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CITY OF PARRAMATTA COUNCIL

PUBLIC DETERMINATION MEETING

PANEL:

**STEPHEN O'CONNOR
RICHARD THORP
DEBORAH SUTHERLAND
ANNE SMITH**

LOCATION:

PARRAMATTA CITY COUNCIL

DATE:

3.31 PM, TUESDAY 17 MARCH 2020

MR S. O'CONNOR: Okay. We might make a – a start. We right with the recording? Well, welcome. The City of Parramatta Council acknowledges the Burrumattagal clan of the Darug, the traditional owners of Parramatta, and pays its respect to the elders both past and present. This public meeting will be recorded.
5 The recording will be archived and available on council's website. All care is taken to maintain your privacy; however, if you are in attendance in the public gallery, you should be aware that your presence may be recorded. My name's Steve O'Connor. I'm the chair of this Parramatta Local Planning Panel. Joining me today I have Rick Thorp on my right, and on my left I have Deb Sullivan – Sutherland, sorry – and
10 Anne Smith as the community rep on the panel.

Um, we have three items, ah, to consider this afternoon, um, two in Rydalmere and one in, um, Harris Park. Item 1, ah, relates to 56 Dudley Street, Rydalmere, lots – lot 49 in DP212 – sorry – 12523. We have two speakers who unfortunately for health
15 reasons have decided that they will not attend. They did provide the panel with a short statement or summary of the concerns they had about this proposed development, which is a – um, a boarding house, um, 17-room boarding house. Um, we've noted the concerns they've raised specifically in relation to traffic and, um, a concern over, ah, parking issues as well. Ah, we also have a submission from the
20 planner for the proposed development, who, again, unfortunately can't be here today.

That submission is dated the 16th of March, and it actually asks that the panel defer this matter and gives four reasons why they believe the deferral is justified, and then goes on to provide some further detail in the following pages. Um, the panel has
25 considered this request for deferment but have decided that we will continue, um, to hear the, um, two speakers that I understand are present, one speaking against the development and – and the architect, speaking on behalf of the development.

Ah, and, um, the – the reasons that the panel decided to continue to hear this matter relate to the fact that we have got a good deal of information before us, both in the council officer report, in the submission that we've had requesting the referral, and in a – a further supplementary report that the council officers have provided us. So we've been able to, we think, thoroughly review the information, um, that's raised in
30 this request.

35 So without further ado, I'll ask for, um – is it Rhys Haynes? Is Rhys – Rhys here?

MR R. HAYNES: Rhys.

40 MR O'CONNOR: Rhys. Sorry. Would you like to speak – come forward. Um, well, yeah.

MR HAYNES: Mmm.

45 MR O'CONNOR: Thank you. Just state your name and where you're from, please, Rhys.

MR HAYNES: Rhys Haynes from Crowgey Street - - -

MR O'CONNOR: Okay.

5 MR HAYNES: - - - Rydalmere. So I back onto the proposed development. Ah, am I able to ask if that document is made – if that document's published, the one that you just spoke of?

MR O'CONNOR: Um - - -

10

MR HAYNES: Will it be?

MR O'CONNOR: The – this? I'm not sure whether this would normally go on - - -

15 MS C. STEPHENS: Well, we only received it yesterday, and it's not – yeah. Just their reasons for – it – it's like you giving your submission now. I think they just were giving their reasons why they would like it deferred. Um - - -

MS S. SHAHIN: You could put it under the

20

MS STEPHENS: Yeah. We hadn't - - -

MS SHAHIN: formal

25 MS STEPHENS: - - - hadn't really considered that yet.

MR O'CONNOR: If – if you like, I'm happy to read the reasons out just so you're – you're aware.

30 MR HAYNES: No, no. I just wondered if - - -

MR O'CONNOR: Okay.

MR HAYNES: That's fine, thanks.

35

MR O'CONNOR: Go ahead, Rhys.

MR HAYNES: Ah, yeah. I'll be very brief. I just wanted to support the council's recommendation to refuse the development consent. We obviously have concerns, being community members, and we agree that council – with council that they've concluded the proposal is not considered to be – to result in a development suitable in the context of the emerging character within the locality. We also agree with council that they've found that the concerns over the pro – proposal will result in unreasonable impacts to adjoining and surrounding properties, myself being one of them, ah, with regard to bulk – building bulk and scale resulting from the excessive floor space, insufficient site width and inadequate side setbacks.

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Also agree with council that they've found that the concerns are that the proposal is not suitable for the site and is not in the public interest, and we are very, um, happy that the council has found that this should not be supported. We would, ah, ask the panel to, ah, take that into consideration, and, um, all I would say is – it feels like,
5 with this last-minute effort by the developer to delay the process – ah, I would ask that we continue the process and, ah, get this thing moving, ah, if – if we can. Thank you.

10 MR O'CONNOR: Thank you, Rhys. Ah, just see if there's any questions from any of the panel members. No.

MS A. SMITH: No. Happy.

15 MR O'CONNOR: Thank you very much.

MR HAYNES: Thank you.

MS SMITH: Thanks, Rhys.

20 MR O'CONNOR: Um, our second speaker, um, I understand is the architect, Aleksander. Would you like to - - -

MR A. JELICIC: Sure.

