



CITY OF PARRAMATTA COUNCIL
REGISTER OF VOTING ON PLANNING DECISIONS AT COUNCIL & LOCAL PLANNING PANEL MEETINGS IN 2022
SECTION 375A LOCAL GOVERNMENT ACT 1993

COUNCIL – COUNCIL MEETING
LPP – LOCAL PLANNING PANEL

Meeting Date	Item No	DA/Ref No	Address/Subject	Resolution	Voting	
					For	Against
LPP 11 Jan 2022	5.1	DA/725/2020	45 Mobbs Lane, Carlingford	(a) That the Parramatta Local Planning Panel (PLPP) exercising the functions of Council, pursuant to Section (1)(b) of the Environmental Planning and Assessment Act 1979, refuse development consent for DA/725/2020 on land at Lot 14 in DP 30791, 45 Mobbs Lane, Carlingford NSW 2118. (b) Further, that objectors be advised of the Panel's decision.	Mary-Lynne Taylor (Chairperson), David Johnson, Michael Mason and Anne Smith	Nil
LPP 18 Jan 2022	5.1	DA/943/2021	1-5 Saunders Street, NORTH PARRAMATTA	(a) That the Parramatta Local Planning Panel, exercising the functions of Council, refuse development consent to DA/943/2021 for demolition of the existing dwellings, tree removal and construction of a 144 place child care centre over 1 level of basement carparking, at 1-5 Saunders Street, North Parramatta. (b) Further, that submitters are advised of the decision.	Julie Walsh(Chairperson), Tony Reed, Richard Thorpe and Warrick Mclean	Nil
LPP 8 Jan 2022	5.2	DA/594/2020/A	65 Boronia Avenue, EPPING	(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, refuse the application to modify the deferred commencement consent to DA/594/2020A.	Julie Walsh(Chairperson), Tony Reed, Richard Thorpe and Warrick Mclean	Nil

				(b) Further, that the submitters be advised of the Panel's decision.		
LPP 8 Jan 2022	5.3	DA/663/2021	8-10 Evans Road, Telopea	(a) That Parramatta Local Planning Panel exercising the functions of Council pursuant to Section 4.17 of the Environmental Planning and Assessment Act, 1979 refuse DA/663/2021. (b) Further, that submitters are advised of the Panel's decision.	Julie Walsh(Chairperson), Tony Reed, Richard Thorpe and Warrick Mclean	Nil
COUNCIL 7 Feb 2022	13.6	F2021/00521	Post Exhibition - Planning Proposal, Draft Site-Specific Development Control Plan, and Planning Agreement for land at 23-25 Windsor Road, Northmead	(a) That Council receives and notes the submissions (summarised in Attachment 2) made during the public exhibition of the Planning Proposal, draft site-specific Development Control Plan (DCP) and draft Planning Agreement for 23-25 Windsor Road, Northmead. (b) That Council approve for finalisation the Planning Proposal for land at 23-25 Windsor Road, Northmead (provided at Attachment 3), which seeks to amend Parramatta (formerly The Hills) Local Environmental Plan (LEP) 2012 as follows: i) Amend the Maximum Floor Space Ratio (FSR) control that applies to the R4 High Density Residential zoned land from no FSR to 1.8:1. ii) Amend the Maximum Building Height (HOB) control that applies to the R4 High Density Residential zoned land from 16 metres (5 storeys) to 30 metres (9 storeys). (c) That Council approve the site-specific DCP at Attachment 5 for finalisation and insertion into The Hills Development Control Plan (DCP) 2012. (d) That Council delegate authority to the Chief Executive Officer to finalise the draft	Councillors Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Siviero, Valjak, Wang and Wearne	Councillors Bradley and Procriv

				<p>Planning Agreement at Attachment 4, and to sign the Planning Agreement on behalf of Council.</p> <p>(e) That Council authorise the Chief Executive Officer to exercise the plan-making delegations as granted by the Gateway Determination for this Planning Proposal once the Planning Agreement has been executed by Council.</p> <p>(f) That Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal, Development Control Plan and Planning Agreement during the relevant finalisation processes.</p> <p>(g) Further, that Council note the Local Planning Panel considered and endorsed the Planning Proposal, draft DCP and draft Planning Agreement at its meeting on 16 November 2021 and recommended that Council approve the site-specific DCP for finalisation and insertion into The Hills Development Control Plan (DCP) 2012, subject to refinement of landscaping controls.</p>		
COUNCIL 7 Feb 2022	13.7	F2022/00105	Post Exhibition - Planning Proposal for land at 64 Victoria Road, North Parramatta	<p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal for 64 Victoria Road, North Parramatta.</p> <p>(b) That Council approve the Planning Proposal (at Attachment 2) for land at 64 Victoria Road, North Parramatta for finalisation that seeks to amend Schedule 1 of the Parramatta Local Environmental Plan 2011 (PLEP 2011) to allow 'take away food and drink premises' as an additional permitted</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Procriv, Siviero, Valjak, Wang and Wearne	Nil

				<p>use (limited to a maximum gross floor area of 100m²).</p> <p>(c) That Council authorise the Chief Executive Officer to exercise the plan-making delegations as granted by the Gateway Determination for this Planning Proposal.</p> <p>(d) That Council delegates authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal.</p> <p>(e) Further, that Council note the Local Planning Panel considered and endorsed the Planning Proposal at its meeting on 16 November 2021 and recommended that Council approve the planning proposal.</p>		
LPP 15 Feb 2022	5.1	DA/312/2021	85-91 Thomas Street, PARRAMATTA	<p>(a) That the development application not be deferred as requested by the applicant given the circumstances.</p> <p>(b) That the Parramatta Local Planning Panel, exercising the function as the consent authority, refuse consent to Development Application No. DA/312/2021 for Demolition of existing structures, tree removal and construction of two x 8 storey boarding house buildings consisting of 237 boarding rooms over 2 levels of basement parking and land dedication as part of a VPA for the site at 85-91 Thomas Street, PARRAMATTA NSW 2153.</p> <p>(c) Further, that submitters be notified of the decision.</p>	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil
LPP 15 Feb 2022	5.2	DA/474/2021	16 Victoria Street, Epping	<p>(a) That the Parramatta Local Planning Panel (PLPP), excising the functions of Council, pursuant to Section 4.16(1)(b) of the</p>	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil

				<p>Environmental Planning and Assessment Act 1979, approve development consent to DA/474/2021 for the tree removal and alterations and additions to an existing dwelling house on land at Lot 8 DP 6399, 16 Victoria Street, Epping, with the following amendments to the conditions of consent:</p> <ul style="list-style-type: none"> - Amendment to Condition 1 to change the date of the plans to 9 January 2022; - Additional Condition to require existing slate roof to be retained and new roof material to match existing slate. <p>(b) Further, that the objectors be advised of the Panel's decision.</p>		
LPP 15 Feb 2022	5.3	DA/1031/2021	18-19 Ulandi Place, WINSTON HILLS	<p>(a) That Parramatta Local Planning Panel refuse DA/1031/2021 18-19 Ulandi Place, Winston Hills.</p> <p>(b) Further, that submitters are advised of the Panel's decision.</p>	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil
LPP 15 Feb 2022	5.4	DA/80/2019/A	12 James Street, Carlingford	<p>(a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979, modify development consent DA/80/2019 to include modifications to the approved demolition of existing structures, tree removal and the construction of an eighteen (18) storey mixed use development containing 64 apartments and ground floor retail space over 5 levels of basement parking at 12 James Street, Carlingford, as shown on the plans submitted with the modification application, for a period of five (5) years from the date on the original Notice of Determination, subject to the following amendments:</p>	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil

				<ol style="list-style-type: none"> 1. Amend Condition No. 1 to reflect the updated plans and documents. 2. All other conditions of DA/80/2019 remain unchanged. <p>(b) That Parramatta Local Planning Panel approve the proposal notwithstanding the non-compliance with the building height control.</p> <p>(c) That Parramatta Local Planning Panel approve the proposal notwithstanding the non-compliance with the floor space ratio control.</p> <p>(d) Further, that submitters are advised of the decision.</p>		
LPP 15 Feb 2022	5.5	DA/1074/2021	Civic Place PARRAMATTA	That pursuant to section 4.16 of the Environmental Planning and Assessment Act, 1979, Council grant development consent to DA/1074/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent.	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil
LPP 15 Feb 2022	5.6	DA/701/2021	334 Pennant Hills Road, CARLINGFORD	That the Parramatta Local Planning Panel exercising the functions of Council pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 refuse DA/701/2021	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil
LPP 15 Feb 2022	6.1	RZ/9/2019	1 Windsor Road, North Rocks – Planning Proposal and draft Planning Agreement	<p>The Local Planning Panel support the following Council Officer recommendations in the Panel's advice to Council:</p> <p>(a) That Council receives and notes submissions made during the public exhibition of the Planning Proposal and draft Planning Agreement for 1 Windsor Road, North Rocks.</p> <p>(b) That Council approve the Planning Proposal (at Attachment 1) for land at 1 Windsor Road, North Parramatta for finalisation that</p>	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil

				<p>seeks to amend Schedule 1 in Parramatta (former The Hills) Local Environmental Plan (LEP) 2012 by adding 'retail premises' as an additional permitted use (limited to a maximum of 3,800 m²) to facilitate a supermarket and liquor store.</p> <p>(c) That Council approve the draft Planning Agreement for finalisation (at Attachment 2), that proposes to:</p> <ol style="list-style-type: none"> 1. Dedicate a portion of the and to Council free of cost (the Dedication of Land) for the purpose of a possible future road widening of James Ruse Drive; and 2. Register a public access easement at no cost to Council, over that part of the Land on which the Bridge Works and the Council Works will be located, in favour of Council (the Easement). 3. That upon receipt of development consent for the site, the developer construct a lightweight steel bridge structure (3m wide) that is to provide further pedestrian access to the Land from North Rocks Road (the Works). 4. That upon receipt of development consent for the site, the developer pay a monetary contribution of \$500,000 to Council (the Contribution) to facilitate the construction of a future footbridge connection. <p>(d) That Council authorise the Chief Executive Officer to exercise the plan making delegations as granted by the Gateway Determination for this Planning Proposal.</p>		
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				(e) Further, that Council delegates authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal.		
LPP 15 Feb 2022	6.2	RZ/11/2016	Post-Exhibition: 85-91 Thomas Street, Parramatta - Planning Proposal, Draft Site Specific Development Control Plan and Draft Planning Agreement	<p>The Local Planning Panel does NOT support the Council Officer recommendations to proceed with the Planning Proposal and Site Specific Development Control Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed Planning Proposal lacks strategic and local planning merit as it relates to one site in an otherwise consistent urban environment with development generally in accordance with the existing and future 11 metre height limit and the existing and future density controls (noting that Council is not planning to change these controls), which would result in an incongruous and undesirable future built form. 2. The visual impact of a future 22-metre building from both Thomas Street and the public domain and public walkway to the south would be unacceptable. 3. Should Council consider upzoning Thomas Street from James Ruse Drive to at least Pemberton Street then rezoning of the subject site could be considered in that context. 4. The submissions received to the Planning Proposal during public exhibition raised relevant concerns relating to increased density, visual impact, overshadowing the existing development and the Public Reserve. Public submissions noted that the proposed dedication of the land at NIL cost to Council 	Julie Walsh (Chairperson), Sue Francis, Alf Lester and Peter Haliburn.	Nil

				does not outweigh the adverse impacts of the isolated rezoning of this site.		
COUNCIL 21 Feb 2022	13.2	RZ/5/2018	Planning Proposal, draft Development Control Plan and draft Planning Agreement for 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta (St John's Anglican Church)	<p>(a) That Council staff urgently write to the NSW Department of Planning and Environment (DPE) on 22 February 2022 seeking an extension of time of up to four to six weeks.</p> <p>(b) That Council defer consideration of this matter to an urgent Councillor Workshop to be held on 24 February 2022.</p> <p>(c) That following the Councillor Workshop, the Chief Executive Officer and relevant Council staff meet with the applicant to discuss the matter.</p> <p>(d) Further, that if the extension of time is not granted by the DPE, that Council hold an Extraordinary Council Meeting to consider this matter.</p>	Councillors Esber, Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak and Wang	Councillors Bradley, Darley, Davis, Maclean, Prociv and Wearne
COUNCIL 14 Mar 2022	13.10	F2022/00105	Post-exhibition - Planning Proposal, draft Site-Specific Development Control Plan and draft Planning Agreement for 85-91 Thomas Street, Parramatta	<p>(a) That Council, as the plan-making authority, not finalise the Planning Proposal for land at 85-91 Thomas Street, Parramatta which seeks to amend Parramatta Local Environmental Plan 2011 as follows:</p> <p>i. Maintaining the R4 High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 Public Recreation zone for the undevelopable land (1,200sqm) affected by the Natural Resources - Biodiversity control;</p> <p>ii. Increasing the maximum Height of Building (HOB) control from 11 metres to 22 metres across the R4 High Density Residential zoned part of the site, and removing the HOB control from the RE1 Public Recreation zoned part of the site;</p> <p>iii. Increasing the Floor Space Ratio (FSR) control from 0.8:1 to 1.3:1</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Valjak, Wang and Wearne	Nil

				<p>across the R4 High Density Residential zoned part of the site, and removing the FSR control from the RE1 Public Recreation zoned part of the site;</p> <p>iv. Removing No.85 Thomas Street from the Land Reserved for Acquisition Map, subject to execution of the Planning Agreement; and</p> <p>v. Amending the Minimum Lot Size control to apply to the proposed R4 High Density Residential land only and remove this control from the proposed RE1 Public Recreation zoned land.</p> <p>(b) Further, that Council does not support the Planning Proposal for the following reasons:</p> <p>i. The Planning Proposal lacks strategic planning merit as it seeks to increase height above the surrounding area's maximum height of 11 metres which would result in an incongruous and undesirable future-built form;</p> <p>ii. The visual impact of a future 22-metres high building from Thomas Street, the public domain and public walkway along the Parramatta River foreshore would be unacceptable; and</p> <p>iii. The Planning Proposal will negatively impact on the privacy and amenity of surrounding development and impact on local character.</p>		
COUNCIL 14 Mar 2022	13.9	RZ/3/2017	Post-exhibition - Planning Proposal, draft Development Control Plan and draft Planning Agreement for 135 George Street and 118 Harris Street, Parramatta (Albion Hotel site)	a) That Council notes the submissions made during the public exhibition of the Planning Proposal, draft Development Control Plan (DCP) and draft Planning Agreement at 135 George Street and 118 Harris Street, Parramatta (Albion Hotel site). A summary of submissions is provided at Attachment 1.	Councillors Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Valjak, Wang and Wearne	Councillors Bradley and Prociv

				<p>(b) That Council notes the Gateway alteration issued by the (then) Department of Planning, Industry and Environment (DPIE) on 28 October 2021 determining that the Planning Proposal should not proceed on the basis that the Parramatta CBD Planning Proposal is seen as a more efficient way of achieving the objectives of the site-specific Planning Proposal (refer to Attachment 2). Therefore Council is not able to further consider the Planning Proposal which will establish the height and floor space ratio controls for the site as these controls will be determined by the Department of Planning and Environment (DPE) through the finalisation of the Parramatta CBD Planning Proposal.</p> <p>(c) That Council forward this report and copies of all submissions received during the exhibition period including community, State and Federal Government agency submissions to the Department of Planning and Environment (DPE) for its consideration as requested by the then DPIE in the Gateway alteration issued on 28 October 2021.</p> <p>(d) That Council approve the site specific-DCP at Attachment 4 for finalisation and inclusion within Part 10 (Site Specific Controls) of the finalised Parramatta City Centre DCP, including the minor amendments at Attachment 5 in this report, following the finalisation of the Parramatta CBD Planning Proposal.</p> <p>(e) That Council approve the Planning Agreement at Attachment 6 and delegate authority to the Chief Executive Officer to finalise the Planning Agreement and to sign it on Council's behalf.</p>		
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				(f) Further, that Council delegate authority to the Chief Executive Officer to make any minor, administrative and/or non-policy amendments to the site-specific Development Control Plan and/or Planning Agreement during the finalisation processes.		
COUNCIL 14 Mar 2022	13.11	F2022/00105	Post-exhibition - Planning Proposal and draft Planning Agreement for 1 Windsor Road, North Rocks	<p>(a) That Council receives and notes submissions made during the public exhibition of the Planning Proposal and draft Planning Agreement for 1 Windsor Road, North Rocks.</p> <p>(b) That Council approve the Planning Proposal (Attachment 2) for land at 1 Windsor Road, North Parramatta for finalisation that seeks to amend Schedule 1 in Parramatta (formerly The Hills) Local Environmental Plan (LEP) 2012 by adding 'retail premises' as an additional permitted use (limited to a maximum of 3,800m²) to facilitate a supermarket and liquor store.</p> <p>(c) That Council approve the draft Planning Agreement for finalisation (Attachment 3), that proposes to:</p> <ol style="list-style-type: none"> 1. Dedicate a portion of the land to Council free of cost (the Dedication of Land) for the purpose of a possible future road widening of James Ruse Drive. 2. Register a public access easement at no cost to Council, over that part of the Land on which the Bridge Works and the Council Works will be located, in favour of Council (the Easement). 3. That upon receipt of development consent for the site, the developer construct a lightweight steel bridge structure (3m wide) that is to provide further pedestrian access to the Land from North Rocks Road (the Works). 	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Proxiv, Valjak, Wang and Wearne	Nil

