

Resolution of Local Planning Panel

9 June 2021

Item 3

Development Application: 42-50 Parramatta Road, Forest Lodge - D/2020/1088

The Panel:

- (A) supported the variation sought to the Floor Space Ratio development standard under Clause 4.4 of the Sydney Local Environmental Plan 2012, in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 in the circumstances of this application; and
- (B) granted consent Development Application No. D/2020/1088 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(7) **VEHICLE ACCESS**

Vehicle access to the Stage 2 building must be provided on Arundel Road. The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction. The western driveway on Arundel Road is to provide access to the subdivided site at the southern end via the breakthrough panel of Stage 1 building basement car park. This driveway will be shared between the two sites (Stage 1 building and Stage 2 building). A deed and/or suitable agreement of this easement arrangement must be prepared and accepted between the parties prior to any construction works ***that relate to the Stage 2 envelope***. The details must be submitted to the Council with the detailed Development Application for Stage 2 works.

(11) CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN

~~It is requested that the applicant be conditioned to prepare a~~ **A** draft Construction Pedestrian and Traffic Management Plan (CPTMP) **is to be prepared and submitted** as part of any Stage 2 **detailed development** application.

Construction Traffic and Pedestrian Management Plans are to be prepared in accordance with Standard Requirements for Construction Traffic Management Plan on the City's website

<http://www.cityofsydney.nsw.gov.au/business/business-responsibilities/traffic-management/construction-traffic-management-plans>

(21) NOISE/SERVICE MANAGEMENT PLAN

The applicant is required to undertake community consultation prior to the preparation of the Noise/Service Management Plan.

A Noise and Service Management Plan to minimise noise and late night interruptions in the residential areas is to be prepared in consultation with Council and approved **by Council** prior to the occupation of the Stage 1 building. ***The content of this Plan must be complied with during the operation of the ambulance station.***

The Plan must include, but is not limited to, management of large (MRV) single vehicle movement on ramp, give way protocol to be followed in circulation ramp (if any), lights/siren management on ambulance use, ***including emergency operation by ambulance drivers of the Ross Street/Parramatta Road traffic lights, light spill from vehicular headlights, roller door selection and replacement***, management of tandem spaces, training to the staff and drivers and management of all deliveries to ensure vehicles are not waiting on public streets to enter the site.

The Plan is to ***be updated to*** include details of how complaints relating to noise will be addressed and any noise control strategies that will be implemented to minimise the potential for complaints. Once approved, this management plan ***and any updated revision of the Plan*** is to be provided to external users of the site, Council and local residents.

(45) ROLLER DOOR SELECTION

To minimise roller door noise impact to the nearest noise sensitive receivers, a quiet roller door system is to be selected and insulators are to be installed on the door fittings to avoid a rigid connection between roller door structure and building elements, reducing structure borne noise emissions. The roller door closing speed is to be controlled such that significant impact noise is not emitted when the roller door leaf comes in contact with the floor.

This applies to any replacement roller door system. The details of any replacement roller door system are to be detailed in the Noise/Service Management Plan.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed development is permissible with consent in the B7 Business Park zone.
- (B) The proposed development complies with the 15m building height control under Clause 4.3 of the Sydney Local Environmental Plan 2012.
- (C) The applicant's written request to vary the floor space ratio standard adequately addresses the matters required to be demonstrated by Clause 4.6(3) of the Local Environmental Plan. The applicant's request demonstrates that compliance with the floor space ratio development standard is unreasonable and unnecessary, and that there are sufficient planning grounds to justify contravening Clause 4.4 of the Local Environmental Plan. The proposal is also in the public interest because it is consistent with the objectives of the B7 Business Park zone and the floor space ratio development standard.
- (D) The proposed development provides an appropriate architectural outcome that is suitable in terms of its scale, built form and response to the site's context. It is consistent with the desired future character of the area, as expressed in the applicable planning policies. As such, it is considered to satisfy the design excellence provisions under Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (E) The proposed development satisfies the relevant objectives and provisions of the Sydney Development Control Plan 2012.
- (F) The proposed development will not unreasonably impact the amenity of surrounding residential properties.
- (G) Condition 7 was amended to clarify the timing of the deed/agreement of the easement arrangement.
- (H) Condition 11 was amended to provide clarity regarding the Construction Pedestrian and Traffic Management Plan for Stage 2 development.
- (I) Condition 21 was amended to address local residents' concerns.
- (J) Condition 45 was amended to include the operation and replacement of the roller door.

The motion was carried on the following show of hands:

Ayes (3) The Chair (Mr Pearson), Ms Lochhead and Mr McInerney

Noes (1) Ms Murray.

Ms Murray was of the opinion that the potential impacts for residents on Arundel Street had not been satisfactorily mitigated to an extent that is reasonably practicable, considering the use of a left in left out driveway on Parramatta Road outside of peak hours if supported by Transport NSW and RMS could reduce the number of trips and potential impacts on sleep disturbance.

Motion carried.

D/2020/1088