25 MR O'CONNOR: - - - come forward, please, Aleksander.

MR JELICIC: Um, can I just firstly clarify why the submission was made by our town planner yesterday.

30 MR O'CONNOR: By all means, yeah.

MR JELICIC: Ah, I mean, this is simply because the report was – only became available to us, I think, a few days ago. So by the time we had opportunity to review the council, ah, town planner's report we only had couple of days to prepare this
35 response.

MS STEPHENS: Sorry. Um - - -

40 MR JELICIC: Yeah.

MS STEPHENS: It's available online 10 days before the meeting date. They're all available online 10 days beforehand.

45 MR JELICIC: Sure. Okay. 10 days ago, yeah.

MS STEPHENS: Yeah.

MR JELICIC: So obviously there was a fair bit of information for us to go through. Um, we have carefully analysed all the, ah, sections of the report, and, like, the document that was given to you that you referred to earlier, it was carefully put together. We don't lightly make statements like that. And this is – um, I can
5 comfortably say that this is a collaboration with our town planner. Ah, we think there were some significant, um, errors and inconsistencies made; this is in addition to not having any opportunity or a dialogue except one meeting with the council planners to deal with any of the relevant issues.

10 Not until this report was prepared – ah, we – we received multi – I think, three letters from the council previously. Not once was any mention in regards to the, um, floor space ratio, which we think is a major issue. The documents that we provided the council with, architectural documentation, clearly show the areas that are being
15 calculated towards the FSR, and this is based on council's LEP definition, um, so we are really surprised why this, um, calculation was done otherwise. The – furthermore – I mean, I dunno if the panel wants to go through the items in a letter or if you just want to cover some, ah, basic, um, reasons.

MR O'CONNOR: If – if you can just state the things you wanna - - -

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MR JELICIC: Sure.

MR O'CONNOR: - - - want us to be aware of, and the panel members will have an opportunity to ask you any questions they have specific - - -

25

MR JELICIC: Yep.

MR O'CONNOR: - - - concerns about.

30 MR JELICIC: Absolutely. So I guess if I go – this is probably the best way – the simplest way to do this, um, if I go through the – um, the submission that we made through our town planner, Think Planners. Ah, the history behind it is that there was an original submission made last year. We had a meeting – meeting with the council to discuss opportunities to amend a scheme in relationship any issues that may be
35 flagged. Um, the amended scheme was prepared and submitted and subsequently readvertised. The floor space ratio, like mentioned here, was never really mentioned previously. Even the changes fundamentally did not make any difference in relationship to the common circulation, which, in our opinion, should be excluded from the, um, FSR, ah, gross floor area.

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The side setbacks, um, the assessing planner was basically adamant from day 1 to, um, utilise multi-dwelling controls for this site. Um, it is, um, a typical, um, ah, dwelling in – in Rydalmere. Um, we used, obviously, council's residential DCP in relationship to the side setbacks and relevant controls. The – during the
45 amendments, um, of the proposal we have actually increased those side setbacks from what are commonly found to be just under a metre, 900 millimetres from the boundary. We have – 61 per cent of our side setbacks are in vicinity of three metres,

which is obviously more than three times more the minimum requirement. So we have taken certain steps in relationship to the proposal to alleviate any impacts to neighbouring property.

5 Um, there are also comments in relationship to the – um, the built form. Um, the proposal is basically designed to read as a two-story dwelling with a pitched roof, um, which is not uncommon in the vicinity of the area. It's significantly below the height limit. Um, it complies with all the council's DCP sections in relationship to the attic rooms. Um, and then there's a discussion towards the end in relationship to
10 the common living areas. The common living areas are provided on the ground floor as well as on level 1. Level 1 common area was provided, which was suggested by the assessing planner for us to put it, um – um, on upper level, which is not technically required under the SEPP. And, furthermore, there is also comment in relation to cross-ventilation. Cross-ventilation is not relevant under the SEPP. It's to
15 do with the multi-residential SEPP 65, which is obviously not applicable to this proposal.

Um, and then plan of management and emergency evacuation plan. There is, um, a sig – ah, the whole section in our statement of environmental effects that was
20 submitted, but it appears that it hasn't been really taken into account during this assessment. So, um – and then, finally, there is also in relationship to the site consolidation and isolated site. Um, the – the submissions have been made – there's been a – ah, first of all, we weren't quite sure why this was required, because commonly in R2 zone there is an opportunity to propose a boarding house, so we
25 weren't quite sure why we were asked to explore the amalgamation pattern for this proposal. However, we have done it, because we've just felt it's probably the easier, um, way of doing it than having a path of resist.

Um, we have prepared the evaluation for either property on our side. We have put in
30 registered mail offers. Um, none of – and they were also followed up with the phone calls, and none of – no responses were given to us in relationship to – to those offers. And I must – and also to add, the offers made were in vicinity of 10 per cent in addition to what the valuations were, ah, prepared by the licensed valuer. And in conclusion – I mean, ultimately, as applicants, we would prefer to see this
35 application approved, um, because we think that the – the items that were flagged as being reasons for refusal are not correct. But, ultimately, de – deferring it would be a – a second-best option for us to be – ah, to have an opportunity to discuss this further with the council, um, and try to come some sort of a common solution.