				<p>4. That upon receipt of development consent for the site, the developer pay a monetary contribution of \$500,000 to Council (the Contribution) to facilitate the construction of a future footbridge connection.</p> <p>(d) That Council delegate authority to the Chief Executive Officer to:</p> <ol style="list-style-type: none"> 1. finalise the draft Planning Agreement at Attachment 3, and to sign the Planning Agreement on Council's behalf. 2. exercise the plan making delegations as granted by the Gateway Determination for this Planning Proposal once the Planning Agreement has been executed by Council. 3. make any minor administrative and/or non-policy amendments to the Planning Proposal, and Planning Agreement during the finalisation processes. <p>(e) Further, that Council note the Local Planning Panel considered and endorsed the Planning Proposal at its meeting on 15 February 2022 and recommended that Council approve the planning proposal.</p>		
LPP 15 Mar 2022	5.1	DA/800/2021	256 Kissing Point Road, DUNDAS VALLEY (Lot 10 DP 719923)	(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, issue development consent to DA/800/2021 - Demolition of existing carwash facility, construction of a new carwash facility on land at Lot 10 DP 719923, 256 Kissing Point Road, Dundas Valley NSW 2117 in accordance with the conditions of consent in the attachment and additional conditions below:	Stephen O'Connor (Chairperson), Paul Berkemeier, Simone Lotz and Maree Turner	Nil

				<ul style="list-style-type: none"> - New condition 25A to read: A revised landscaping plan is to be prepared and submitted to Council for approval which shows the additional landscaping proposed in the north eastern corner and along the northern boundary. - New condition to read: Within three (3) months of the issue of an Occupation Certificate, an Acoustic Validation report is to be submitted to Council by a suitably qualified person, confirming that the Acoustic Measures have been implemented and achieve the requirements of the Acoustic Report by Atkins Acoustics and Associates P/L dated September 2020 and within three (3) months of submitting the Acoustic Validation report to Council implement whatever remediation measures that are deemed necessary by Council to achieve the acoustic outcomes detailed in the Atkins Acoustics report. <p>(b) Further, that objectors be advised of the Panel's decision.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The proposed development benefits from existing use rights and satisfies the requirements of all applicable planning controls. 2. The development will not create adverse impacts onto the locality and will remain compatible with the existing area. 		
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				<p>3. The proposed development incorporates sufficient measures to safeguard the existing acoustic amenity.</p> <p>4. For the reasons above, approval of the application is in the public interest.</p>		
LPP 15 Mar 2022	5.2	DA/1055/2021	37A Grand Avenue, CAMELLIA (Lot 2 DP 539890)	<p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, resolved to refuse development consent to DA/1055/2021 for use of part of the site as a freight transport facility at 37A Grand Avenue, Camellia NSW 2142.</p> <p>(b) Further, that submitters be advised of the decision.</p> <p>REASONS FOR REFUSAL</p> <p>1. State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p>a. Pursuant to Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, insufficient information has been submitted to demonstrate that the site is suitable for the proposed use under the provisions of Clause 4.6 of SEPP (Resilience and Hazards) 2021.</p> <p>2. State Environmental Planning Policy (Biodiversity and Conservation) 2021</p> <p>a. Pursuant to Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, insufficient information has been submitted to demonstrate that the property and proposed use are consistent with the provisions of Clause 2.7, 2.8 & 2.10 of SEPP (Biodiversity and Conservation) 2021.</p> <p>3. Parramatta Local Environmental Plan 2011</p>	Stephen O'Connor (Chairperson), Paul Berkemeier, Simone Lotz and Maree Turner	Nil

				<p>a. Pursuant to Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposed development does not meet compliance and/or consist of insufficient information to determine its compliance to the following matters of the <i>Parramatta Local Environmental Plan 2011</i>:</p> <p>i. <u>Objectives IN3 Heavy Industrial</u>: The proposed land use has not taken into consideration the context and setting of the subject site as the use will generate undue adverse effects of industry on the R2 Low Density Residential zoned properties to the north of the site as a result of acoustic and dust impacts.</p> <p>ii. <u>Clause 5.10 Heritage conservation</u>: Insufficient information has been submitted to demonstrate that the contaminated material on site will not cause adverse impact to <i>Wetlands</i> located along the property's Parramatta River foreshore.</p> <p>iii. <u>Clause 5.21 Flood planning</u>: Insufficient information has been submitted to demonstrate that the use is appropriate given the property's flood affectation.</p> <p>iv. <u>Clause 6.2 Earthworks</u>: Insufficient information has been submitted to demonstrate that the earthworks undertaken on the property without consent are in accordance with Clause 6.2(3) of LEP 2011, and that it will not create detrimental effects to the Parramatta River.</p>		
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				<ul style="list-style-type: none"> v. <u>Clause 6.5 Water Protection:</u> Insufficient information has been submitted to demonstrate that the existing capping on site is sufficient to contain the contaminated material from seeping into the riparian land. vi. <u>Clause 6.7 Affected by a foreshore building line:</u> Insufficient information has been submitted to demonstrate that the existing capping on site is sufficient to contain the contaminated material and will not cause adverse impact to the surrounding foreshore area. <p>4. Parramatta Development Control Plan 2011</p> <p>a. Pursuant to Section 4.15(1)(a)(iii) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposed development does not meet compliance and/or consist of insufficient information to determine its compliance to the following matters of the <i>Parramatta Development Control Plan 2011</i>:</p> <ul style="list-style-type: none"> i. <u>Section 2.4.2 Water Management</u> ii. <u>Section 2.4.3 Soil Management</u> iii. <u>Section 3.3.3 Visual and Acoustic Privacy</u> iv. <u>Section 3.3.6 Water Sensitive Urban Design</u> v. <u>Section 3.3.7 Waste Management</u> vi. <u>Section 3.5 Heritage</u> <p>5. Environmental Planning and Assessment Act 1979</p>		
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				<p>a. Pursuant to Section 4.15(1)(b) and (c) of the <i>Environmental Planning and Assessment Act 1979</i>, the site is not considered suitable for the proposed development.</p> <p>b. Pursuant to Section 4.15(1)(d) and (e) of the <i>Environmental Planning and Assessment Act 1979</i>, the adverse impacts generated by the development due to non-compliance with the applicable planning controls are detrimental to the established residential community within the vicinity and as such, it is not considered to be in the wider public interest.</p>		
COUNCIL 28 Mar 2022	13.4	F2022/00105	Draft Melrose Park South Site-Specific Development Control Plan and Planning Agreement	<p>(a) That Council approve the draft Melrose Park South Site-Specific Development Control Plan (DCP) provided at Attachment 2 for the purposes of public exhibition.</p> <p>(b) That Council give delegation to the CEO to draft the Planning Agreement based on the submitted Letter of Offer provided at Attachment 3 for the purposes of public exhibition.</p> <p>(c) That the draft DCP and Planning Agreement be placed on public exhibition concurrently with the Planning Proposal that was adopted by Council on 9 November 2020 for a period of 28 days, and that a report be provided to Council on the outcomes of the public exhibition.</p> <p>(a) Further, that Council delegate authority to the Chief Executive Officer to correct and anomalies of minor non-policy nature that may arise during the public exhibition process.</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Nil
COUNCIL 11 April 2022	13.4	F2022/0015	Post-exhibition - Planning Proposal, draft Development Control Plan and draft Planning Agreement for 8-14 Great Western Highway, Parramatta	<p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal, draft Development Control Plan (DCP) and draft Planning Agreement at 8-14 Great Western</p>	Councillors Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Councillor Bradley

				<p>Highway, Parramatta. A summary of submissions is provided at Attachment 1.</p> <p>(b) That Council notes the Gateway alteration issued by the then Department of Planning, Industry and Environment (DPIE) on 28 October 2021 determined that the Planning Proposal not proceed on the basis that the Parramatta CBD Planning Proposal is seen as a more efficient way of achieving the objectives of the site-specific Planning Proposal (refer to Attachment 2). Therefore, Council is not able to further consider the Planning Proposal seeking to establish the height and floor space ratio controls for the site as these controls will be determined by the Department of Planning and Environment (DPE) through the finalisation of the Parramatta CBD Planning Proposal.</p> <p>(c) That Council approve the site specific DCP at Attachment 4 for finalisation and inclusion within Part 10 (Site Specific Controls) of the finalised Parramatta City Centre DCP, including a minor amendment relating to the wording of the relevant Australian Standard relating to driveway access, following the finalisation of the Parramatta CBD Planning Proposal.</p> <p>(d) That Council not proceed with the Planning Agreement at Attachment 5 exhibited with the site-specific Planning Proposal for 8-14 Great Western Highway recognising that contributions to community infrastructure funding will be required as a condition of development consent pursuant to the contributions plan applicable at the time.</p> <p>(e) Further, that Council delegate authority to the Chief Executive Officer to make any minor, administrative and/or non-policy</p>		
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				amendments to the Development Control Plan during the finalisation process.		
LPP 19 April 2022	5.1	DA/1005/2021	57 Jenkins Road, CARLINGFORD (Lot 4 DP 663067)	<p>(a) That the Parramatta Local Planning Panel, exercising the function as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, refuse consent to Development Application No. DA/1005/2021 for Demolition of existing structures, tree removal and construction of a 3-storey boarding house comprising of 19 rooms over basement parking for the site at 57 Jenkins Road, CARLINGFORD.</p> <p>(b) Further, that submitters be notified of the decision.</p> <p>REASONS FOR REFUSAL</p> <p>1. State Environmental Planning Policy (Affordable Rental Housing) 2009</p> <p>a) Clause 29(2)(a) - The proposal exceeds the maximum Building Height onsite</p> <p>b) Clause 29(2)(b) - The proposed landscape treatment of the front setback area is compatible with the streetscape in which the building is located</p> <p>c) Clause 30A – The development is not in keeping with the desired future character of the area, which encourages the amalgamation of lots of 4000 sqms or more.</p> <p>2. Parramatta (former The Hills) Local Environmental Plan 2012</p> <p>a) Clause 4.3 – The proposed development exceeds the 10m building height development standard</p> <p>b) Clause 4.6 – The written request to vary Clause 4.3 has not adequately demonstrated that compliance with the development standard is unreasonable</p>	Mary-Lynne Taylor (Chairperson), Robert Hussey, Alison McCabe and Ian Gilbertson.	Nil

				<p>and unnecessary nor has it provided sufficient environmental planning grounds to justify contravening the development standard.</p> <p>c) In addition, it is likely the proposal will result in an isolated site, which is not in keeping with policy framework.</p> <p>3. The Hills Development Control Plan 2012</p> <p>a) The proposed basement carpark does not sufficiently demonstrate that vehicles are able to enter and exit in a forward direction in the scenario when all car parking spaces are occupied.</p> <p>b) The proposed development is excessive in scale when considered against the current height of building and amenity controls.</p> <p>c) The proposed development would result in an increase in shadows cast over adjoining properties, in particular the southern dwelling.</p> <p>d) The motorcycle parking arrangement is poorly configured that it has made it inaccessible.</p> <p>e) The ground floor exceeds one (1) metre above natural ground level as a result of the inefficient driveway and basement design.</p> <p>f) Insufficient side setback provided.</p> <p>g) Insufficient landscaping and deep soil zones provided.</p> <p>h) Access for people with disabilities is not adequately addressed.</p> <p>i) The proposed means of access to the site is unacceptable, particularly in relation to its proximity to the traffic controlled intersection.</p>		
LPP 19 April 2022	5.2	DA/776/2014/C	125-129 Arthur Street, PARRAMATTA (Lots 5, 6 & 7 DP 27997)	That the consideration of this matter be deferred for a further report.	Mary-Lynne Taylor (Chairperson), Robert Hussey, Alison McCabe and Ian Gilbertson.	Nil

				<p>The panel is concerned that the proposed modification will impose complicated duties upon new home owners to deal with serious and likely flood impacts. The panel finds it unusual for a building that is fully residential and believes that the use of the flood inundated areas should not be residential. The manner of shelter provided is also of concern, the panel needs to know what type of shelter needs to be provided e.g. will there be toilets, lifts, access, running water and sufficient room. In light of recent flooding in Sydney Metropolitan area and particularly in Parramatta, the Panel believes that tighter controls and much earlier identification of the duties required of home owners should be given e.g. by a covenant on title that warns prior to purchase.</p> <p>The Panel believes that there should be a new suite of additional conditions addressing four matters;</p> <ul style="list-style-type: none"> a) The manner in which future purchasers are alerted to flooding risks of the building or site b) The requirements and duties of the residents and flood wardens associated with the detailed Site Emergency Response Flood Plan c) The need for expenditure for ongoing monitoring and maintenance of the flood management infrastructure; d) The appropriate size and furnishing of any shelter; and <p>These conditions should require notification on title.</p> <p>The Panel requires a supplementary report addressing these matters and may be prepared to deal with finalisation of the matter electronically.</p>		
COUNCIL 9 May 2022	13.2	F2022/0105	Planning Proposals for sites at WSU Parramatta North Campus and at 1-21 Hope Street, 27-43 Oak Street and 126 130 James Ruse Drive, Rosehill	(a) That Council note the applicant has withdrawn the Planning Proposal for the WSU Parramatta North Campus at 70 Pemberton Street, 260 and 260A Victoria	Councillors Bradley, Darley, Davis, Garrard, Green, Humphries, Maclean, Noack, Pandey, Procriv, Siviero, Valjak, Wang and Wearne	Nil

				<p>Road, 178-184 & 190-200 James Ruse Drive, and 15-19 Colet Parade, Parramatta and note that no further action is required.</p> <p>(b) That Council not proceed with the Planning Proposal at 1–21 Hope Street, 27–43 Oak Street and 126–130 James Ruse Drive, Rosehill for the following reasons:</p> <ul style="list-style-type: none"> i. The applicant has not met the Council’s preferred density and scale requirements. ii. Inconsistency with the Local Strategic Planning Statement and Local Housing Strategy as the site is not within an identified Growth Precinct and the proposed development is not required to meet Council’s adopted housing and employment targets. iii. The proposed density and heights would result in overdevelopment of the site, are inconsistent with the density and heights of nearby high-rise development and are overbearing of nearby lower scale development (particularly to the west and southwest). iv. The proposed urban design outcome lacks a suitable transition to nearby lower-scale development and a cohesive arrangement of buildings and spaces. v. Failure to address flood affectation issues. vi. Inadequate protection of the Historic View Corridor No. 12 (Elizabeth Farm). vii. Failure to demonstrate that the proposal can satisfactorily address traffic flow, parking and access impacts arising from the proposed development. 		
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				(c) Further, that the applicants be advised of Council's decision.		
LPP 11 May2022	5.1	F2021/03286	1-5 Saunders Street, NORTH PARRAMATTA (Lot 6 DP 523832, Lots A and B DP 161385) - Class 1 Land and Environment Court Appeal - City of Parramatta Council at Goldeen Dragon 888 Pty Ltd	The Local Planning Panel is satisfied to proceed with the advice of Council's Legal Services Unit and all matters associated with the grounds for refusal of the original application had been appropriately addressed in the amended documentation provided to Council and there were no outstanding issues remaining to be resolved.	Stephen O'Connor (Chairperson), Robert Hussey, Helen Deegan and Kirrily McDermott.	Nil
LPP 17 May 2022	5.1	DA/1004/2021	21A Caloola Rd, CONSTITUTION HILL (Lot 101 DP 1220278)	(a) That the Parramatta Local Planning Panel (PLPP) grant development consent to DA/1004/2021 for the construction of a telecommunications facility, incorporating a monopole and headframe, antennas, equipment shelter and ancillary equipment on land at 21A Caloola Road, Constitution Hill 2145 subject to the conditions of consent in the Council officer's report. (b) Further, that objectors be advised of the Panel's decision. REASONS FOR APPROVAL 1. A written request to vary the building height has been received. The variation sought is to facilitate the use of the site as a telecommunication infrastructure tower. As such, strict compliance with the standard is unnecessary in achieving the objectives of the SEPP (Transport & Infrastructure) 2021. Accordingly, Council believes that there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. Council is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be in the public interest	Julie Walsh (Chairperson), Steve Driscoll, Tony Reed and Kirrily McDermott.	Nil

