and the fire stair at ground level juts out and breaks views of passage along the colonnade.
- **Southern Façade** - The Panel advises that details confirming all rooms to southern face fitted with openable windows are required to be included on the architectural plans at DA stage for Council's proper assessment.
- **The circulation corridor to the tower** is not successful and should be redesigned in a similar way to the podium corridors. It is noted that some apartment layouts on the tower floor plate will have to be revised to accommodate this amended corridor design.



Request for Additional Information Letter – 13 September 2022

On 13 September 2022, Council's assessing officer lodged a Request for Additional Information requesting the Design Review Panel's recommendations to be addressed. In order to address the need for better quality communal open space, it was requested that Units 803, 804 and 805 (at minimum) be deleted and replaced with communal open space area. This was in lieu of the DRP's recommendation for deletion of all residential units to level 8 of the building given that the proposal already numerically exceeded the minimum required communal open space area for the site as per the Apartment Design Guide.

Section 7.1 Discussions with the Department of Planning – 16 September 2022 – ongoing

On 16 September 2022, the Applicant lodged a Letter of Offer with the Department seeking Satisfactory Arrangements Certification from the Minister's delegate.

On 30 September 2022, Council received correspondence from the Department stating that the Letter of Offer had been submitted by the Applicant and that the process was underway. It was advised that the process would involve a Planning Agreement to be drafted, the agreement to be exhibited (for a period of 28 days) and registration on title to occur prior to the SAC being issued. The Department advised that they are currently at the drafting stage of the Planning Agreement whereby the issuing of the SAC would take upwards of four months.

Class 1 Proceedings – 28 October 2022 – ongoing

On 28 October 2022, a Class 1 appeal was filed with the Land & Environment Court. A directions hearing was set for 25 November 2022, however Council was seeking an extension to this. At the time of writing this addendum report, the outcome of the directions hearing was not known.

The Applicant has not submitted any further additional information in their Class 1 appeal beyond which has been discussed above.

**Recommendation**

Clause 7.1 of the SLEP 2012 states that development consent must not be granted for development for the purpose of residential accommodation unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development is to be carried out. As such arrangements have not yet been made and a SAC issued, the Panel does not have jurisdiction to determine the application.

Having consideration of the above, the Panel cannot determine the application and must be **DEFERRED** until such time as the SAC is issued by the Secretary and the provisions of Section 7.1 of SLEP 2012 have been satisfied.