40 MR O'CONNOR: Okay.

MR JELICIC: Yeah.

45 MR O'CONNOR: Thank you.

MR JELICIC: Thank you.

MR O'CONNOR: Um, any panel members – might start with Anne. Any questions?

5 MS SMITH: No. I'm just - - -

MR R. THORP: I do.

10 MS SMITH: - - - analysing the boarding house information. And I feel like you've been talking a lot about a regular house on a regular block of land, but when I read the requirements for a boarding house, they're – they're significantly different, and I don't think this meets a quality boarding house, from – from the plans that I've seen from other applicants.

15 MR JELICIC: Can I ask a question?

MS SMITH: Yes.

MR JELICIC: Um - - -

20 MR O'CONNOR: You can respond to that statement, yes.

MR JELICIC: So – yeah.

25 MS SMITH: Yeah.

MR JELICIC: Um, can you be maybe more specific? It's - - -

MS SMITH: I – I'm very – I - - -

30 MR JELICIC: It's difficult for us to - - -

MS SMITH: Yes.

35 MR JELICIC: Yeah.

40 MS SMITH: Unhappy with the – the communal areas. The communal areas are – are walkways, access areas for people to get to their rooms. Ah, I feel that there's no separation for people. Um, so that's one area that I think is a real concern. If you were in a mobility scooter going into the disabled room, I think you'd find that pretty well impossible.

MR JELICIC: Um - - -

45 MS SMITH: So - - -

MR JELICIC: Can I respond to that. We have a access report that accompanied the submission, and, obviously, the proposal has got, um, the – a lift, because obviously we have basement car parking arrangements in order to comply with traffic.

5 MS SMITH: Mmm.

MR JELICIC: So I think – there was a comment, I think, previously, that one of the objectives was concern about the traffic issues. So my understanding is the proposal does comply with the traffic and car parking requirements under the SEPP. Um, we
10 also have, obviously, a stretcher lift proposed in the building so people can come on scooters or in a wheelchair from the street or from the basement and access the relevant, ah, accessible rooms. So, ah – mmm.

MS D. SUTHERLAND: Ah - - -
15

MS SMITH: I – yeah.

MS SUTHERLAND: No, no, no. You’re talking about on the same levels.

20 MS SMITH: Yes.

MS STEPHENS: Yes.

MS SMITH: On the same level.
25

MR JELICIC: Right. Right.

MS SMITH: I’m talking about that – the communal area that they use for a lounge area.
30

MS SUTHERLAND: It’s right in front of their door.

MR JELICIC: Mmm.

35 MS SMITH: Um - - -

MS SUTHERLAND: There’s no room for them to – you couldn’t get a wheelchair and leave that – those lounges that you’ve put in there. You just couldn’t do it. How – how would that – with – with – you couldn’t get access for - - -
40

MS SMITH: No. Um, nothing - - -

MS SUTHERLAND: - - - disabled vehicle of any sort, like, wheelchair - - -

45 MR JELICIC: Right.

MS SUTHERLAND: - - - in past what you're calling those communal lounges, and you've put lounges and a coffee table there.

MR JELICIC: Sure.

5

MS SUTHERLAND: It's a circulation space.

MR JELICIC: Okay.

10 MS SUTHERLAND: Um, the other thing is site management. How – you're proposing car stacker for how many cars?

MR JELICIC: Um, I think there are - - -

15 MR O'CONNOR: Nine vacant - - -

UNIDENTIFIED MALE: Nine.

MR O'CONNOR: - - - parking spaces.

20

MR JELICIC: No, no. Not all are the stacker. I think it is for - - -

MS SUTHERLAND: I think it's eight or – eight - - -

25 MR JELICIC: - - - six – six cars.

MS SUTHERLAND: Anyway.

MR JELICIC: But there's three, I think, park - - -

30

MS SUTHERLAND: The majority are stack - - -

MR JELICIC: Yes.

35 MS SUTHERLAND: - - - on a car stacker.

MR JELICIC: That's correct.

40 MS SUTHERLAND: Um, and there's no site – onsite manager – and you're not required to, under this, because you've kept it one - - -

MR JELICIC: No, because there's only seven – 17 lodgers.

MS SUTHERLAND: - - - apartment less than the - - -

45

MR JELICIC: Yeah.

MS SUTHERLAND: - - - minimum. The ma - - -

MR JELICIC: No, no. The – the, um – no, it’s not to do with the number of, ah, rooms. It’s to do with the number of lodgers. So the rule is that - - -

5

MS SUTHERLAND: Okay.

MR JELICIC: - - - ah, for 20 or more lodgers - - -

10 MS SUTHERLAND: That’s right.

MR JELICIC: - - - ah, you require a manager, um, to be a part of the, obviously, development.

15 MS SUTHERLAND: Yeah. Yeah.

MR O’CONNOR: Live-in facility.

MR JELICIC: But we’ve got 17 single rooms, so maximum, ah, possible occupancy would be 17 lodgers. So three - - -

20

MS SUTHERLAND: In theory.

MR JELICIC: Three – three less.

25

MS SUTHERLAND: Yeah. Okay.

MR JELICIC: Yeah.