				<p>because it is consistent with the objectives of the SEPP (Transport and Infrastructure) 2021, the objectives of the R2 low density residential zone and the height control standard under Clause 4.3 of the Parramatta Local Environmental Plan 2011.</p> <ol style="list-style-type: none"> 2. The development is permissible in the R2 Low Density Residential zone pursuant to the SEPP (Transport and Infrastructure) 2021 and satisfies the requirements of all of the applicable planning controls with the exception of the maximum height under the Parramatta Local Environmental Plan 2011. 3. The development will not create unacceptable adverse impacts onto the locality and will be sympathetic with the existing area. 4. The proposed telecommunications facility will seek to provide the greater community with essential telecommunication infrastructure. 5. For the reasons given above, approval of the application is in the public interest. 		
LPP 17 May 2022	5.2	DA/955/2021	10A Grand Avenue, ROSEHILL (Lot 101 DP 811924)	<p>(a) That the Parramatta Local Planning Panel grant development consent to DA/955/2021 for Construction of a concrete batching facility on the rear lot of an approved subdivision at 10A Grand Avenue, Rosehill for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the conditions of consent in the Council officer's report with an amendment to the following condition:</p> <ul style="list-style-type: none"> - Deletion of the following sentence from Condition 16: Energy Provider requirements for Substations: 	Julie Walsh (Chairperson), Steve Driscoll, Tony Reed and Kिरrily McDermott.	Nil

				<p><i>If a substation is required of the energy provider, it must be located internally within a building/s.</i></p> <p>(b) Further, that the Parramatta Local Planning Panel support a variation to Clause 4.3 – Building Height of the Parramatta Local Environmental Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. A written request to vary the building height has been received and is well drafted; and 2. The applicant has provided sufficient environmental planning grounds to warrant departure of the building height control in the circumstances of this case. <p>REASON FOR APPROVAL</p> <ol style="list-style-type: none"> 1. A written request to vary the building height has been received. The variation sought is minor and will not have any significant adverse impacts. As such, compliance with the standard is unnecessary. Accordingly, Council believes that there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. Council is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be in the public interest because it is consistent with the objectives of the building height control and the objectives for development within the IN3 zone in which the development is proposed to be carried out. 2. The development is permissible in the IN3 zone and satisfies the requirements of all of the applicable planning controls with one exception being non-compliance with Clause 		
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				<p>4.3 – Building Height of the Parramatta Local Environmental Plan 2011.</p> <p>3. The development will be compatible with the emerging and planned future character of the area.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p>		
LPP17 May 2022	5.3	DA/544/2021	<p>OUTSIDE PUBLIC MEETING: 47 - 49 Park Road, RYDALMERE (Lot 5-6 DP 38557)</p>	<p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, grant development consent to DA/42/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the attached conditions of consent and an amendment to the following conditions:</p> <ul style="list-style-type: none"> - Conditions 85 and 101: To refer to the Affordable Rental Housing SEPP 2009. - Condition 100(a) be amended to include “Affordable” before “Rental Housing” SEPP 2009. <p>(b) Further, that the Parramatta Local Planning Panel support a variation to Clause 4.3 – Building Height of the Parramatta Local Environmental Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. A written request to vary the building height has been received and is well drafted; and 2. The applicant has provided sufficient environmental planning grounds to warrant departure of the building height control in the circumstances of this case. <p>REASONS FOR APPROVAL</p>	<p>Julie Walsh (Chairperson), Steve Driscoll, Tony Reed and Kirrily McDermott.</p>	<p>Nil</p>

				<ol style="list-style-type: none"> 1. The development is permissible in the R4 zone and satisfies the requirements of all of the applicable planning controls with one exception being Clause 4.3 Height of Building under Parramatta LEP 2011. 2. A written request to vary the height of building has been received. Accordingly, Council believes that there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. Council is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be in the public interest because it is consistent with the objectives of the height of building control and the objectives for development within the R4 zone in which the development is proposed to be carried out. 3. The development will be compatible with the emerging and planned future character of the area. 4. The Panel noted that the report incorrectly stated that a submission was received. 5. For the reasons given above, approval of the application is in the public interest. 		
LPP 17 May 2022	5.4	DA/802/2021	197 Church Street PARRAMATTA (Lot 1 DP 710335 and Lot 1 DP 233150)	<p>DETERMINATION</p> <p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, refuse DA/802/2021 for the demolition of existing buildings down to ground floor slab, except for the facades of the former Murray Brothers building to Church and Macquarie Streets, at Lot 1 DP 710335 and Lot 1 DP</p>	Julie Walsh (Chairperson), Steve Driscoll, Tony Reed and Kirrily McDermott.	Nil

				<p>233150 being Nos. 197 and 207 Church Street and No. 89 Marsden Street, Parramatta.</p> <p>(b) Further, that the objector be advised of the Panel's decision.</p> <p>REASONS FOR REFUSAL</p> <p>1. The proposal does not meet the objectives of Section 1.3(c) of the Environmental Planning and Assessment Act 1979 as the proposal does not promote the orderly and economic use and development of the site.</p> <p>1. The proposal does not meet the objectives of Clause 1.2(2)(c) of the Parramatta Local Environment Plan 2011, as the proposal does not propose to conserve and promote Parramatta's cultural heritage as the framework for its identity, prosperity, liveability and social development.</p> <p>3. In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposal is considered to not be in the public interest, as the proposal intends the demolition of a local heritage item, which has a significant contribution to the streetscape, in circumstances where the timing and the final form of the replacement development is unknown.</p>		
LPP 17 May 2022	6.1	RZ/4/2021	Pre-Gateway: Planning Proposal for 263 273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford	<p>That the Local Planning Panel recommends to Council:</p> <p>(a) That Council approve the Planning Proposal for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE) for land at 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford which seeks to</p>	Julie Walsh (Chairperson), Steve Driscoll, Tony Reed and Kirrily McDermott.	Nil

				<p>amend the Parramatta (former The Hills) Local Environmental Plan 2012 as follows:</p> <ul style="list-style-type: none"> i. Addition of shops, food and drink premises, business premises and recreational facility (indoor) as additional permitted uses (limited to a maximum of 2,000sqm) to Schedule 1; and ii. Addition of 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford to the Additional Permitted Uses Map. <p>to facilitate retail floor space, metro style supermarket along with specialty retail, business, and recreational uses.</p> <ul style="list-style-type: none"> (b) That the Planning Proposal be forwarded to the DPE for a Gateway Determination. (c) That Council requests to DPE that it be authorised to exercise its plan-making delegations for this Planning Proposal. (d) That Council give delegation to the CEO in relation to the draft Planning Agreement: <ul style="list-style-type: none"> i. To draft the Planning Agreement based on the submitted offer provided at Attachment 4; ii. In the event that Gateway Determination is issued by Department of Planning, that the Planning Agreement is placed on public exhibition concurrently with the Planning Proposal. iii. To correct any minor anomalies of a non-policy and administrative nature. (e) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process. (f) Further that, the Panel advises: 		
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				<ol style="list-style-type: none"> 1. The Panel notes the Council Officer's recommendations (a) through to (e); 2. The Panel considers on balance the Planning Proposal has sufficient site specific and strategic merit to process to Gateway. 		
LPP 17 May 2022	6.2	RZ/1/2021	Pre-Gateway: Planning Proposal for 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington (Melrose Park North Precinct)	<p>The Local Planning Panel recommends to Council:</p> <p>(a) That Council endorse for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington, which seeks to amend Parramatta Local Environmental Plan 2011 (PLEP 2011) by:</p> <ol style="list-style-type: none"> i. Rezoning 19 Hope Street from IN1 General Industrial to part B4 Mixed Use and part RE1 Public Recreation. ii. Rezoning 69, 71, 73 and 75 Hughes Avenue from R2 Low Density Residential to B4 Mixed Use. iii. Rezoning 77 Hughes Avenue from R2 Low Density to part B4 Mixed Use and part RE1 Public Recreation. iv. Amending the maximum building height across the site from part 9m and part 12m to a range between 13m and 48m (approximately 4 – 14 storeys). v. Amending the Floor Space Ratio (FSR) from part 1:1 and part 0.5:1 to 1.85:1. vi. Inserting a site-specific provision in Part 6 Additional local provisions – generally of PLEP 2011 and amending the Additional Local Provisions map to include the land to ensure a minimum of 1,400m² of non-residential floor space is to be provided within the site to serve the 	Julie Walsh (Chairperson), Steve Driscoll, Tony Reed and Korrily McDermott.	Nil

				<p>local retail and commercial needs of the incoming population.</p> <p>vii. Amending the Land Reservation Acquisition map to reflect the areas of open space to be dedicated to Council.</p> <p>(b) That the Planning Proposal be forwarded to the Department of Planning and Environment (DPE) for Gateway Determination.</p> <p>(c) That the draft site-specific Development Control Plan (DCP) for Melrose Park North be amended to include the subject site and any necessary amendments to the DCP provisions relating to this site be reported to Council for consideration for exhibition with the Planning Proposal should Gateway determination be issued.</p> <p>(d) That Council delegate authority to the CEO to commence negotiations to enter into a Planning Agreement with the proponent.</p> <p>(e) That Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.</p> <p>(f) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.</p> <p>(g) Further that, the Panel advises:</p> <ol style="list-style-type: none"> 1. The Panel notes the Council Officer's recommendations (a) through to (f); 2. The Panel considers on balance the Planning Proposal has sufficient site specific and strategic merit to process to Gateway. 		
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COUNCIL 23 May 22	13.4	F2022/00105	Post-exhibition report for Planning Proposal and draft Planning Agreement for 22 Noller Parade, Parramatta	<p>a) That Council receives, and notes submissions made during the public exhibition of the Planning Proposal and draft Planning Agreement for 22 Noller Parade, Parramatta (at Attachment 1).</p> <p>(b) That Council approve the Planning Proposal (at Attachment 2) for land at 22 Noller Parade, Parramatta for finalisation that seeks the following amendments to the <i>Parramatta Local Environmental Plan 2011</i> (PLEP 2011):</p> <ul style="list-style-type: none"> i. Amend the Land Zoning Map from R2 Low Density Residential to R4 High Density Residential. ii. Amend the maximum building height on the Height of Buildings Map from RL 14 metres (4 storeys) to RL 17 metres (5 storeys). iii. Amend the maximum Floor Space Ratio (FSR) on the FSR Map from zero (nil) to 1.5:1. <p>(c) That Council approve the draft Planning Agreement (at Attachment 3) for finalisation, that proposes a monetary contribution to undertake public domain works associated with, and new connections to, the Alfred Street Bridge.</p> <p>(d) That the Planning Agreement be executed and registered on title before the Planning Proposal is sent to the Department of Planning and Environment for finalisation.</p> <p>(e) That Council authorise the Chief Executive Officer to exercise the plan making delegations as granted by the Gateway determination for this Planning Proposal.</p> <p>(f) Further, that Council delegates authority to the Chief Executive Officer to make any minor amendments and corrections of a</p>	Councillors Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne	Councillors Bradley, Darley, Davis, Esber, Maclean and Procriv
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				non-policy and administrative nature that may arise during the finalisation process relating to the Planning Proposal and Planning Agreement.		
COUNCIL 14 June 2022	13.9	F2022/00105	Amendments to the Parramatta City Centre Local Infrastructure Contributions Plan	<p>(a) That Council approve the revised Parramatta City Centre Local Infrastructure Contributions Plan 2022, as provided at Attachment 1.</p> <p>(b) That the revised Contributions Plan be submitted to the Department of Planning and Environment for final assessment, consistent with the request of the Minister for Planning in his letter dated 6 May 2022 (refer to copy at Attachment 2).</p> <p>(c) That Council note the revised Contributions Plan will not be publicly exhibited as the changes are of a minor and technical nature; and that there is no adverse impact to landowners as a consequence of maintaining the existing percentage rates in the areas where the Parramatta CBD Planning Proposal did not progress.</p> <p>(d) Further, that Council note the revised Contributions Plan will be subject to approval by the Minister for Planning and, if approval is obtained, is anticipated to commence on 14 October 2022, concurrent with the commencement of Amendment 56 to Parramatta Local Environmental Plan 2011.</p>	Councillors Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Councillor Bradley
COUNCIL 14 June 2022	13.10	F2022/00105	Gateway Request: Planning Proposal and Voluntary Planning Agreement for 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford	(a) That Council approve the Planning Proposal (at Attachment 1) for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE) for land at 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Nil

				<p>which seeks to amend the Parramatta (former The Hills) Local Environmental Plan 2012 as follows:</p> <ul style="list-style-type: none"> i. Addition of shops, food and drink premises, business premises and recreational facility (indoor) as additional permitted uses (limited to a maximum of 2,000sqm) to Schedule 1; and ii. Addition of 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford to the Additional Permitted Uses Map. <p>to facilitate retail floor space, metro style supermarket along with specialty retail, business, and recreational uses.</p> <p>(b) That Council request to DPE that it be authorised to exercise its plan-making delegations for this Planning Proposal.</p> <p>(c) That Council give delegation to the CEO in relation to the draft Planning Agreement:</p> <ul style="list-style-type: none"> i. To draft the Planning Agreement based on the submitted offer provided at Attachment 3; and ii. In the event that Gateway Determination is issued by the DPE, that the Planning Agreement is placed on public exhibition concurrently with the Planning Proposal. <p>(d) Further that, Council authorise the CEO to correct any minor anomalies of a non-policy</p>		
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				and administrative nature that may arise during the preparation and processing of the Planning Proposal and draft Planning Agreement.		
COUNCIL 14 June 2022	13.11	F2022/00105	Gateway Request: Planning Proposal for 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington (Melrose Park North Precinct)	(a) That Council approve for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal at Attachment 2 for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington, which seeks to amend Parramatta Local Environmental Plan 2011 (PLEP 2011) by: <ul style="list-style-type: none"> i. Rezoning 19 Hope Street from IN1 General Industrial to part B4 Mixed Use and part RE1 Public Recreation. ii. Rezoning 69, 71, 73 and 75 Hughes Avenue from R2 Low Density Residential to B4 Mixed Use. iii. Rezoning 77 Hughes Avenue from R2 Low Density Residential to part B4 Mixed Use and part RE1 Public Recreation. iv. Amending the maximum building height across the site from part 9m and part 12m to a range between 13m and 48m (approximately 4 – 14 storeys). v. Amending the Floor Space Ratio (FSR) from part 1:1 and part 0.5:1 to 1.85:1. vi. Inserting a site-specific provision in Part 6 Additional local provisions – generally of PLEP 2011 and amending the Additional Local Provisions map to include the land to ensure a minimum of 1,400m² of non-residential floor space is to be provided within the site to serve the local retail and commercial needs of the incoming population. vii. Amending the Land Reservation Acquisition map to reflect the areas of open space to be dedicated to Council. 	Councillors Esber, Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne	Councillors Davis, Bradley, Darley, Maclean and Procriv

				<p>(b) That the draft site-specific Development Control Plan (DCP) for Melrose Park North be amended to include the subject site and any necessary amendments to the DCP provisions relating to this site be reported to Council for consideration for exhibition with the Planning Proposal should Gateway determination be issued.</p> <p>(c) That Council delegate authority to the CEO to commence negotiations to enter into a Planning Agreement with the proponent.</p> <p>(d) That Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.</p> <p>(e) Further that, Council delegate authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.</p>		
LPP 21 June 2022	5.1	DA/860/2021	44-46 Wattle Street, RYDALMERE (Lot 8 and 9 Section 5 DP 977669)	<p>DETERMINATION</p> <p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act, 1979, grant deferred commencement development consent to DA/860/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent contained in Attachment 1.</p> <p>(b) Further, that submitters be advised of the decision.</p> <p>REASONS FOR APPROVAL</p>	Stephen O'Connor (Chairperson), Michael Evesson, Lindsay Fletcher and Maree Turner.	Nil

				<ol style="list-style-type: none"> 1. The development is permissible in the R4 zone and satisfies the requirements of all of the applicable planning controls; 2. The development will be compatible with the emerging and planned future character of the area; and 3. Approval of the application is in the public interest. 		
LPP 21 June 2022	5.2	DA/65/2022	48 Norfolk Road, EPPING NSW, (Lot 1 in DP 862266)	<ol style="list-style-type: none"> (a) That the Parramatta Local Planning Panel, exercising the functions of Council pursuant to Section 4.16(4) of the Environmental Planning and Assessment Act, 1979, grant consent to DA/65/2022 for a period of five (5) years in which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent contained in Attachment 1. (b) Further, that submitters be advised of the decision. <p>REASON FOR APPROVAL</p> <p>The development application has been recommended for approval for the following reasons:</p> <ol style="list-style-type: none"> 1. The development is permissible in the R2 zone and satisfies the requirements of all of the applicable planning controls, 2. The development will not create adverse impacts onto the locality and will be compatible with the existing area, 3. The proposed development ensures the conservation of the existing dwelling while maintaining its contribution to the East Epping Heritage Conservation Area, 	Stephen O'Connor (Chairperson), Michael Evesson, Lindsay Fletcher and Maree Turner.	Nil

				<p>4. The development will be compatible with the emerging and planned future character of the area, and</p> <p>5. For the reasons given above, approval of the application is in the public interest.</p>		
LPP 21 June 2022	5.3	DA/1057/2021	43-47 Murray Farm Road, No. 13 and No. 19 Watton Road, CARLINGFORD NSW 2118 (Lot 1 DP 210512, Lot 16 DP 238510, Lot 6 DP 259726)	<p>(a) That the Parramatta Local Planning Panel, exercising the function of the consent authority, pursuant to Section 16(4) of the Environmental Planning and Assessment Act, 1979, refuse development consent to DA/1057/2021 for the for the demolition of existing structures, tree removal and construction of a part two (2) and part three (3) storey residential care facility comprising of 110 beds on land at 43-47 Murray farm Road, No.13 and No 19 Watton Road, Carlingford, for the following reasons listed below.</p> <p>(b) That the objectors be advised of the Panel's decision.</p> <p>(c) Further, that Council staff are encouraged to work with the applicant to achieve an outcome for this site which accommodates the type of development proposed in the development application.</p> <p>REASONS FOR REFUSAL</p> <p>1. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</p> <p>a) Clause 26: The proposal does not adequately address that the residents of the proposed development will have access to local retail, commercial, and medical facilities.</p>	Stephen O'Connor (Chairperson), Michael Evesson and Maree Turner.	Lindsay Fletcher

				<ul style="list-style-type: none"> b) Clause 29: The proposed development is not compatible with surrounding land uses. c) Clause 30: The submitted site analysis was not prepared in accordance with Clause 30 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. d) Clause 33: The proposed development does not maintain a reasonable neighbourhood amenity and appropriate residential character by failing to adopt a building height that is compatible in scale with adjacent developments. e) Clause 35: The proposed development fails to provide adequate solar access to the living areas and private open space for the future residents of the Residential Care Facility. f) Clause 36: It has not been demonstrated that the disturbance and impacts on adjoining properties will be minimised. g) Clause 38: Safe pedestrian links from the site that provide access to public transport services or local facilities are not provided. h) Clause 40(4)(b): The proposal breaches the number of storeys control stipulated under this Clause. 		
			2.	<ul style="list-style-type: none"> a) Parramatta (former The Hills) LEP 2012 Clause 1.2(a) and (d) 'Aims of Plan': The subject application fails to 		

				<p>provide an orderly and sustainable built environment that is compatible within the local context of the area.</p> <p>b) Clause 2.3: the proposal fails to comply with the objectives of a low density residential zone objectives in that it does not satisfactorily maintain the existing low density residential character of the area.</p> <p>c) Clause 7.2: The proposal fails to ensure that earthworks will not have a detrimental impact on the subject site, and its likely future use being a Seniors Living facility.</p> <p>3. The Hills Development Plan 2011</p> <p>a) Part 2.5 (Streetscape and Character): The proposal fails to comply with the Objectives of Part 2.5 (Streetscape and Character).</p> <p>b) Part 2.12 (Stormwater): It has not been demonstrated that the disturbance and impacts on adjoining properties will be minimised.</p> <p>4. The Public Interest</p> <p>a) The development would result in an adverse environmental and amenity impact on the surrounding built environment and not be consistent with the existing streetscape.</p> <p>b) The development is considered an overdevelopment of the site as the operation of the facility results in undesirable amenity impacts for future residents and adjoining properties, and unacceptable pedestrian safety impacts within the locality.</p>		
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				<p>c) The adverse impacts by the development due to non-compliances with the applicable planning controls are not beneficial for the local community and as such, are not in the wider public interest.</p>		
<p>LPP 21 June 2022</p>	5.4	DA/422/2021	2 O'Reilly Street, PARRAMATTA (Lot 1 Sec 30 DP 758829)	<p>(a) That, the Parramatta Local Planning Panel support the variation to Clause 4.3 of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons:</p> <ol style="list-style-type: none"> 1. A written request to vary the building height has been received and is well drafted; and 2. The variation sought is minor and will not have any adverse impacts. As such, compliance with the standard is unnecessary. Accordingly, Council believes that there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. Council is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6 (3) of Parramatta LEP 2011 and that the proposed development will be in the public interest because it is not inconsistent with the objectives of the building height control and the objectives for development within the R4 zone in which the development is proposed to be carried out. <p>(b) That, the Parramatta Local Planning Panel, pursuant to Section 4.16(4) of the Environmental Planning and Assessment Act 1979, grant development consent to DA/422/2021 for a period of five (5) years</p>	<p>Stephen O'Connor (Chairperson), Michael Evesson, Lindsay Fletcher and Maree Turner.</p>	<p>Nil</p>

				<p>within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent, contained in Attachment 1 except for the deletion of Condition No 103 and No 115.</p> <p>(c) Further, that objectors be advised of the Panel's decision.</p> <p>REASON FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The written request to vary the building height development standard was considered well justified. 2. The development is permissible in the R4 zone and satisfies the requirements of all of the applicable planning controls. 3. The development will be compatible with the emerging and planned future character of the area. 4. For the reasons given above, approval of the application is in the public interest. 		
LPP 21 June 2022	5.5	DA/870/2021	11Z Haines Avenue, CARLINGFORD (Lot 32 DP 250279)	<p>That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, grant consent to DA/870/2021 for Alterations to an existing Scout Hall with associated works for drainage and car parking on land at 11Z Haines Avenue, CARLINGFORD (Lot 32 DP 250279).</p> <p>THE REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible in the RE1 Public Recreation zone pursuant to the 	Stephen O'Connor (Chairperson), Michael Evesson, Lindsay Fletcher and Maree Turner.	Nil

				<p>Parramatta (former The Hills) Local Environmental Plan 2012 and satisfies the requirements of all the applicable planning controls.</p> <ol style="list-style-type: none"> 2. The development will not create adverse impacts onto the locality and will be sympathetic with the existing area. 3. The proposed development is considered satisfactory in respect to bushfire protection with measures imposed to ensure the safety of the site and surrounds. 4. The proposed development will seek to provide the greater community with well-maintained public amenities. 5. For the reasons given above, approval of the application is in the public interest. 		
LPP 21 June 2022	5.6	DA/80/2021	574-584 Church Street, 1-7 Ferris Street and 6-12 Barney Street, NORTH PARRAMATTA (Lot 100 DP 1008491, Lot 1 DP 800654, Lot 181 DP 997700, Lot 1 DP 128020, Lot 1 DP 981422, Lot 1 DP 128037, Lot F DP 363707, Lot B DP 330106 and Lot 11 DP 583409)	<p>(a) That, the Parramatta Local Planning Panel support the variation to Clause 4.3 of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons:</p> <ol style="list-style-type: none"> 1. A written request to vary the building height has been received and is well drafted; and 2. The variation sought is not significant and will not have any adverse impacts. As such, compliance with the standard is unnecessary. Accordingly, Council believes that there are sufficient environmental planning grounds to justify the variation request has adequately addressed that matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be the public interest. The proposal is not inconsistent with the objectives for the 	Stephen O'Connor (Chairperson), Michael Evesson, Lindsay Fletcher and Maree Turner.	Nil

				<p>development within the B6 zone in which the development is proposed to be carried out. The applicant has provided sufficient environmental planning ground to warrant departure of the building height control in the circumstances of this case.</p> <p>(b) Further, that the Parramatta Local Planning Panel, exercising the functions of Council pursuant to Section 4.16(4) of the Environmental Planning and Assessment Act, 1979, grant deferred commencement consent to DA/80/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent contained in Attachment 1, noting the following changes to the following conditions:</p> <ul style="list-style-type: none"> • Deletion of the Deferred Commencement conditions • Replace Condition No 5 with the following "Trees to be retained are: Tree No. Name Common Name Location Tree Protection Zone (m)* 7-12 Lagerstroemia indica Crepe Myrtle Barney Street verge 2m Reason: To protect significant trees which contribute to the landscape character of the area. *Refer to Arboricultural Impact Assessment Report by Arboreport for individual TPZ dimensions." • Condition No 10 becomes Condition No 10(a) • Creation of an additional condition, being, Condition 10(b), as follows: 	
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				<p>10(b) Submission to Council of suitable documentary evidence issued by NSW Land Registry Services, prior to the release of any construction certificate, confirming the creation of an appropriately wide easement over the proposed 900mm stormwater pipe in favour of Council to drain water burdening the subject lot known as 574-584 Church Street, 1-7 Ferris Street and 6-12 Barney Street, North Parramatta (Lot 100 DP 1008491, Lot 1 DP 800654, Lot 181 DP 997700, Lot 1 DP 128020, Lot 1 DP 981422, Lot 1 DP 128037, Lot F DP 363707, Lot B DP 330106 and Lot 11 DP 583409).</p> <p>a. The easement must be appropriately wide to accommodate:</p> <ol style="list-style-type: none"> i. The relocated and upsized Council stormwater pipe; and ii. Overland flow in a 1% AEP storm event. <p>b. Calculations shall be submitted demonstrating that the easement is appropriately sized to accommodate the overland flow referenced in Condition 1.a.ii.</p> <ul style="list-style-type: none"> • Replace Condition No 15 with the following "A 'shelter in place' refuge facility shall be provided on the first floor at or above the PMF level and must be maintained in perpetuity. This flood refuge facility shall be accessible by stairs from all levels, must be of sufficient size to accommodate occupants and visitors to the building and must be equipped with appropriate provisions, facilities and services for people to remain in safety and reasonable comfort there for the duration of severe floods and for some time afterwards. Such 		
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				<p>facilities must include permanent fresh drinking water supply, bathrooms and toilets, flashlights, radio, food and essential provisions and furnishings. The design and equipping of this facility shall be planned in accordance with Council, the SES and NSW Health Guidelines. Details of this facility, its equipment and provisions shall be submitted as part of the Flood Emergency Response Plan for approval by Council's Group Manager DTSU prior to release of any Construction Certificate. The 'shelter in place' refuge facility can be a dual-purpose space and not a designated empty room. Reason: Flood safety"</p> <ul style="list-style-type: none"> • Replace Condition No 44 with the following "The final Landscape Plan must be consistent with plans numbered L-01 to L-03, rev B dated 26.10.2020, prepared by Ecodesign together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements: (a) Ensure landscape plans are coordinated with latest Stormwater Management Plans and Architectural lower ground and ground floor plans. (b) <i>Tristaniopsis laurina</i> 'Luscious' (TII) on southern side to be relocated away from substation and repositioned at the north-eastern end of carparking bay adjacent to driveway entrance / exit. Planting below to be adjusted accordingly. Page 5 of 7 (c) <i>Tristaniopsis laurina</i> 'Luscious' tree rootball size to increase to 100L. Tree planting detail to be updated 		
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				<p>accordingly. (d) Update the proposed plant schedule to include the above changes, including the street tree sizes as per condition LA003. € The location of all proposed overhead and underground service lines shall be clear of the dripline of existing trees and the dripline of proposed trees shall be clear of all existing overhead and underground service lines. Reason: To ensure restoration of environmental amenity.”</p> <ul style="list-style-type: none"> • Delete Condition No 45. • Replace Condition No 60 with the following “If the basement cannot be drained by gravity a basement pump-out system shall be designed and installed as flows to the satisfaction of the PCA: (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure. (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of: (i) The permissible site discharge (PSD) rate; or Page 6 of 7 (ii) The rate of inflow for the one hour, 5 year ARI storm event. (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure. (d) A 100 mm freeboard to all parking spaces. (e) Submission of full hydraulic details and pump manufacturers specifications. (f) Pump out system to be connected to a stilling pit and 		
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				<p>gravity line before discharge to the street gutter. Plans and design calculations along with certification from the designer indicating that the design complies with the above requirements are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate. Reason: To ensure satisfactory storm water disposal.”</p> <ul style="list-style-type: none"> • Delete Condition No 74 and replace with the following “The required Tree Protection Zones (TPZ) are to be established and in place prior to any works commencing according to the schedule below. The area is to be enclosed with protective fencing consisting of 1.8m high fully supported chainmesh. The area enclosed is to be a designated “No-Go Zone” and is to be kept weed free for the entire duration of works. “Tree Protection Zone’ signage is to be attached to protective fencing; this must include the name and contact details of the Project Arborist. Tree No. Species Common Name Location Location of fence Page 7 of 7 7, 8 9 10 Lagerstroe mia indica Crepe Myrtle Barney Street 2m eitherside of trunks, along edge of footpath and back of kerb. Reason: To protect the trees to be retained on the site during construction works.” • Delete Condition No 97 and replace with the following “Trees to be removed are: Tree No. Species Common Name Location 1 Corymbia maculata Spotted Gum Church Street verge 2 Angophora floribunda Rough- 		
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				<p>barked Apple Western boundary (Church St side) 3 Corymbia maculata Spotted Gum Church Street verge 4 Corymbia maculata Spotted Gum Church Street verge 5 Angophora floribunda Rough-barked Apple Western boundary (Church St side) 6 Lagerstroemia indica Crepe Myrtle Barney Street verge 11 Lagerstroemia indica Crepe Myrtle Barney Street verge Reason: To facilitate development.”</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The request to vary the building height development standard is considered well justified. 2. The development is permissible in the B6 zone and satisfies the requirements of all of the applicable planning controls, 3. The development will be compatible with the emerging and planned future character of the area, and 4. For the reasons given above, approval of the application is in the public interest. 		
LPP 21 June 2022	6.1	F2013/01409	Refusal of the Planning Proposal for land at 168-176 Parramatta Road and 89-90 Cowper Street, Granville	<p>That the Parramatta Local Planning Panel consider the following Council Officer recommendation in its advice to Council:</p> <p>(a) That Council refuse the Parramatta Planning Proposal at 168-176 Parramatta Road and 89-90 Cowper Street, Granville for the following reasons:</p> <ol style="list-style-type: none"> i. The Planning Proposal is inconsistent with the height of development envisaged by the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), 	Stephen O'Connor (Chairperson), Michael Evesson and Maree Turner.	Nil

				<p>which sets the strategic planning framework for the precinct.</p> <p>ii. The Planning Proposal is premature given that an implementation plan is required to be prepared and adopted by Council, now that the precinct-wide traffic study is complete, to ensure road network upgrades and other infrastructure requirements are agreed, funding sources secured and able to be delivered consistent with the PRCUTS.</p> <p>(b) Further, that the applicant be advised of Council's decision.</p>		
COUNCIL 11 July 2022	13.7	F2022/00105	Response to the finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and Environment	<p>(a) That the matter be deferred for an urgent Councillor briefing with senior Department of Planning and Council Officers.</p> <p>(b) That the letter from Mr Raimond to Mr Newman dated 3 May 2022 be made publicly available and included with the report.</p> <p>(c) Further, that the matter be brought back to the next Council meeting.</p>	Councillors Bradley, Darley, Davis, Humphries, Maclean, Noack, Pandey and Procriv	Councillors Garrard, Siviero, Valjak, Wang and Wearne
LPP 19 Jul 2022	5.1	DA/1113/2021	49A-51 Norfolk Road, EPPING (Lot 2 DP 215388, Lot 14 DP 1104495)	<p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council pursuant to Section 4.16 of the <i>Environmental Planning and Assessment Act 1979</i>, grants development consent to DA/1113/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1.</p>	Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean	Nil

				<p>(b) Further, that the submitters be advised of the Panel's decision.</p> <p>REASONS FOR APPROVAL:</p> <ol style="list-style-type: none"> 1. The development is permissible in the R2 Low Density Residential zone and generally satisfies the requirements of the applicable planning provisions. 2. The development will be consistent with the emerging and planned future character of the Epping locality and would not adversely impact on the heritage character of the East Epping Heritage Conservation Area. 3. The development will not significantly impact the traffic conditions of the local traffic network. 4. The issues raised in the submissions which have been considered and on balance and do not warrant refusal of the application. 5. For the reasons given above, approval of the application is in the public interest. 		
LPP 1 Jul 2022	5.2	DA/460/2021	28 Glebe Street, PARRAMATTA (Lot 16 DP 554691)	(a) That the Parramatta Local Planning Panel, exercising the function of the consent authority, pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, grants development consent to DA/460/2021 for the demolition of existing structures, tree removal and construction of a four (4) storey residential care facility (Seniors Housing) on land at 28 Glebe Street, Parramatta, subject to conditions of consent, as set out in the attachment to the email from Claire Stephens, Development Assessment Manager, dated 19 July 2022, except for the deletion of Condition number five (5) and that the permanent free standing sign is not approved as part of this consent.	Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean	Nil