30 MS SUTHERLAND: So who’s – what – ah – I – they’re – traditionally, they break down a lot, car stackers. I don’t know that every – anybody’s really perfected them yet. What happens then, and is there going to be somebody who – who’s – they contact?

35 MR JELICIC: Absolutely. There’s still a management company that runs the, um, ah, what - - -

MS SUTHERLAND: Ah, like a strata person or something?

40 MR JELICIC: No. There’s no strata plan. There’s actually, um, like, a - - -

MS SUTHERLAND: I know it’s not a strata plan.

45 MR JELICIC: There are, like, companies that run these boarding houses, and, ultimately, they have to respond. But the difference is you actually don’t have to have a full-time manager living on the premises.

MS SUTHERLAND: No, no, no. So - - -

MR JELICIC: Um, but they obviously respond. The same – same rationale is if the lift in the - - -

5

MS SUTHERLAND: But there's nobody on site if there's a crisis where somebody's car's stuck in the stacker and - - -

MR JELICIC: I mean, ultimately – like, even if the manager's there, it's – I mean, I'm just kind of guessing, but - - -

10

MS SUTHERLAND: It would be the company. Ah, yeah.

MR JELICIC: - - - it's really the company that provides the stackers that will have to come out.

15

MS SUTHERLAND: Mmm.

MR JELICIC: Same as like any other regular lift.

20

MS SUTHERLAND: Yeah. I just - - -

MR JELICIC: Um - - -

MS SUTHERLAND: Yeah. I've just seen - - -

25

MR JELICIC: Have to - - -

MS SUTHERLAND: - - - a lot of issues with those. Anyhow.

30

MR JELICIC: Sure.

MS SUTHERLAND: That was just another question.

MR JELICIC: Yeah.

35

MR O'CONNOR: Any other questions?

MR THORP: Yeah.

40

MR O'CONNOR: Deb? No?

MS SUTHERLAND: No.

MR THORP: I do.

45

MR O'CONNOR: Over to you, Rick.

MR THORP: Um, you answered – or you made the comment that you have increased the setback from 900 to three metres.

MR JELICIC: Yes.

5

MR THORP: Um, that is for the central section of the floor plan, isn't it?

MR JELICIC: Um, that is correct. So the side setbacks, I'm referring to. Um, so
- - -

10

MR THORP: Yeah. But the side setback - - -

MR JELICIC: Yeah.

15 MR THORP: - - - at the east elevation and the west elevation at the extremes is 900 millimetres.

MS SUTHERLAND: Yeah.

20 MR JELICIC: Um, so the – um, the – north is up the page, so the east elevation's the rear setback, um - - -

MS SUTHERLAND: It's 900.

25 MR JELICIC: - - - and the west one is the - - -

MS SUTHERLAND: Yeah. 900.

MR JELICIC: - - - street setback.

30

MR THORP: Yeah.

MS SUTHERLAND: It's 900.

35 MR JELICIC: So we're ta – are we talking about, like, the north and south setback? Is that what you - - -

MR THORP: No, no, no, no.

40 MS SUTHERLAND: No. Boundaries. Side.

MR THORP: I'm saying at – at each end of your development - - -

MR JELICIC: Right. Yes.

45

MS SUTHERLAND: Side boundaries.

MR THORP: The extreme – the setback at the ends is - - -

MR JELICIC: Yes.

5 MR THORP: - - - 900 millimetres on both boundaries.

MS SUTHERLAND: Yeah.

MR THORP: In the middle section, you've reduced it to, ah, three metres.

10 MS SUTHERLAND: Three metres.

MR JELICIC: Yes.

15 MR THORP: Or expanded it to three metres.

MR JELICIC: That's correct, yes.

MR THORP: But only – only for a portion of it. It's not the whole thing. I mean,

20 you can't say the scheme has a three-metre setback on one side.

MR JELICIC: No. Sorry. Sorry.

MR THORP: It - - -

25 MR JELICIC: I – I've mentioned that in a submission – in a letter. So just to clarify, it says 61 per cent - - -

MR O'CONNOR: Yeah. That's written in the letter.

30 MR JELICIC: - - - of the length of the building. Yeah. Um, I – we didn't claim the whole thing.

MR O'CONNOR: Yeah.

35 MR JELICIC: Ah, that's - - -

MR THORP: Okay.

40 MR JELICIC: Yeah.

MR THORP: Thank you. I – I'm just - - -

MR JELICIC: I didn't read the whole thing in detail, but, ah, in the submission it

45 actually talks – quantifies exactly – I think 39 per cent is, um, at compliance setback.

MR O'CONNOR: 0.9 metres, yeah.

MR JELICIC: 61 is at six – ah - - -

MR O'CONNOR: Three metres.

5 MR THORP: Yeah.

MR JELICIC: At three metres, yeah.

10 MR THORP: I mean, to my mind - - -

MS SUTHERLAND: It's the central portion only.

MR THORP: If the setback anywhere is down to 900, then pretty much that's the setback. I mean, if it gets wider somewhere else that's – that's all very well, but - - -

15

MR JELICIC: Sure.

MR THORP: You know, I – I'm - - -

20 MR JELICIC: Yeah. I mean, the - - -

MR THORP: It's all – it's - - -

MR JELICIC: Yeah.

25

MR THORP: It's a semantic issue. That's all. I – I - - -

MR JELICIC: Yeah.

30 MR THORP: Okay. Thank you.

MR JELICIC: No, no. Understandable. Um, because - - -

MR O'CONNOR: No further questions?

35

MR JELICIC: - - - ah, you know, the way the – the boarding house was planned, as well, is to have orientation of the rooms predominantly to, um, the street - - -

MR THORP: I understand.

40

MR JELICIC: - - - side as well as the rear setback. Because the rear setback is excessive. Um, it's not a minimum requirement, which is no – which is 5.9 metres. It's obviously – um, it's, ah, 8.3, which is, ah, significantly more. And, ah, one of the reasons being is we were trying to align, um, the back of our building with the neighbouring - - -

45

MR THORP: Sure.

MR JELICIC: - - - property to our north.

MR THORP: Okay.

5 MR JELICIC: So that was the rationale behind it.

MR THORP: Yeah. I do have one more question.

MR O'CONNOR: Sure.

10

MR JELICIC: Yeah.

MR THORP: On the third floor, the two attic rooms.

15 MR JELICIC: Yes.

MR THORP: The, ah, dormer window.

MR JELICIC: Yes.

20

MR THORP: Can both rooms get access through their window onto that balcony?

MR JELICIC: No, it's not a balcony. It's just a dormer window with a certain sill height. Um, so the – the – obviously, each room has got its own window, ah, but the
25 dormer is actually combined.

MR THORP: Where is the 500-wide sill?

MR JELICIC: Ah, 500, ah, wide? Sorry.

30

MR THORP: Mmm.

MR JELICIC: 15 – I – I think it's 1500 high sill, I think.

35 MR THORP: Yeah. And it's - - -

MR JELICIC: Yeah.

MR THORP: Ah, the – it's written it's 1500 – that's the height, and then the width
40 of the sill, so you can't look down.

MR JELICIC: That's correct, yeah.

MR THORP: Doesn't that mean you have to be standing out on the dormer?

45

MR JELICIC: Um, it says dormer will be one – ah, so – deep, so prevent overlooking. I mean, it talks about preventing overlooking, but we – in hindsight,

the overlooking's really not a re – an issue because we're looking back onto the –
um, onto the street, so we're not – the – and it was designed in such way that you
don't actually have to have dormers facing the side or the back of the property, to
minimise the number of rooms facing that way.

5

MR THORP: Yeah. I - - -

MR JELICIC: Yeah.

10 MR THORP: I'm just trying to - - -

MR JELICIC: Sure. Sure. And - - -

MR THORP: - - - understand.

15

MR JELICIC: Yeah.

MR THORP: Because you – you – um, that floor space outside the window.

20 MR JELICIC: Yes.

MR THORP: That's not floor space, is it?

MR JELICIC: No. It's external. It's just – um, it's the sill of the dormer window,
25 because obviously the roof will come up and then flatten out.

MR O'CONNOR: So it's a non-accessible area.

MR JELICIC: Non-accessible area.

30

MR THORP: Okay.

MR JELICIC: That's correct, yeah. It's just basically enclosed dormer structure,
but it's not accessible.

35

MR O'CONNOR: Okay.

MR JELICIC: Yeah.

40 MR O'CONNOR: Thank you.

MR THORP: And I - - -

MR JELICIC: I – yeah.

45

MR O'CONNOR: I think, Deb, you might have had another question.

MS SUTHERLAND: Just – just one other quick question.

MR JELICIC: Sure.

5 MS SUTHERLAND: Um, what else can be achieved by deferring this?

MR JELICIC: Well, ah, again, we haven't had opportunity, apart from making the submission yesterday after we reviewed the council's – ah, well, first of all, ah, we think the fundamental issue here is the, um, ah, floor space ratio. Ah, so we completely disagree with our assessing planner's findings because, um, on the plans it's clearly labelled that the – the walkways and, ah, passageway is to be excluded from the – from the gross floor area. Um, clearly labelled that to be of certain height, and that's how we provided the diagrams. They clearly show which areas we calculated, which we haven't, and this - - -

15

MS SUTHERLAND: But then – sorry.

MR JELICIC: Yeah. Yeah.

20 MS SUTHERLAND: Can I just interrupt you.

MR JELICIC: Sure.

MS SUTHERLAND: But then you've included them as communal areas, which is a living space.

25

MR JELICIC: No, only pa - - -

MS SUTHERLAND: Some of those - - -

30

MR JELICIC: Only part of it. Only part of it. And that's included in – in, ah – in the floor space ration.

MS SUTHERLAND: It's – well, it's very unclear on the plans, to us - - -

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MR JELICIC: Sure.

MS SUTHERLAND: - - - that that's the case.

40 MR JELICIC: Yeah.

MS SUTHERLAND: 'Cause it looks like – or everything that was green was shown as - - -

45 MR JELICIC: No, no, no.

MS SUTHERLAND: - - - floor space.

MR JELICIC: Um, so the common areas, obviously – um, you know, three-metre setback, it's all excluded because it's open to the sky. But the walkways, ah, were excluded because the – the planter boxes in the walkways are 1.3 metres high. The council's LEP definition - - -

5

MS SUTHERLAND: 1.4.