				<p>(b) Further, that the submitters be advised of the decision.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible in the R4 zone pursuant to the Parramatta Local Environmental 2011 and State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and satisfies the requirements of all applicable planning standards controls. 2. The development will be compatible with the emerging and planned future character of the area. 3. The development will provide housing and employment that accommodates the needs of the existing and future residents, workers and visitors of Parramatta. 4. For the reasons given above, approval of the application is in the public interest. 		
LPP 19 July 2022	5.3	DA/619/2021	331-333 Kissing Point Road, DUNDAS (Lot 1, DP 128435)	(a) That, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, the Parramatta Local Planning Panel grant deferred commencement development consent to DA/619/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1, except for Condition number 25 which is to be amended to be consistent with the wording of this condition in the memo from Darren Wan, Team Leader, Development Engineers, circulated to the Panel on 19 July 2022.	Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean	Nil

				<p>(b) Further, that the submitters be advised of the Panel's decision.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible in the R2 zone. 2. The proposal complies with the applicable planning controls, including the Building Height, Floor Space Ratio, building setbacks, and Childcare Planning Guidelines and Regulations. 3. The design of the development was considered satisfactory by a Design Excellence Advisory Panel. 4. A merit assessment of the proposal was undertaken, and Council Officers are satisfied that the development will not create unreasonable adverse impacts on the locality. 5. The development will be compatible with the emerging and planned future character of the area. 6. For the reasons given above, approval of the application is in the public interest. 		
LPP 19 July 2022	5.4	DA/1123/2021	21 Bellevue Street, NORTH PARRAMATTA (Lot 16 DP 5211)	<p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 grant deferred commencement development consent to DA/30/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1, except of the deletion of Condition 45 and 47.</p>	Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean	Nil

				<p>(b) Further, that the submitters be advised of the Panel's decision.</p> <p>REASONS FOR DEFERRED COMMENCEMENT</p> <ol style="list-style-type: none"> 1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant Environmental Planning Instruments. 2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development. 3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds. 4. To ensure the relevant matters for consideration under Section 4.15 of Environmental Planning and Assessment Act 1979 are maintained. 		
LPP 19 July 2022	5.5	DA/100/2021	5 Buller Street, NORTH PARRAMATTA (Lot 1 DP 178742)	<p>That consideration of this matter be deferred and that it be determined electronically.</p> <p>The Panel requires additional information listed below;</p> <ol style="list-style-type: none"> a) Legal advice obtained by Council in relation to this development application; b) Documentation from Think Planners regarding; <ol style="list-style-type: none"> i) Deep soil; ii) Onsite manager; iii) Details of errors in the Council report. 	Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean	Nil

				Item b) i) to iii) are to be provided by Think Planners by 26 July 2022.		
LPP 19 July 2022	5.6	DA/1036/2021	71-73 Thomas Street, PARRAMATTA (Lots 14 and 15, DP 9551)	<p>(a) That the Parramatta Local Planning Panel not support the variation to Clause 4.3 Height of Buildings, pursuant to Clause 4.6 of the Parramatta Local Environmental Plan 2011; and</p> <p>(b) That the Parramatta Local Planning Panel not support the variation to Clause 4.4 Floor Space Ratio, pursuant to Clause 4.6 of the Parramatta Local Environmental Plan 2011; and</p> <p>(c) That the Parramatta Local Planning Panel, exercising the function of the consent authority, refuse development consent to DA/1036/2021 for the demolition of existing dwellings and construction of new boarding house development with basement parking and associated landscaping at 71 Thomas Street, Parramatta.</p> <p>(d) Further, that the objectors be advised of the Panel's decision.</p> <p>REASONS FOR REFUSAL:</p> <p>1. State Environmental Planning Policy (Affordable Rental Housing) 2009</p> <p>a) Pursuant to Clause 29(1)(c), the application exceeds the permissible FSR for the site afforded by State Environmental Planning Policy (Affordable Rental Housing) 2009.</p> <p>b) Pursuant to Clause 30A, the proposed development is incompatible with both the existing and anticipated character of the area.</p> <p>Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979</p>	Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean	Nil

			<p>2. Parramatta Local Environmental Plan 2011</p> <p>a) The proposed development exceeds the prescribed maximum height of building of 11 metre as prescribed in Clause 4.3 and does not meet Objectives (a), (b) & (e).</p> <p>b) The proposed development exceeds the prescribed maximum floor space ratio as prescribed in Clause 4.4 and does not meet Objectives (a), (b) & (d).</p> <p>Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979</p> <p>3. Parramatta Development Control Plan 2011</p> <p>a) The proposed development does not achieve a compliant parking and driveway layout (including waiting bay, aisle width, driveway gradient, parking spaces at blind aisles and shared areas). Furthermore, the proposal seeks an unacceptable location of the pedestrian walkway within the basements access ramp as required by Section 3.6.2.</p> <p>b) The proposed development does not achieve a suitable building envelope as outlined within Section 3.1.3 in Table 3.1.3.7 as P.10 of Section 5.1.4 Planning Controls for Boarding Houses.</p> <p>c) The proposed development does not achieve satisfactory stormwater drainage arrangements pursuant to Section 3.3.6.1.</p> <p>Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979</p>		
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				<p>4. Suitability of the Site</p> <p>a) The proposed development exhibits an excessive built form as demonstrated in the non-compliant building height and floor space ratio applicable to the site that would undermine the anticipated building transition for the Thomas Street locality which is unsuitable for the site. Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979</p> <p>5. Submissions</p> <p>a) The issues raised in the submissions demonstrate that the proposed development cannot be supported in its current form. Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979</p> <p>6. Public Interest</p> <p>a) The proposed development does not achieve the required provisions for persons with a disability pursuant to AS1428.1-2009, AS1428.2-1992, AS1428.4.1-2009, AS/NZS 2890.6 2009 Part 6.</p> <p>b) The proposed development is not site responsiveness and would result in an inappropriate boarding house development that is not in the public interest.</p> <p>The Panel decision is UNANIMOUS.</p>		
LPP 21 July 2022	5.1	DA/127/2022	30 Stanley Road, EPPING (Lot 1 DP 25650, Lot 2 DP 25650)	(a) That the Parramatta Local Planning Panel, exercising the functions of Council pursuant to Section 4.17 of the Environmental	Julie Walsh (Chairperson), Robert Hussey, Helen Deegan and Peter Haliburn.	Nil

				<p>Planning and Assessment Act 1979, refuse consent to DA/127/2022.</p> <p>(b) Further, that the objectors be advised of the decision.</p> <p>REASONS FOR REFUSAL</p> <ol style="list-style-type: none"> 1. The proposal exceeds the 8.5m height limit (9.5m sought) in clause 4.3 of Hornsby Local Environmental Plan 2013. The Clause 4.6 written justification lodged on behalf of the applicant is not supported. 2. Given the size of the block, it is considered that the desired floor space can be rearranged to ensure the height of building can comply. This can be achieved through the utilisation of design principles so as to satisfy the maximum building height development standard. 3. The subject Development Application does not promote good design and amenity of the built environment and is therefore inconsistent with Clause 1.3(g) of the Environmental Planning and Assessment Act 1979. 4. The Proposal does not comply with the following provisions of the Hornsby Development Control Plan 2013: <ul style="list-style-type: none"> 3.1.1 a) maximum number of storeys; b) buildings should respond to the topography of the site and the floor level of the lowest residential storey should be sited a maximum of 1.5 metres above natural ground level. 		
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LPP 21 July 2022	5.2	DA/876/2016/C	4 Moses Way, WINSTON HILLS (Lot 4 DP 270717)	<p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of the consent authority, refuse the proposed modification to DA/876/2016/C, variations to clause 4.3 <i>Height of Building</i> and Clause 4.4 <i>Floor Space Ratio</i> to the Parramatta LEP 2011, and numerous noncompliance under the SEPP (BASIX) 2009, Parramatta LEP 2011 and Parramatta DCP 2011.</p> <p>(b) Further, that the submitters be advised of the decision.</p> <p>REASONS FOR REFUSAL</p> <ol style="list-style-type: none"> 1. In accordance with Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal does not satisfy the requirements of the State Environmental Planning Policy (BASIX) 2004 since an amended BASIX certificate was not submitted 2. In accordance with Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal does not comply with Clause 4.3 <i>Height of Building</i> of the Parramatta Local Environmental Plan 2011; 3. Insufficient information was submitted for Council to undertake a full and proper assessment with respect to <i>Clause 4.4 Floor Space Ratio</i> of the Parramatta Local Environmental Plan 2011 in accordance with Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>. 4. In accordance with Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal does not comply with Clause 6.2 <i>Earthworks</i> of the Parramatta Local Environmental Plan 2011; 	Julie Walsh (Chairperson), Robert Hussey, Helen Deegan and Peter Haliburn.	Nil
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				<p>5. In accordance with Section 4.15(1)(a)(iii) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal does not comply with Part 3.1.3 <i>Preliminary Building Envelope</i> of the Parramatta Development Control Plan 2011 regarding non-compliances with <i>side setbacks</i> and <i>landscaped area</i>;</p> <p>6. In accordance with Section 4.15(1)(a)(iii) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal does not comply with Part 3.2.1 <i>Building Form and Massing</i> of the Parramatta Development Control Plan 2011;</p> <p>7. In accordance with Section 4.15(1)(a)(iii) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal does not comply with Part 3.3.3 <i>Visual and Acoustic Privacy</i> of the Parramatta Development Control Plan 2011;</p> <p>8. Insufficient information was submitted for Council to undertake a full and proper assessment with respect to Part 3.3.5 <i>Solar access</i> of the Parramatta Development Control Plan 2011 in accordance with Section 4.15(1)(a)(iii) of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>9. In accordance with Section 4.15(1)(a)(iii) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal does not comply with Part 3.3.6 <i>Water Sensitive Urban Design</i> of the Parramatta Development Control Plan 2011;</p> <p>10. In accordance with Section 4.15(1)(c) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal is not suitable for the site.</p> <p>11. In accordance with Section 4.15(1)(e) of the <i>Environmental Planning and Assessment Act</i></p>		
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				1979, the proposal is not in the public interest.		
LPP 21 July 2022	5.3	DA/957/2021	Lot 80 DP 1271742 Church St (known as 7 Parramatta Square or Parramatta Town Hall)	<p>That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to section 4.17 of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/957/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent.</p> <p>REASONS FOR APPROVAL</p> <p>It should be approved for the following reasons:</p> <ol style="list-style-type: none"> 1. The development is permissible in the B4 Mixed Use Zone and generally satisfies the requirements of the applicable planning provisions. 2. The design of the proposal is sympathetic to the sensitivities of the site, both its heritage significance, and its important civic significance and relationship with Parramatta Square. 3. The development will be compatible with the emerging and planned future character of the area. 4. For the reasons given above, approval of the application is in the public interest. 	Julie Walsh (Chairperson), Robert Hussey, Helen Deegan and Peter Haliburn.	Nil
LPP 21 July 2022	5.4	DA/405/2022	Lot 80 DP 1271742 Church St (also known as 7 Parramatta Square or Parramatta Town Hall)	That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, grant development consent to DA/405/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent.	Julie Walsh (Chairperson), Robert Hussey, Helen Deegan and Peter Haliburn.	Nil

				<p>REASONS FOR APPROVAL</p> <p>It should be approved for the following reasons:</p> <ol style="list-style-type: none"> 1. The development is permissible in the B4 Mixed Use Zone and generally satisfies the requirements of the applicable planning provisions. 2. The design of the proposal is sympathetic to the heritage significance of the site. 3. The development will be compatible with the emerging and planned future character of the area. 4. For the reasons given above, approval of the application is in the public interest. 		
LPP 21 July 2022	5.5	DA/671/2020/A	12-12A Grand Avenue, ROSEHILL (Lot 5 DP 549358, Lot 3 DP 542208 & Lot 1 DP 845322)	<p>That the Parramatta Local Planning Panel as the consent authority, modify development consent DA/671/2020 for a boundary adjustment of 12-12A Grand Avenue which includes Council owned land (Lot 1 DP 845322) then the dedication of a portion of land to Council. Following land dedication, the further subdivision of the remnant land into 2 lots with Proposed Lot 51A to contain the existing bitumen and emulsion facility to include modifications comprising changes to the lot boundaries and sizes on land at 12 & 12A Grand Avenue, Rosehill as shown on the plans submitted with the modification of determination, for a period of five (5) years from the date on the original Notice of Determination subject to the following modifications:</p> <p>Modify Condition No. 1 in the following way:</p> <ol style="list-style-type: none"> 1. The subdivision is to be generally in accordance with the following plans, endorsed with Council's Stamp, but subject to the conditions listed below: 	Julie Walsh (Chairperson), Robert Hussey, Helen Deegan and Peter Haliburn.	Nil

Drawing No.	Prepared By	Dated
DWG No: 12534512-G002 Revision A	GHD	Plotted 7 July 2020
Proposed subdivision plan Revision S3, Project No. 12534812	GHD	Plotted 8 April 2022

Specialist Reports

Document(s)	Prepared By	Dated
Statement of Environmental Effects	GHD	September 2020
Summary of Environmental Condition	Consara Contaminated Sites	26 March 2021
Section 4.55 Modification to Development Consent No DA/671/2020, Issue S3, Revision 0	GHD	November 2021

Reason: To ensure the work is carried out in accordance with the approved plans.

- All other conditions of DA/671/2020 remain unmodified.

REASONS FOR APPROVAL

- The development is permissible in the IN3 Heavy Industrial zone and satisfies the requirements of all of the applicable planning controls.

				<ol style="list-style-type: none"> 2. The development will be compatible with the emerging and planned future character of the area. 3. The proposal will facilitate the orderly and economic use of land. 4. The subdivision will be required to satisfy the conditions of consent contained within DA/671/2020 which deals with the land swap infrastructure requirements and relevant easements. 5. For the reasons given above, approval of the application is in the public interest. 		
COUNCIL 25 July 2022	13.4	F2022/00105	Response to the finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and Environment	<p>Guiding Principles</p> <p>(a) That in responding to the changes the Department of Planning and Environment ('Department') made to the Parramatta CBD Planning Proposal ('CBD PP') Council seek to address the following 'Key Planning Outcomes':</p> <ol style="list-style-type: none"> i. Restore office and commercial floor space market certainty and investment confidence in the CBD ii. Ensure Activation of Parramatta River iii. Provide a Planning Framework for land north of the Parramatta River <p>(b) That Council seek to address the 'Key Planning Outcomes' in accordance with the following 'Key Principles':</p> <ol style="list-style-type: none"> i. Principle 1 - Equitable process and opportunity for involvement ii. Principle 2 - Consistent application of policy iii. Principle 3 - Efficient use of resources for Council and applicants iv. Principle 4 - Manage planning risk for Council and applicants 	Councillors Darley, Garrard, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne	Councillors Bradley, Davis, Maclean and Procriv

				<p>v. Principle 5 - Timely delivery of new planning controls</p> <p>Commercial Floorspace and Phillip St Block</p> <p>(c) That Council write to the Minister for Planning and the Department seeking:</p> <p>(1) An increase to the permitted commercial floor space as resolved by Council on 15 June 2021 in the existing B3 Commercial Core and shown in Figure 1 via the preparation of a State Environmental Planning Policy ('SEPP') and to address the concerns raised by the Department in its 'Plan Finalisation Report' dated April 2022 when the CBD PP was finalised, and that the SEPP become effective at the same time as the CBP PP (Amendment 56), that is 14 October 2022.</p> <p>(2) That the Department prepare a separate SEPP as shown in Figure 2 for certain land zoned B4 Mixed Use and B3 Commercial Core (not covered by the SEPP referred to in (c)(1) above), to introduce additional floor space that allows for commercial uses consistent with Council's resolution of 15 June 2021, that is informed by a study prepared in consultation with Council and addresses the concerns raised by the Department in its 'Plan Finalisation Report' dated April 2022 when the CBD PP was finalised, and that this SEPP become effective by December 2022, with periodic updates for the</p>		
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				<p>community provided during its preparation.</p> <p>(3) That the Department provide advice on amendments to the exhibited Draft Parramatta CBD Development Control Plan to align with the proposed SEPPs above for Council's consideration.</p> <p>(4) Confirmation from the Department that existing and any new Site Specific Planning Proposals ('SSPPs') may continue to be assessed by Council, after the preparation of the relevant SEPP.</p> <p>(5) That Council be consulted on the draft SEPPs.</p> <p>(6) That should any SEPP process described above result in an increase in permitted density for the Phillip Street block that:</p> <p>a. The Parramatta CBD Local Contributions Plan endorsed by Council on 14 June 2022 and subsequently forwarded to the Department for consideration be amended to apply the following rates to the Phillip Street Block:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Residential Accommodation or Mixed-Use Development where the total development cost is over \$250,000 — 5% <input type="checkbox"/> Other development where the total 		
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				<p>development cost is over \$250,000 — 4%</p> <ul style="list-style-type: none"> □ Any development where the total development cost is \$250,000 or less — Nil. <p>b. The Minister be requested to ensure enabling changes required to the regulations, to enable the application of the higher rate proposed in the Parramatta CBD Contributions Plan, also reflect this change to the Plan.</p> <p>North Parramatta</p> <p>(d) That Council write to the Minister for Planning and the Department:</p> <ul style="list-style-type: none"> (1) Seeking funding for a Study for North Parramatta that incorporates urban design, heritage and economic analysis and additional temporary staff to manage the project (estimated at up to \$500,000). (2) Advising that Council will not commence the Study until confirmation of funding and in-kind support has been provided. (3) Seeking advice on how Council manage any new SSPPs lodged for sites north of the river prior to completion of the Study and associated plan amendment. <p>EXCEPTIONS</p>		
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				<p>(e) Further, that Council note that new SSPPs for sites within any part of the CBD that do not:</p> <ol style="list-style-type: none"> 1 seek any increase in FSR, or 2 seek to amend other planning controls that are being considered in the SEPP process(es) described in (c) above <p>will be processed by Council (examples include proposals for minor changes in height with no increase in FSR or changes to parking rates or land reservation acquisitions).</p>		
LPP 2 Aug 2022	2.1	DA/100/2021	5 Buller Street, North Parramatta	<p>(a) That the Parramatta Local Planning Panel, exercising the function of the consent authority, pursuant to Section 8.4 of the <i>Environmental Planning and Assessment Act 1979</i>, confirms the decision to refuse development consent to DA/100/2021 for the for the demolition of existing structures, removal of six (6) trees and construction of a three-storey boarding house with 14 single occupancy rooms pursuant to the SEPP (Affordable Rental Housing) 2009 with modified at-grade car parking for eight (8) vehicles and associated earthworks and landscaping on land at 5 Buller Street, North Parramatta, for the reasons set out in the Council officer's report.</p> <p>(b) Further, that the submitters be advised of the decision.</p> <p>REASONS FOR REFUSAL</p>	Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean.	Nil

			<p>1. State Environmental Planning Policy (Housing 2021)</p> <p>a) Clause 26: Must be affordable housing in perpetuity. The proposed development does not satisfy the definition for a boarding house under the SEPP Housing since it is not on behalf of the Land and Housing Corporation or managed by a registered community housing provider, as such, development consent cannot be granted.</p> <p>b) Clause 67: Co-living housing may be carried out on certain land with consent. Co-living housing, residential flat buildings or shop top housing are all prohibited in an R3 Medium Density Residential Zone under the Parramatta Local Environmental Plan 2011.</p> <p>2. Parramatta Local Environmental Plan 2011</p> <p>a) Clause 1.2(e) 'Aims of Plan': The revised development does not contribute towards the orderly and sustainable development of Parramatta and the increase in density does not minimise risk to the community in areas subject to environmental hazards (i.e. flooding), by restricting development in sensitive areas.</p> <p>b) Clause 5.21: The revised development does not minimise the flood risk to life and property associated with the use of land.</p> <p>3. Parramatta Development Control Plan 2011</p>		
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			<p>a) Section 2.12.2: Water Management. The revised development does not minimise the flood risk to life and property associated with the use of land.</p> <p>b) Section 3.1.3: Preliminary Building Envelopes. Inadequate side setbacks and insufficient deep soil zones are proposed.</p> <p>c) Section 3.3.1: Landscaping. Sufficient deep soil landscaping has not been achieved.</p> <p>d) Section 3.3.5: Solar Access and Cross Ventilation. Solar access to adjoining and surrounding properties will be negatively affected by the proposal.</p> <p>e) Section 3.3.6: Water Sensitive Urban Design. It has not been demonstrated that the disturbance and impacts on adjoining properties will be minimised.</p> <p>f) Section 3.4.2: Access for persons with Disabilities. The revised proposal does not demonstrate compliance with this section of the PDCP 2011.</p> <p>4. Insufficient information</p> <p>a) The public domain details provided by the applicant does not provide adequate street tree planting and footpath details as required under Section 2.12.8 of the PDCP 2011.</p> <p>5. The Public Interest</p>		
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				<p>a) The unreasonable exposure of additional residents to potentially hazardous flooding is not in the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
COUNCIL 8 Aug 2022	13.9	F2022/00105	Draft Late Night Trading Development Control Plan	That Council defer consideration of the Draft Late Night Trading Development Control Plan to an urgent Councillor Workshop.	Councillors Bradley, Esber, Garrard, Green, Humphries, Maclean, Pandey, Proxiv, Siviero, Valjak, Wang and Wearne	Councillors Darley and Davis
COUNCIL 8 Aug 2022	13.10	F2022/00105	Arthur Phillip Commemorative Public Art Project - Charles Street Square	That Council defer consideration of the Arthur Phillip Commemorative Public Art Project - Charles Street Square for eight (8) weeks to enable business consultation to occur with a further report to be brought back to Council.	<p>Councillors Davis, Esber, Garrard, Humphries, Maclean, Pandey, Siviero, Valjak, Wang and Wearne</p> <p>Note: 1.Councillor Siviero left the Chamber at 8:02pm and returned at 8:04pm during the discussion of the matter. 2.Questions were taken on notice by Council staff for this item.</p>	Councillors Bradley, Darley, Green and Proxiv
LPP 16 Aug 2022	5.1	DA/14/2022	32 Moseley Street, Carlingford NSW 2118	<p>(a) That the Parramatta Local Planning Panel, exercising the function of the Council pursuant to Section 4.16 of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/14/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1, with the following amendments;</p> <ol style="list-style-type: none"> 1. Deletion of Condition 51; 2. Deletion of "in the Station Plaza" in Condition 60; 	Julie Walsh (Chairperson), Richard Thorp, Alison McCabe and Maree Turner.	Nil

				<p>3. Condition 63 – Delete “Sunday before Christmas Eve and Christmas Day only: 07:30 am to 01:00 am” and replace with;</p> <p>“Only on the Sunday before Christmas Day, and Christmas Eve: 07:30 am to 01:00 am”.</p> <p><i>NOTE:</i> Should the Sunday before Christmas day, and Christmas Eve coincide on the same day, then only one Christmas service shall occur that year.</p> <p>4. Amendment of Condition 64 by inserting the following at the end of the first sentence:</p> <p>“unless otherwise specified in these conditions of consent.”</p> <p>And by inserting the following as the second sentence:</p> <p>“The approved Plan of Management is to be amended as follows:</p> <p>a) Delete these words in the first sentence of clause 14 : “If in the future the number of attendees does grow towards the proposed 550 on a Sunday morning”;</p> <p>b) Insert at the end of clause 14 (e) “and not park on Trigg Avenue”;</p> <p>c) Amend Clause 23 to include a requirement for the church to provide contact details (phone and email) of a designated person for the lodgment of complaints and a programme for advising the community of this.”</p>		
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				<p>(b) Further, that the submitters be advised of the decision.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible in the R2 Low Density Residential zone pursuant to the Parramatta former Hills Local Environmental 2012 and generally satisfies the requirements of all applicable planning framework. 2. The development will be compatible with the emerging and planned future character of the area. 3. The development will provide facilities and services which meet the day to day needs of residents. 4. The amenity impacts can be appropriately managed. 5. For the reasons given above, approval of the application is in the public interest. <p>The Panel decision was UNANIMOUS.</p>		
LPP 16 Aug 2022	5.2	DA/317/2021	63-67 Pine Street, Rydalmere NSW 2116	<p>(a) That, the Parramatta Local Planning Panel is satisfied, following consideration of a written request from the applicant, made under clause 4.6 (3) of Parramatta Local Environmental Plan 2011 (“the LEP”), that has demonstrated that:</p> <ol style="list-style-type: none"> 1. Compliance with clause 4.3 (height of buildings) of the LEP is unreasonable or unnecessary in the circumstances; and 	Julie Walsh (Chairperson), Richard Thorp, Alison McCabe and Maree Turner.	Nil

				<p>2. There are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>(b) That the Parramatta Local Planning Panel, exercising the function of the Council pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, approve development consent to DA/317/2021 for the 'demolition of existing dwellings, tree removal, lot consolidation and construction of a 4-storey residential flat building comprising 35 residential units including 12 affordable housing units pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009 with basement car parking and associated Strata subdivision' on land at 63-37 Pine Street, Rydalmere, subject to conditions of consent in Attachment 1, amended as follows;</p> <p>Insertion of new Condition 124A, in part E, as follows;</p> <p>"A restriction is to be registered, before the issue of an occupation certificate, against the title of the property on which the development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure compliance with the requirements of condition 128 of this consent."</p> <p>Further, that the submitters be advised of the decision.</p> <p>REASONS FOR APPROVAL</p>		
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				<p>The Panel is satisfied with the applicants Clause 4.6 written request to vary the building height standard.</p> <p>The development is permissible in the R4 zone pursuant to Parramatta Local Environmental Plan 2011 and generally satisfies the requirements of the applicable planning framework.</p> <p>The development will be compatible with the emerging and planned future character of the area.</p> <p>The development will provide housing that accommodates the needs of the existing and future residents, workers and visitors of Parramatta.</p> <p>The amenity impacts can be appropriately managed.</p> <p>The Panel is satisfied that:</p> <p>The applicant's written request adequately addresses the matters required to be addressed under clause 4.6 (3) of the LEP; and</p> <p>The development is in the public interest because it is consistent with the objectives of clause 4.3 (Height of Buildings) of the LEP and the objectives for development in the R4 High Density Residential zone.</p> <p>For the reasons given above, approval of the application is in the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 16 Aug 2022	5.3	DA/725/2020	45 Mobbs Lane, Carlingford NSW 2118	(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(1)(b) of the <i>Environmental</i>	Julie Walsh (Chairperson), Richard Thorp, Alison McCabe and Maree Turner.	Nil

				<p><i>Planning and Assessment Act 1979</i>, refuse Development Application No. DA/725/2020 for Section 8.3 Review of DA/725/2020 for the demolition of existing structures, earthworks, removal of seven (7) trees and construction of a child care facility for 56 children (17 x 0-2 year olds, 15 x 2-3 year olds & 24 x 3-6 year olds) with basement level car parking level for fourteen (14) vehicles and associated landscape works on land at Lot 14 in DP 30791, 45 Mobbs Lane, Carlingford.</p> <p>(b) Further, that submitters be advised of the decision.</p> <p>REASONS FOR REFUSAL</p> <p>1. Parramatta Local Environmental Plan 2011</p> <p>a) The proposed development is inconsistent with the aims and objectives of the R2 Low Density Residential zoning applying to the land, as the proposed works are not located in a context and setting that minimises impacts on the amenity of the residential environment.</p> <p>2. Child Care Planning Guideline</p> <p>a) The proposed development does not meet the following objectives of <i>Section 3.1 Site selection and location</i> of the Child Care Planning Guideline:</p> <p>i. <i>'To ensure that appropriate zone considerations are assessed when selecting a site'</i>, as the traffic and parking as a result of the proposal would have a negative impact on the residential amenity.</p>		
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			<p>ii. <i>'To ensure that the site selected for a proposed child care facility is suitable for the use',</i> as the location of the site on Mobbs Lane is inappropriate and unsafe for the proposed use.</p> <p>b) The proposed development does not meet the following objective of <i>Section 3.8 Traffic, Parking and Pedestrian Circulation</i> of the Child Care Planning Guideline:</p> <p>i. <i>'To provide vehicle access from the street in a safe environment that does not disrupt traffic flows',</i> as the proposal does not ensure that safe vehicular access can be provided to and from the site.</p> <p>3. Parramatta Development Control Plan 2011</p> <p>a) The proposed development does not meet the objectives of <i>Section 3.6.2 Parking and Vehicular Access</i> of Parramatta Development Control Plan 2011, as the proposal does not ensure the location and design of the driveway and basement is safe.</p> <p>4. The site is unsuitable for the proposed development, having regard to the traffic and parking issues.</p> <p>5. The acoustic mitigation measures in the form of 2.1 to 2.5 metre high barriers on lot boundaries are not compatible with the character of the surrounding low density residential area.</p> <p>The Panel decision was UNANIMOUS.</p>		
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LPP 16 Aug 2022	5.4	DA/932/2021	3 Farmhouse Road, Westmead NSW 2145	<p>The Panel refuses the application for the following reasons;</p> <p>(a) The Panel is not satisfied that compliance with clause 4.3 (building height) and clause 4.4 (floor space ratio) of the Parramatta Local Environmental Plan 2011 ("the LEP") is unreasonable or unnecessary in the circumstances and it is not satisfied that there are sufficient environmental planning grounds to justify contravening these development standards; and</p> <p>(b) The applicant's written request has not adequately addressed the matters required to be addressed under clause 4.6 (3) of the LEP; and</p> <p>(c) The development is not in the public interest because it is not consistent with the objectives of clause 4.3 (height of buildings) and clause 4.4 (floor space ratio) of the LEP and the objectives for development in the B4 Mixed Use zone.</p> <p>The Panel decision was UNANIMOUS.</p>	Nil	Julie Walsh (Chairperson), Richard Thorp, Alison McCabe and Maree Turner.
LPP 16 Aug 2022	6.1	F2022/01255	Request for Gateway - Planning Proposal for land at 353A-353C and part of 351 Church Street, Parramatta (Riverside Theatre site)	<p>The Parramatta Local Planning Panel provides the following advice;</p> <p>(a) The Panel is supportive of the recommendation that Council seek a Gateway Determination from the Department of Planning and Environment, for the Planning Proposal at Attachment 1 for the land at 353A-353C Church Street and part of 351 Church Street, Parramatta (Riverside Theatre site) which seeks the following changes to the Parramatta Local Environmental Plan 2011:</p>	Nil	Julie Walsh (Chairperson), Richard Thorp, Alison McCabe and Maree Turner.

				<ol style="list-style-type: none"> 1. increase the Maximum Height of Building (HOB) from 15m to 28m; 2. introduce a Site-Specific Clause that prevents new development generating any additional overshadowing to the Parramatta River Foreshore between 12pm and 2pm; and 3. requires active street frontages. <p>(b) The Panel is of the view that Planning Proposal should be publicly exhibited in the usual manner.</p> <p>(c) The Panel in supporting the progression of the Planning Proposal had regard to the existing policy framework heights adjacent to Prince Alfred Square.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 16 Aug 2022	6.2	RZ/3/2022	Refusal of the Planning Proposal for land at 169 Pennant Hills Road, Carlingford	Item 6.2 was deferred to the next meeting, scheduled on 20 September 2022.		
LPP 17 Aug 2022	5.1	DA/880/2021	51 Railway Street, Granville NSW 2142	<p>(a) That the Parramatta Local Planning Panel not support the variation to Clause 4.3 Height of Buildings, pursuant to Clause 4.6 of the Parramatta Local Environmental Plan 2011.</p> <p>(b) Further, that the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.16(1) of the <i>Environmental Planning and Assessment Act 1979</i>, refuse development consent to DA/880/2021 for the demolition of existing structures and construction for a 5-storey residential flat building containing 4 units and basement parking on land at No.51 Railway Street, Granville.</p>	Stephen O'Connor (Chairperson), Helen Deegan, Robert Hussey, Palitha Weeratunge.	Nil

			<p>REASONS FOR REFUSAL</p> <p>1. State Environmental Planning Policy 65 – Design Quality of Residential Flat Development</p> <p>a) The proposed development is inconsistent with the following provision of SEPP 65 – Design Quality of Residential Flat Buildings:</p> <ol style="list-style-type: none"> 1. Part 3 Siting the development <ul style="list-style-type: none"> • Communal Open Space 2. Part 4 Designing the building <ul style="list-style-type: none"> • Apartment size and layout • Private open space and balconies • Storage <p><i>Section 4.15 (1)(a)(i) of Environmental Planning and Assessment Act 1979</i></p> <p>2. Holroyd Local Environmental Plan 2013</p> <p>a) The proposed development is inconsistent with the following provisions of Holroyd Local Environmental Plan 2013:</p> <ol style="list-style-type: none"> 1. Clause 4.3 – Height of buildings 2. Clause 4.6 – Exceptions to development standard 3. Clause 5.6 – Architectural Roof Features 4. Clause 5.21 – Flood Planning 5. Clause 6.2 – Earthworks <p><i>Section 4.15 (1)(a)(i) of Environmental Planning and Assessment Act 1979</i></p> <p>3. Holroyd Development Control Plan 2013</p>		
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			<p>a) The proposed development is inconsistent with the following provisions of Holroyd Local Environmental Plan 2013:</p> <p><u>Part A – General Controls</u></p> <ol style="list-style-type: none"> 1. 2 – Roads and Access 2. 3 – Car Parking 3. 6 – Soil Management 4. 7 – Stormwater Management 5. 8 – Flood Prone Land 6. 10 – Safety and Security 7. 12 – Services <p><u>Part B – Residential Controls – 6. Residential Flat Buildings</u></p> <ol style="list-style-type: none"> 1. 6.1 – Lot Size and Frontage <ol style="list-style-type: none"> a. Frontage b. Site Coverage 2. 6.3 – Setback and Separation <ol style="list-style-type: none"> a. Front setback 3. 6.4 – Height 4. 6.6 – Open Space <ol style="list-style-type: none"> a. Communal Open Space 5. 6.7 – Building Appearance <ol style="list-style-type: none"> a. Facades b. Roof Design 6. 6.12 – Facilities and Amenities 7. Cut and Fill <p><i>Section 4.15 (1)(a)(iii) of Environmental Planning and Assessment Act 1979</i></p>		
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				<p>4. Likely impacts</p> <p>a) The proposed development does not adequately address residential amenity, would be impacted by environmental site constraints and act as a precedent undesirable for the surrounding locality. <i>Section 4.15 (1)(b) of Environmental Planning and Assessment Act 1979</i></p> <p>5. Suitability of the site</p> <p>a) Due to flood affection the proposed development would not be suitable for the subject site. It is further noted that the Clause 4.3 variation is not supported as it would be inconsistent relative to existing and approved residential flat buildings surrounding the subject site. <i>Section 4.15 (1)(c) of Environmental Planning and Assessment Act 1979</i></p> <p>6. Public Interest</p> <p>a) The proposed development represents a design that would result in an undesirable precedent and as such would not be in the public interest. <i>Section 4.15 (1)(e) of Environmental Planning and Assessment Act 1979</i></p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 17 Aug 2022	5.2	DA/247/2022	Silverwater Road, Sydney Olympic Park NSW 2127 (sign is located between Clyde Street and Parramatta River)	<p>That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.16(1) of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/247/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1.</p> <p>REASONS FOR APPROVAL</p>	Stephen O'Connor (Chairperson), Helen Deegan, Robert Hussey, Palitha Weeratunge.	Nil