MR JELICIC: - - - is 1.4. Yeah.

10 MS SUTHERLAND: Yeah. Okay. Ah, anything – ah, there's no – doesn't provide an opportunity to respond to some of the concerns raised by – other concerns?

MR JELICIC: Well, I mean, one thing that we're also talking about – um, it – it talks about, obviously, the – the – the issues of, um, the – the – the entire section of
15 acoustic reports that made it – um, which seems to be – it says that – this report says it has – has not been addressed, which is incorrect. So, um, it seems to be the acoustic report hasn't been really taken into account as well.

MS SUTHERLAND: Yeah. Okay.
20

MR JELICIC: Yeah. So - - -

MS SUTHERLAND: How about the actual fit in its context?

25 MR JELICIC: Well, um, I mean, that's somewhat a subjective view. Um, the – the building is specifically designed to read somewhat contemporary, two-storey building with a pitched roof, and that's what it is.

MS SUTHERLAND: Mmm.
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MR JELICIC: I know it's very amusing. But, um, that – that – that's the approach. Like, we use the materials and shape and form that would commonly be found in that precinct. Um, the area's R3. It's across the road from brand-new rail light – a light
35 rail station that's being constructed. So there is an expectation - - -

MS SUTHERLAND: Mmm. Mmhmm.

MR JELICIC: - - - that some – that some development will take place. Um, yes, there will be combination – it's – it's completely permitted built form. Ah, you can
40 do duplex. You can do a house. You can do townhouses. You - - -

MS SUTHERLAND: Mmm. I know.

MR JELICIC: And I think having a variety of development is a good thing. Um,
45 having expectation to – for all of it to be a townhouse, it's not, maybe, an ideal one either. Ah, but to have a combination of – variety of, um, ah, built form is a good

planning outcome, and we – we’ve designed this building to read like a two-storey house.

MR O’CONNOR: Any other questions? Thank you, Aleksander - - -

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MR JELICIC: Thank you.

MR O’CONNOR: - - - for your time. Um, I should have mentioned at the beginning that, um, there have been, ah, forms filled out by each of the panel members, and there’s no declarations of interest in relation to any of the three items that are on the agenda for this items – ah, for – for this – this afternoon. Um, the panel has had the opportunity of visiting, um, the site this afternoon, as well as, obviously, reading the council report and the – the various, ah, submissions and the documentation – additional documentation from the applicant. Um, I think it’s fair to say that the – the view of the panel is that, ah, the council officer’s report makes a pretty, ah, convincing case about it being an overdevelopment of the site.

Um, if there is, ah, the potential to get one of the adjoining lots, then perhaps, um, a boarding house something similar to the one that has – we understand has been approved not far from this site in the same street might be a possibility. But if it’s not possible, then we think a smaller development is what’s really required on this site. Have – have no problems with the concept of it being a boarding house, but just simply, um, tried to fit too much onto the site, and there are – there are a number of negative impacts that result from that. Do any of the panel wanna make any other comments?

MS SMITH: No, thank you. Okay. So on that basis, the panel is happy to, um, accept the recommendation and to refuse the application for the eight reasons listed on pages, ah, 42, 43 and 44 of the, ah, business paper. And the reasons for those, ah – oh, sorry. That spells out the reasons why we’ve made that decision. So we’ll move on then to item number 2, which is - - -

UNIDENTIFIED MALE: Thank you.

MR O’CONNOR: - - - the development in 63 to 67 Pine Street and 44 to 46 Wattle Street in Rydalmere. Um, this is a – a development that, um, incorporates – I think it’s 18 affordable housing units in a development that comprises a total of 55, um, apartments, and it’s a mix of three and four storeys in height. We have one registered speaker against the project. Is a Michael Sobb here? Michael. Would you like to come forward and, ah, address the panel.

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MR M. SOBB: I think it’s reasonable to assume that when changes take place with respect to a – communities where they live that most of them are made on the basis of rational decisions as that community changes. And when you look at that area that is under question, there have been significant changes made to that area to compensate for what has been occurring over a period of time and what has been the permanency of the organisations and so on that have been there that have had to

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adjust to those changes. And, ah, like other areas, there are a variety of activities go on in that area: preschool, primary school, a church. There's a hotel. There's commercial premises of various sorts there. And there are already, um, multiple-residency dwellings been erected at various points in that, ah, area.

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And then you move on to what has been changed as a result of the change, progressively, in those, ah, activities and so on. And some of those changes have automatically be done by the council, and others have been dictated by other government authorities of various sorts. If you look at the school, for instance, the children are required to cross two roads several times during the day because of the nature of the intersection and the location of the school, and then the preschool has a – a similar decision to make. You look at the – the road itself. Pine Street has double lines to prevent overtaking on most of Pine Street now. One whole area of Pine Street has no stopping on both sides of the street. There are medians – bulky medians, ah, chicane-type things, been put in.