				<p>1. The development is permissible subject to existing use rights in accordance with Division 4.11 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>2. The development will replace static advertising signage with LED signage and is consistent with the relevant provisions of SEPP – Industry and Employment 2021 and Auburn LEP 2010.</p> <p>3. The development will be compatible with the existing and planned future character of the area.</p> <p>4. The proposed development will not have any unacceptable impacts on surrounding development and it's noted that the area of the sign is proposed to be reduced.</p> <p>5. For the reasons given above, and given that the proposal has attracted no objections, approval of the application is in the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 17 Aug 2022	5.3	DA/273/2022	Junction Street, Silverwater NSW 2128 (adjacent to the Northern side of M4 Motorway)	<p>That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.16(1) of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/273/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent, in Attachment 1.</p> <p>REASONS FOR APPROVAL</p>	Stephen O'Connor (Chairperson), Helen Deegan, Robert Hussey, Palitha Weeratunge.	Nil

				<ol style="list-style-type: none"> 1. The development is permissible subject to existing use rights in accordance with Division 4.11 of the <i>Environmental Planning and Assessment Act 1979</i>. 2. The development will replace static advertising signage with LED signage and is consistent with the relevant provisions of SEPP – Industry and Employment 2021 and Auburn LEP 2010. 3. The development will be compatible with the existing and planned future character of the area. 4. The proposed development will not have any unacceptable impacts on surrounding development and it's noted that the area of the sign is proposed to be reduced. 5. For the reasons given above, and given that the proposal has attracted no objections, approval of the application is in the public interest. <p>The Panel decision was UNANIMOUS.</p>		
LPP 17 Aug 2022	5.4	DA/302/2022	OUTSIDE PUBLIC MEETING: 2-8 Thackeray Street, Camellia NSW 2142	<p>(a) That, the Parramatta Local Planning Panel support the variation to Clause 4.3 of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons:</p> <ol style="list-style-type: none"> 1. A written request to vary the building height has been received and is well drafted; and 2. The applicant has provided sufficient environmental planning ground to warrant departure 	Stephen O'Connor (Chairperson), Helen Deegan, Robert Hussey, Palitha Weeratunge.	Nil

				<p>of the building height control in the circumstances of this case.</p> <p>(b) Further, that the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.17 of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/302/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1 with the exception of the conditions 37 and 38 which are to be deleted.</p> <p>REASON FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible within the IN3 zone and satisfies the requirements of all of the applicable planning controls; 2. A written request to vary the building height has been received. The variation sought is not substantial and it will not have any adverse impacts. As such, compliance with the standard is unnecessary. Accordingly, Council believes that there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. Council is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be the public interest because it is consistent with the objectives of the building height control and the objectives for development within 		
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				<p>the IN3 zone in which the development is proposed to be carried out;</p> <p>3. The development will be compatible with the emerging and planned future character of the area; and</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 17 Aug 2022	5.5	DA/776/2014/C	<p>OUTSIDE PUBLIC MEETING (DEFERRED): 125-129 Arthur Street, PARRAMATTA (Lots 5, 6 & 7 DP 27997)</p>	<p>(a) That the Parramatta Local Planning Panel support the variation to Clause 4.3 of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons:</p> <p>1. A written request to vary the building height has been received and is well drafted; and</p> <p>2. The applicant has provided sufficient environmental planning ground to warrant departure of the building height control in the circumstances of this case.</p> <p>(b) Further, that the Parramatta Local Planning Panel exercising the functions of Council, pursuant of Section 4.55(2) of the <i>Environmental Planning and Assessment Act 1979</i>, modify development consent DA/776/2014 on land at 125-129 Arthur Street, Parramatta, for a period of five (5) years from the date on the original Notice of Determination, subject to the following modifications as set out in Attachments 1 and 2 and the subsequent written advice the Panel received from Council officers:</p>	<p>Stephen O'Connor (Chairperson), Helen Deegan, Robert Hussey, Palitha Weeratunge.</p>	<p>Nil</p>

				<ol style="list-style-type: none"> 1. Amend Condition Nos. 1, 24, 28, 33, 35, 80, 83, 85 & 86 to reflect the updated plans and documents. 2. Insert Condition No. 24A, 86A, 86B, 86C, 102, 103 & 104 for emergency flood procedures. 3. Delete Condition No. 90 as it is a duplication of Condition No. 88 and Condition No. 27. 4. All other conditions of DA/776/2014 remain unchanged. <p>REASONS FOR APPROVAL:</p> <ol style="list-style-type: none"> 1. The proposed modification is substantially the same development which has been approved. 2. The proposed modification is permissible within the B4 Mixed Use zone and results in a development which is suitable for the context of the site and locality. 3. The proposed modification to increase the height is supported in order to provide an adequate flood refuge area due to the significant flood constraints on site. 4. The modification includes Site Emergency Response Flood Plan, which provides residents with flood risk details and response actions. 		
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				<p>5. The proposed modification results in reasonable impacts to adjoining and surrounding properties, is suitable for the site, and is in the public interest.</p> <p>The Panel decision was UNANIMOUS</p>		
COUNCIL 22 Aug 2022	13.6	F2022/00105	Planning Proposal for 168-176 Parramatta Road and 89-90 Cowper Street, Granville	<p>(a) That Council refuse the Parramatta Planning Proposal at 168-176 Parramatta Road and 89-90 Cowper Street, Granville for the following reasons:</p> <ol style="list-style-type: none"> 1. The Planning Proposal is inconsistent with the height of development envisaged by the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), which sets the strategic planning framework for the precinct. 2. The Planning Proposal is premature given that an implementation plan is required to be prepared and adopted by Council, now that the precinct-wide traffic study is complete, to ensure road network upgrades and other infrastructure requirements are agreed, funding sources secured and able to be delivered consistent with the PRCUTS. <p>(b) That the applicant be advised of Council's decision.</p> <p>(c) Further, that Council note that Council officers are developing a project plan for a Council-led rezoning of the Granville precinct in-line with</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Nil

				PRCUTS, and Councillors will be updated separately on this work.		
COUNCIL 12 Sep 2022	13.4	F2022/00105	Proposed Homebush Bay West Development Control Plan Amendment and draft Planning Agreement for Block H, Precinct B, 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point	<p>(a) That Council note the outcomes of the public exhibition for the proposed amendment to the Homebush Bay West Development Control Plan (DCP) and Planning Agreement for Block H, Precinct B, 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point.</p> <p>(b) That Council note the applicant has supplied an outline of a revised scheme that seeks to address concerns with the exhibited proposal.</p> <p>(c) That Council note further information is required to support the consideration of the alternative scheme including:</p> <ul style="list-style-type: none"> • A detailed planning report identifying the impacts of the changes included in the revised scheme compared to the exhibited proposal; • A comprehensive urban design report providing an analysis of context, view sharing, overshadowing, solar access and other relevant matters; • Draft DCP Amendment reflective of the revised scheme; • Technical reports that update material submitted with the exhibited proposal addressing: <ul style="list-style-type: none"> ○ Transport, traffic, parking and access ○ Open space/active recreation opportunities 	Councillors Esber, Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne	Councillors Bradley, Darley, Maclean and Procriv

				<ul style="list-style-type: none"> ○ Community facilities ○ Other supporting infrastructure needs <ul style="list-style-type: none"> • Any associated updates to the proposed Planning Agreement. <p>(d) Further, that Council request the applicant submits the additional information for the revised scheme, as noted in order that a report on the revised scheme can be made to Council to enable its consideration of the revised scheme for the purposes of public exhibition.</p>		
LPP 20 Sep 2022	5.1	DA/324/2022	OUTSIDE PUBLIC MEETING: 1-3 Crown Street, Harris Park	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.16 of the <i>Environmental Planning and Assessment Act 1979</i>, refuse development consent to DA/324/2022 for the demolition of the existing building and the construction of a two (2) storey shop top housing development consisting of four (4) commercial tenancies at ground floor, six (6) residential units at the first floor plus basement car parking with twenty-two (22) car parking spaces and associated landscaping.</p> <p>(b) Further, that the submitters be advised of the decision.</p> <p>REASONS FOR REFUSAL</p> <p>1. State Environmental Planning Policy (Biodiversity and Conservation) 2021</p> <p>a) Chapter 2: Insufficient information has been provided to determine the impact, if any, the proposed tree removal will have on the ecological,</p>	Stephen O'Connor (Chairperson), David Johnson, Tony Reed and Robert Warry.	Nil

			<p>heritage, aesthetic and cultural significance of the area. As such, the aims of Chapter 2 of SEPP (Biodiversity and Conservation) 2021 are unable to be satisfied.</p> <p>2. State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p>a) Chapter 4: Insufficient information has been submitted demonstrating that the subject site is suitable or can be made suitable for its proposed use. As such, the object and aims of Chapter 4 of SEPP (Resilience and Hazards) 2021 are unable to be satisfied.</p> <p>3. Parramatta Local Environmental Plan 2011</p> <p>a) Clause 1.2(f) 'Aims of Plan': The proposal fails to satisfy Aim (f) of the Parramatta Local Environmental Plan 2012 (PLEP 2012). Insufficient and inaccurate information has been provided to enable an assessment to be undertaken determining the proposed development will protect and enhance the natural environment.</p> <p>b) Clause 4.3 'Height of Buildings': The proposal does not comply with the maximum 6m building height development standard detailed in Clause 4.3 of the PLEP. The proposed building height is 10.90m, which is an 81% variation to the development standard. The objectives of this standard are not met.</p> <p>c) Clause 4.6 'Exceptions to Development Standards': Compliance with the Height of Buildings Development Standard is reasonable and necessary and sufficient environmental planning grounds do</p>		
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			<p>not exist to justify contravening the Development Standard.</p> <p>d) Clause 5.10 'Heritage Conservation': The proposed development is not sympathetic to the Experiment Farm Heritage Conservation area, or surrounding heritage items.</p> <p>e) Clause 6.2 'Earthworks': As a result of the insufficient documentation submitted the effect of the proposed earthworks on the amenity of adjoining properties was unable to be determined. This Development Application fails to satisfy the Objectives of this Clause</p> <p>4. Parramatta Development Control Plan 2011</p> <p>a) Section 2.4.3: Land Contamination. Insufficient information has been submitted demonstrating that the subject site is suitable, or can be made suitable for its proposed use.</p> <p>b) Section 2.4.6: Development on Sloping Land. The proposed development does not respond to the topography of the site.</p> <p>c) Section 2.4.7: Biodiversity. Insufficient information has been provided to determine the impact, if any, the proposed tree removal will have on the biodiversity of the City of Parramatta.</p> <p>d) Section 2.4.8: Public Domain. The proposal as submitted does not enhance the quality of the public domain. The Objectives of this Clause are not met.</p>		
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			<p>e) Section 3.1.3: Preliminary Building Envelope Tables. The proposal does not comply with the Preliminary Building Envelope Table for Shop top Housing.</p> <p>f) Section 3.2.1: Building Form and Massing. The building form and mass is not compatible with the character and spatial characteristics of the locality and surrounding Experiment Farm Heritage Conservation Area.</p> <p>g) Section 3.2.2: Building Façade and Articulation. The proposed building does not complement or enhance neighbourhood or streetscape character.</p> <p>h) Section 3.2.5: Streetscape. The proposed development is not compatible with the existing and future character of the locality.</p> <p>i) Section 3.3.5: Solar Access and Cross Ventilation. Solar access to adjoining and surrounding properties will be negatively affected by the proposal.</p> <p>j) Section 3.3.7: Waste Management. The proposed waste storage facilities are not appropriately located. The Objectives of this Clause are not met.</p> <p>k) Section 3.4.4: Safety and Security. Natural surveillance and compliance with CPTED principles is not achieved from the ground floor communal open space.</p> <p>l) Section 3.5: Heritage. The proposal does not reinforce the attributes that contribute to the</p>		
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				<p>heritage significance of the surround heritage item or Experiment Farm Conservation area.</p> <p>5. Insufficient information</p> <p>a) The public domain details provided by the applicant does not provide adequate street tree planting and footpath details as required under Section 2.12.8 of the PDCP 2011.</p> <p>6. The Public Interest</p> <p>a) Based on the assessment contained in this report, approval of the development is contrary to the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 20 Sep 2022	5.2	DA/430/2022	OUTSIDE PUBLIC MEETING: 22 Langston Place, Epping	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to section 4.16 of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/430/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the conditions of consent in Attachment 1.</p> <p>(b) Further, that submitters be advised of the decision.</p> <p>REASONS FOR APPROVAL</p> <p>The DA should be approved for the following reasons:</p>	Stephen O'Connor (Chairperson), David Johnson, Tony Reed and Robert Warry.	Nil

				<p>1. The development is permissible in the B2 Local Centre Use Zone and generally satisfies the requirements of the applicable planning provisions.</p> <p>2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.</p> <p>3. The development will be compatible with the emerging and planned future character of the area.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 20 Sep 2022	5.3	DA/802/2021	<p>OUTSIDE PUBLIC MEETING: 197 Church Street, 89 Marsden Street and 207 Church Street Parramatta</p>	<p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 8.4 of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/802/2021 for the demolition of existing buildings down to ground floor slab, except for the heritage facades of the former Murray Brothers building to Church and Macquarie Streets which must be retained, and for archaeological testing at Lot 1 DP 710335 and Lot 1 DP 233150 being Nos. 197 and 207 Church Street and No. 89 Marsden Street, Parramatta, subject to the conditions of consent in Attachment 1.</p> <p>(b) Further, that submitters be notified of the decision.</p> <p>REASONS FOR APPROVAL</p>	Stephen O'Connor (Chairperson), David Johnson, Tony Reed and Robert Warry.	Nil

				<ol style="list-style-type: none"> 1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant Council Planning instrument. 2. The proposal is permissible in the B4 Mixed Use zone and is satisfactory when considered against Section 4.15 of the Environmental Planning and Assessment Act 1979. 3. The proposal allows for the heritage values the site to be retained with an expectation that the primary façade will be incorporated into a future redevelopment of this site. 4. Approval of the application is in the public interest. <p>The Panel decision was UNANIMOUS.</p>		
LPP 20 Sep 2022	5.4	DA/348/2022	OUTSIDE PUBLIC MEETING: 7A Park Parade Parramatta	<p>That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16 of the <i>Environmental Planning and Assessment Act 1979</i>, grant development consent to DA/348/2022 for the subdivision Lot 1 Deposited Plan 1244328 into two allotments, subject to the conditions of consent in Attachment 1.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. To facilitate the orderly implementation of the objectives of the <i>Environmental Planning and Assessment Act 1979</i> and the aims and objectives of Parramatta Local Environmental Plan 2011. 	Stephen O'Connor (Chairperson), David Johnson, Tony Reed and Robert Warry.	Nil

				<p>2. The proposal is permissible in the “RE 1 Public Recreation” zone and is satisfactory when considered against Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>3. The proposal will be compatible with the planned future use of the land and allows for the heritage values the site to be retained.</p> <p>4. Approval of the application is in the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 20 Sep 2022	6.1	RZ/3/2022	Refusal of the Planning Proposal for land at 169 Pennant Hills Road, Carlingford	<p>(a) That the Panel recommend that Council refuse the Planning Proposal at 169 Pennant Hills Road, Carlingford for the following reasons:</p> <p>i. The Planning Proposal is inconsistent with the Local Strategic Planning Statement as the site is not within the identified Carlingford Growth Precinct and the form of development proposed is incompatible with the low density character of the area.</p> <p>ii. The Planning Proposal is inconsistent with the Local Housing Strategy as intensification of development along the Parramatta CBD to Epping Corridor is not required to meet existing housing targets.</p> <p>iii. The Planning Proposal is premature given that the investigation into the potential Epping to Parramatta Mass Transit/Train Link has not yet commenced and the likely timeframe for new housing delivery associated with this infrastructure is post 2036.</p>	Stephen O'Connor (Chairperson), David Johnson, Tony Reed and Robert Warry.	Nil