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There are two – which people describe as “monstrous” – speed humps put in. They are not a bar. They are a whole platform which the car has to try and straddle, because it's curved at the edges so, depending on the vehicle, you've always associated with this bump. Ah, there are two roundabouts in the same stretch of street. A lane has been one way – made one way only, the particular way. Up on Victoria Road, there is no right turn to the industry section of that area, so everyone has to turn left, come down to one of the roundabouts at the school, and do a U-turn at the roundabout and then go back up so that they can cross the intersection. Um, there's a red light camera on the corner.

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So the – you can see from the various changes that traffic is a significant issue for that area. And traffic is impacted by parents coming to pick up children from the school, and buses coming to pick up the children from the schools, and the preschool parents also. So this indicates the area is already well saturated in terms of, ah, activities, and people-based activities. For such a small area, there are a lot of safety aspects put into that area. And what is of concern is if another 55 people – or more than 55, because obviously people will have families – will come into that area, they are going to have to move in and out of that area also regularly to go to work, to go to school, to go visiting and so on, do their shopping. And then it provides for 59 vehicles.

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Well, um, nowadays, of course, there's about 1.2 vehicles per person, which works out that the 55 people will bring more than just, um, ah, 1.2 vehicles. They'll bring a additional number of vehicles. And where are they going to park? There's restrictions, because it's a school and a preschool. Ah, there's restrictions on parking for two periods during the day. Therefore, people have to manoeuvre their vehicles to a different spot, so that means the – the traffic is being, ah, continually in motion during the day, early – beginning of the day and towards the end of the day. So on that basis, ah, some of us see the – that it is a large number of people to bring into the area. It's not a problem that people want to move into the area and have, ah, multiple

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residencies, but it's the – the – the sheer numbers that are going to be placed in that situation.

5 And, ah, we believe that it would be a detriment to the existing people and also impact on 55 people who move in. They would then feel the effects. And, ah, what new arrangements would have to be made to cater for them, in terms of the safety of the whole area of all those young people in area, and, um, the occasional, ah, activities at the hotel that are not favourable to the community. So that, basically, is, um, the argument that I would put to the panel: that the development – yes, it's okay
10 to have people, ah, come into an area and have, ah, multiple residencies, but, um, the numbers game is the thing that's going to make this a different significance.

15 Because all the streets leading down to the area – Pine Street included, and Wattle Street – are all dead ends, so everyone who goes down there has to come out by a common way. There's no shortcut to come across outside your house and the next corner on the right you can turn, and so on. That's not possible. So the traffic movement is going to be substantial there when everyone starts moving out twice a day, in and out, ah, with their vehicles, because there's only the one access for them. They'll all have to come up to Victoria Road or go all down to Park Road, which
20 means they are all in the vicinity of the area that I say is a hive of activity constantly. So, ah, that's the issue that we would see in the situation. It's a – a modification of the – the numbers would be something that most people would accept.

25 MR O'CONNOR: Thank you, Michael. Um, any questions? Rick, any questions of Michael?

MR THORP: Um, the point you're making, I think - - -

30 MR SOBB: Mmm.

MR THORP: - - - is the presumption that there will be additional cars parked on the street relative to the new development - - -

35 MR SOBB: Yes.

MR THORP: - - - and that because of existing conditions and parking requirements and times of day when you can't park and times of day when you can, that people are going to have to move their cars. Is that correct?

40 MR SOBB: I didn't – no. I didn't mean move in terms of, ah, avoid the time constraints.

MR THORP: No.

45 MR SOBB: I mean, ah, move, ah - - -

MR THORP: To go to work.

MR SOBB: - - - they would permanently park in another spot during the day.

MS SUTHERLAND: Mmm.

5 MR SOBB: That's what I meant.

MR THORP: Okay.

MR SOBB: Ah, so - - -

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MR THORP: So you're - you're - - -

MS SUTHERLAND: You're saying extra street parking.

15 MR SOBB: I'll give you an example of, um - - -

MR THORP: Okay. You're assuming that more than the 59 vehicles that are provided for in the car park will actually - - -

20 MR SOBB: Some of them will have to. The - other people will - in the accommodation will have vehicles. It's a fact in Australia now that we have, ah, at least two vehicle per family where there are three people. And, um, ah, they park - - -

25 MR THORP: Yes.

MR SOBB: The - you - - -

MR THORP: Okay.

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MR SOBB: You can't park across a driveway, and - - -

MR THORP: I guess - I guess one of the realities, we who are in - in the, sort of, planning business, is that we're dealing with a growing city.

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MR SOBB: Yeah.

MR THORP: And, um, legislation that the gov - State Government and Local Government passes - um, that we're here on a panel, but we - - -

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MR SOBB: Have to do that. Yes.

MR THORP: We're - we're guided by that legislation.

45 MR SOBB: Yes. Yeah. I - - -

MR THORP: And so - - -

MR SOBB: - - - appreciate that, yes.

MR THORP: I – I guess what I wanted to say to you is – well, there’s – to an extent, yes, I’m sympathetic to what you - - -

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MR SOBB: Mm,.

MR THORP: - - - what you presented, but I don’t see that it gives us the opportunity to limit the size of the project.

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MR SOBB: Well, I don’t quite see the logic of that, in that - - -

MR THORP: Well – no, no, no. There were the - - -

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MR SOBB: - - - I think you can – you can reduce the – the numbers, and that covers the issue. Because my point was, you have 55 people, you’ll have a – going to have a large number of vehicles. Reduce the number of people, you reduce the number of vehicles. I mean, at Telopea when they built the large units there – um, the street is now full of cars all day on both sides, and the council has now - - -

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MR THORP: Yeah.

MR SOBB: - - - demarcated the library and community area as no parking and pathway on the other side of the street as parking. So, um, you go up to Telopea station and you are parking – what used to be Telopea station – you are parking now away from the station - - -

25

MR THORP: Yeah.

30

MR SOBB: - - - also, because the people are – are spreading, ah, with their vehicles because the – the restrictions because of the number of people now who are using the same space. So, um - - -

MR THORP: Ah, I think – well - - -

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MR SOBB: I – I know what you mean by the – the – yes, the – the authorities put the, ah, impetus in a particular way and you’ve got to follow that impetus. But, ah, I think, ah, it’s up to us to consider whether we modify that to suit this particular situation.

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MR THORP: Yeah. Yeah. I think - - -

MR SOBB: And that’s what the – oh, my argument is.

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MR THORP: Yeah. I - - -

MR O'CONNOR: Okay. So it's just questions – if we can keep it to questions at this stage. Anything, Anne or - - -

MS SMITH: No, I don't have any questions.

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MR O'CONNOR: Okay. Thanks, Deb.

MR SOBB: Oh, thank you.

10 MR O'CONNOR: Thank you very much for your time, Michael. Um, now, we don't have any more registered speakers, but I understand the architect for this project might be here.

15 MR R. DEL PIZZO: Yes, Mr Chairman. Robert Del Pizzo. If I can assist by answering any questions, that's all. I didn't want to actually – to really say anything. I think the report's very thorough.

MR O'CONNOR: Okay. Thank you. Um, any members of the panel have questions for the architect? No. Okay. Thanks for that – that offer. So, again, the panel had the opportunity of visiting the site this afternoon, went to both, um, street frontages to get a good understanding of the – what activity, um, was happening in the street and also what development, ah, currently exists. Um, we're also mindful as a panel that this project had previously been approved by the, um, ah, state – sorry, by the Sydney Joint - - -

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MR THORP: Central City Planning.

MR O'CONNOR: - - - Planning Panel. Yeah. And, ah, that that approval, um, lapsed because certain conditions of that approval weren't, um, fulfilled within a certain timeframe. So it's been through a very thorough, um, assessment process previously. Um, the questions you raised about car parking, we did think, um, very seriously about the car parking given the number of units and the number of car parking spaces proposed - - -

35 MS SUTHERLAND: Yeah.

MR O'CONNOR: - - - but noted that because there are 18, um, affordable, um, units being provided in this development, that introduces standards which aren't as strict in terms of council's normal DCP and how much car parking has to be provided, and they're set in a state policy that – that, um, we have to have due regard to. So, um, any panel members want to make any comments before I – okay. So the, um, panel's happy to approve the development, ah, and also, um, acknowledge that the clause 4.6, um, variation was justified, in our view. So on page 109, um, A and B are accepted by the panel. The reasons why this development's, um, ah, being approved are set out – just trying to - - -

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MR THORP: Page 109?

MR O'CONNOR: 109. Sorry. The - - -

MR THORP: Yeah.

5 MR O'CONNOR: Yeah.

MS SUTHERLAND: Yeah. B.

10 MR O'CONNOR: So they are already up on the board.

MS SUTHERLAND: Yeah. B. B.

MR O'CONNOR: Yeah.

15 MS SUTHERLAND: Yeah. Yeah. That's it.

MR O'CONNOR: Okay. Ah, there is one change to the proposed conditions, and that relates to – that we'd like – like to make, and that relates to condition 125. Um, there's just a – what we think is an error at the end of the condition, um, and there's
20 not a – a third point, a point C, as it would indicate. So we're making it clear now that that condition just has two points, A and B, and there's a full stop at the end of B. There's not a – ah, an and. Subject to that one change, ah, the panel's – um, endorse those conditions to apply to the development. So thank you for your time. That brings us to the final, ah, item on the agenda, which is a development at 23
25 Allen Street, Harris Park. Ah, this is actually a modification in relation to a – an apartment building which has already been approved, I think for 12, um, units within the complex.

Ah, there are a number of reasonably minor changes proposed to be made, and the
30 council officers have assessed that – those various changes. Again, we went to the site this afternoon and, ah, looked at the site, looked at the – the surrounding area. We don't think any of those changes, number 1, substantially changes what's been, um, approved previously. So we think it's still substantially the same development, therefore meeting the test of – um, that it needs to meet to be dealt with as a
35 modification, and also, um, comfortable, those – those changes won't have any significant negative impacts on neighbours or the streetscape or, ah, members of the public, etcetera.

So on that basis, we're happy to approve the modification application. Um, on page
40 133, ah, there are five reasons stated. We're comfortable adopting all five of those reasons for approving it – this modification application. And from pages 135 onwards within the conditions that already apply, there are a number of changes made which are shown in bold. So, um, that completes the, um, meeting of the panel because we've dealt with all three items. Thank you, um, for attending, and I declare
45 the meeting closed.

RECORDING CONCLUDED

[4.15 pm]