				<p>iv. The proposed density and heights would result in an overdevelopment of the site, are inconsistent with the density and heights of nearby development, and are overbearing of nearby lower scale development.</p> <p>(b) Further, that the applicant be advised of Council's decision.</p> <p>The Panel decision was UNANIMOUS.</p>		
COUNCIL 26 Sep 2022	11.1	F2022/00105	<p>Item 13.4 - Proposed Homebush Bay West Development Control Plan Amendment and draft Planning Agreement for Block H, Precinct B, 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point</p>	<p>That the resolution of the Council held on 12 September 2022 in relation to Item 13.4 – Proposed Homebush Bay West Development Control Plan Amendment and draft Planning Agreement for Block H, Precinct B, 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point, namely:</p> <p>(a) That Council note the outcomes of the public exhibition for the proposed amendment to the Homebush Bay West Development Control Plan (DCP) and Planning Agreement for Block H, Precinct B, 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point.</p> <p>(b) That Council note that the applicant has supplied an outline of a revised scheme that seeks to address concerns with the exhibited proposal.</p> <p>(c) That Council note that further information is required to support the consideration of the alternative scheme including:</p> <ul style="list-style-type: none"> A detailed planning report identifying the impacts of the changes included in the revised scheme compared to the exhibited proposal; 	Councillors Bradley, Darley, Davis, Maclean and Prociv	Councillors Esber, Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne

				<ul style="list-style-type: none"> • A comprehensive urban design report providing an analysis of context, view sharing, overshadowing, solar access and other relevant matters; • Draft DCP Amendment reflective of the revised scheme; • Technical reports that update material submitted with the exhibited proposal addressing: <ul style="list-style-type: none"> o Transport, traffic, parking and access o Open space/active recreation opportunities o Community facilities o Other supporting infrastructure needs • Any associated updates to the proposed Planning Agreement. <p>(d) Further, that Council request the applicant submits the additional information for the revised scheme, as noted in order that a report on the revised scheme can be made to Council to enable its consideration of the revised scheme for the purposes of public exhibition.</p> <p>be and is hereby rescinded.</p> <p>The Motion when put was declared LOST:</p>		
COUNCIL 26 Sep 2022	13.1	F2022/00105	Gateway Request: Planning Proposal for the land at 353A-353C Church Street and part of 351 Church Street, Parramatta (Riverside Theatre site)	(a) That Council approve the Planning Proposal at Attachment 1 for the purposes of it being forwarded to the Department of Planning and Environment to request the issuing of a Gateway Determination for the land at 353A-353C Church Street and part of 351 Church Street, Parramatta (Riverside Theatre site) which seeks the following	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Proxiv, Valjak and Wang	Councillor Wearne

			<p>changes to the Parramatta Local Environmental Plan 2011:</p> <ol style="list-style-type: none"> 1. increase the Maximum Height of Building (HOB) from 15m to 28m; 2. introduce a Site-Specific Clause that prevents new development generating any additional overshadowing to the Parramatta River Foreshore between 12pm and 2pm; and 3. requires active street frontages. <p>(b) That Council request the Department of Planning and Environment to authorise its Chief Executive Officer to exercise their plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(c) That Council note the Parramatta Local Planning Panel's (LPP) advice to Council to seek a Gateway Determination for the Planning Proposal (Attachment 1) as per Part (a) of Council Officers' recommendation above; however the LPP recommends a public exhibition which is inconsistent with Council Officers' recommendation in Part (b).</p> <p>(d) Further, that Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.</p>		
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COUNCIL 10 Oct 2022	13.2	F2022/00105	Outcome of Public Exhibition and impact of Department of Planning decisions on Draft Parramatta City Centre DCP	<p>(a) That Council notes the submissions (as summarised in Attachment 2) received in response to the exhibition of the Parramatta City Centre Development Control Plan (DCP) controls.</p> <p>(b) That Council approves the DCP controls at Attachments 4 and 5 including the amendments detailed in this report and which are detailed in Attachment 6.</p> <p>(c) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the DCP controls.</p>	Councillors Bradley, Darley, Davis, Humphries, Maclean, Noack, Pandey and Prociv	Councillors Esber, Garrard, Siviero, Valjak, Wang and Wearne
COUNCIL 10 Oct 2022	13.4	F2022/00105	Refusal of the Planning Proposal for land at 169 Pennant Hills Road, Carlingford	<p>(a) That Council refuse the Planning Proposal at 169 Pennant Hills Road, Carlingford for the following reasons:</p> <p>i. The Planning Proposal is inconsistent with the Local Strategic Planning Statement as the site is not within the identified Carlingford Growth Precinct and the form of development proposed is incompatible with the low density character of the area.</p> <p>ii. The Planning Proposal is inconsistent with the Local Housing Strategy as intensification of development along the Parramatta CBD to Epping Corridor is not required to meet existing housing targets until beyond 2036.</p> <p>iii. The Planning Proposal is premature given that the investigation into the potential Epping to Parramatta Mass Transit/Train Link has not yet commenced and the likely timeframe for new</p>	<p>Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne</p> <p>Note: Councillors Garrard and Esber left the Chamber at 7:43pm and returned to the Chamber at 7:44pm during the discussion of Item 13.4.</p>	Nil

				<p>housing delivery associated with this infrastructure is post 2036.</p> <p>iv. The proposed density and heights would result in an overdevelopment of the site, are inconsistent with the density and heights of nearby development, and are overbearing of nearby lower scale development.</p> <p>(b) Further, that the applicant be advised of Council's decision.</p>		
LPP 18 Oct 2022	5.1	DA/251/2022	<p>PUBLIC MEETING: 225 Windsor Road, Northmead</p>	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, approve development consent to DA/251/2022 for the extension of trading hours of Northmead McDonald's and associated acoustic mitigation works on land at 225 Windsor Road, Northmead, subject to the conditions of consent in Attachment 1.</p> <p>The matters complained of were dealt with in the assessment report and the Panel notes that there has been in effect an extended trial period of 24 hour trading initially permitted by COVID-19 Ministerial Orders when there were no noise attenuation measures in place. The Council assessment has found the proposed attenuation measures to be suitable and appropriate. Further, the Council has required, by condition 8 that within six months an acoustical compliance performance assessment shall be carried out to verify the noise control measures recommended in the acoustic report are effective.</p> <p>(b) Further, that submitters be advised of the Panel's decision.</p>	Mary-Lynne Taylor (Chairperson), Paul Berkemeier, Simone Lotz and Kirrily McDermott.	Nil

				<p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The proposed development benefits from existing use rights and satisfies the requirements of all applicable planning controls. 2. The development will not create adverse impacts in the locality and will remain compatible with the existing area. 3. The proposed development incorporates sufficient measures to safeguard the existing acoustic amenities. 4. The development will provide employment that accommodates the needs of the existing and future residents, workers, and visitors to Parramatta. <p>The Panel decision was UNANIMOUS.</p>		
LPP 18 Oct 2022	5.2	DA/416/2022	PUBLIC MEETING: 52 Essex Street, Epping NSW 2121 (Lot 2 in DP 305839)	<p>The Panel refuses the development application for the following reasons listed below:</p> <ol style="list-style-type: none"> 1. The Panel is not satisfied the matter of contamination has been fully assessed in accordance with SEPP (Resilience and Hazards) 2021 and the Panel believes that the requirements for remediation of the site are not sufficiently clear as further investigation is still required. 2. The Panel notes the existing strong and generally consistent character of the Heritage Conservation Area. The Panel finds that the large contemporary domestic 	Nil	Mary-Lynne Taylor (Chairperson), Paul Berkemeier, Simone Lotz and Kirrily McDermott.

				<p>design is incompatible with the <i>Hornsby Development Control Plan 2013</i>, Heritage 9.3.13 Essex Street (Epping) Heritage Conservation Area. The front facade is twice the width of other houses in the vicinity, with very basic detail, uncharacteristic low-pitched roofs and minimal eaves overhangs. Aluminium framed window and door frames are unsympathetic to the heritage context. The street frontage is dominated by access ramps, pathways and the double driveway to the basement carpark, with sparse landscape.</p> <p>3. The representations made to the Panel regarding the current traffic situation in the street, (that Essex Street is being presently used as an alternative to main streets in the Epping area) may present unsatisfactory access to the site and the Panel requires further assessment dealing with this point.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 18 Oct 2022	5.3	DA/413/2022	PUBLIC MEETING: West Epping Park, 17 Mountain Street, Epping	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, approve development consent to DA/413/2022 for the construction of a 25m high monopole tower to replace the three existing telecommunications facilities into one facility on land at 17 Mountain Street, Epping (Lot 1 DP 230415) subject to the conditions of consent within Attachment 1.</p> <p>(b) Further, that submitters be advised of the Panel's decision.</p>	Mary-Lynne Taylor (Chairperson), Paul Berkemeier, Simone Lotz and Kirrily McDermott.	Nil

				<p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible pursuant to the State Environmental Planning Policy (Transport and Infrastructure) 2021 and satisfies the requirements of all applicable planning standards controls. 2. The development is consistent with the objectives of the RE1 zone. 3. The development is compatible with existing development on the subject site and will not significantly alter the character of development on the site, or the surrounding locality. 4. The development will improve mobile phone coverage within the locality to meet the needs of existing and future residents, workers, and visitors of Epping. 5. The proposal will consolidate multiple existing telecommunications facilities into a single facility. 6. The proposal will reduce the cumulative EME levels in the vicinity of the site. 7. For the reasons given above, approval of the application is in the public interest. <p>The Panel decision was UNANIMOUS.</p>		
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LPP 18 Oct 2022	5.4	DA/267/2019/A	OUTSIDE PUBLIC MEETING: 43 Valley Road Epping	<p>(a) That, the Parramatta Local Planning Panel exercising the functions of Council, modify development consent DA/267/2019 on land at 43 Valley Road, Epping, for a period of five (5) years from the date on the original Notice of Determination, subject to the conditions of consent in Attachment 1 and the following modifications listed below:</p> <ol style="list-style-type: none"> 1. Amend Condition Nos. 1 & 74 to reflect the updated plans and documents. 2. Add Condition Nos. 24A, 62A, 62B, 75A & 75B. 3. All other conditions of DA/267/2019 remain unchanged. <p>(b) Further, that the Parramatta Local Planning Panel approve the proposal notwithstanding the non-compliance with the floor space ratio control in Clause 4.4 Floor Space Ratio of the Parramatta Local Environmental Plan 2011 as there are sufficient environmental grounds to justify the variation.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The proposed modification is substantially the same development. 2. The proposed application is permissible within the R2 Low Density Residential zone and will result in a development which is suitable for the context of the site and locality. 	Mary-Lynne Taylor (Chairperson), Paul Berkemeier, Simone Lotz and Kirrily McDermott.	Nil
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				<p>3. The application to increase the floor space of the site is supported as there is no change in the bulk and scale of the building and the changes are not discernible from the streetscape.</p> <p>4. The application does not impact the amenity of the neighbouring properties and is suitable for the site.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 18 Oct 2022	6.1	RZ/3/2021	Pre-Gateway Planning Proposal for land at 8 Lincluden Place, Oatlands	<p>The Panel agrees with the Council officers' recommendation for the reasons given the Council assessment report:</p> <p>(a) That Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal at Attachment 1 for the land at 8 Lincluden Place, Oatlands, which seeks the following change to the Parramatta (former The Hills) Local Environmental Plan 2012:</p> <p>i. Amend the Land Zoning Map from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential.</p> <p>(b) That the Planning Proposal be forwarded to the DPE for a Gateway Determination.</p> <p>(c) That Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.</p>	Mary-Lynne Taylor (Chairperson), Paul Berkemeier, Simone Lotz and Kirrily McDermott.	Nil

				<p>(d) That Council delegates authority to the CEO:</p> <p>i. To draft the Planning Agreement based on the submitted offer provided at Attachment 2.</p> <p>i. In the event that a Gateway Determination is issued by DPE, that the Planning Agreement is placed on public exhibition concurrently with the Planning Proposal.</p> <p>(e) Further, that Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process or preparation of the Planning Agreement.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 18 Oct 2022	6.2	RZ/2/2021	Pre-Gateway Planning Proposal for land at 361-365 North Rocks Road, North Rocks	<p>The Panel notes that Councils' Strategic Planning officers believe that the proposal at present is inconsistent with the Housing diversity Precinct Criteria in Council's approved Parramatta Local Strategic Planning Statement as follows:</p> <p>(a) the proposed increases in height (between 9m to 25m) and density (overall site FSR of 1.35:1), and the site layout will lead to built form outcomes that are incompatible with the local context;</p> <p>(b) the predominance of mid-rise 4-7 storey residential flat buildings is incompatible with the local context and detracts from the strategic intent to promote medium density typologies of 2-3 storeys;</p> <p>(c) there is inadequate provision of affordable housing;</p>	Mary-Lynne Taylor (Chairperson), Paul Berkemeier, Simone Lotz and Kirrily McDermott.	Nil

				<p>(d) there is insufficient documentation to demonstrate that there are no adverse traffic impacts, and the proposed measures to improve public transport access are not considered feasible;</p> <p>(e) there is poor response to site context considering topographical, environmental and amenity considerations; and</p> <p>(f) there is inadequate open space provision considering the requirements of Council's Community Infrastructure Strategy.</p> <p>The applicant and consultants seek to defer consideration of this proposal by the Council at this time as they disagreed that their proposal is widely different to the intent of Council Strategic Planning.</p> <p>The Panels notes that difference between the two parties is considerable as Council planners believe that the site is to be restricted to 2 to 3 storeys in keeping with their understanding of the interpretation of Housing diversity in the LSPS.</p> <p>The applicants' position is that they have provided sufficient opportunities for low density (69% of the site is low density) and believes that there is some opportunity for residential flat buildings on this site up to seven storeys.</p> <p>The Panel believes it is now time to report this situation to the full Council.</p> <p>Further, that the Applicant be advised of Council's decision.</p>		
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				The Panel decision was UNANIMOUS.		
COUNCIL 31 Oct 2022	11.1	F2022/00105	Notice of Motion of Rescission: Item 13.2 - Outcome of Public Exhibition and impact of Department of Planning decisions on Draft Parramatta City Centre DCP	<p>(a) That Council notes the submissions (as summarised in Attachment 2) received in response to the exhibition of the Parramatta City Centre Development Control Plan (DCP) controls.</p> <p>(b) That Council approves the DCP controls at Attachments 4 and 5 including the amendments detailed in this report in Attachment 6 subject to the endorsed DCP being amended to remove any reference to an 18 metre tower separation (i.e. building separation above street wall) requirement for commercial buildings seeking unlimited FSR. Instead the tower separation in these cases remain at 12 metres as per the exhibited version of the DCP.</p> <p>(c) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the DCP controls.</p>	<p>Councillors Esber, Garrard, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne</p> <p>Note: Council Green returned to the Chamber at 8:15pm.</p>	Councillors Bradley, Darley, Davis, Maclean and Procriv
LPP 9 Nov 2022	5.1	RZ/5/2018	Post-exhibition - Planning Proposal, draft Development Control Plan and draft Planning Agreement for 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta (St John's Anglican Church)	<p>The Parramatta Local Planning Panel provides the following recommendation to Council:</p> <p>(a) That Council notes the submissions received in response to the exhibition of the Planning Proposal, Development Control Plan (DCP) amendment and Planning Agreement as summarised in Attachment 4 for the St John's Anglican Church Site.</p>	Nil	Stephen O'Connor (Chairperson), Paul Berkemeier and Robert Hussey.

				<p>(b) That Council note the Department of Planning and Environment's (the DPE) preliminary findings for the 'SEPP 2 work' as outlined in their letter dated 17 October 2022 at Attachment 5 and advise the DPE that the additional commercial floor space sought by the subject Planning Proposal, for the portion of the subject site proposed to be zoned B3 Commercial Core, has been assessed in regard to the findings and recommendations for the Western Edge Precinct outlined in the DPE's advice with the conclusion that a tall, slender tower with an appropriate street wall consistent with the site specific DCP (as amended) is consistent with the principles outlined in the DPE's letter.</p> <p>(c) That Council approve the finalisation of the Planning Proposal (at Attachment 1) for land at 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta as follows:</p> <p>a. For the northern development site:</p> <p>i. Rezone from B4 - Mixed Use and SP1 – Special Activities (Place of Public Worship) to part B3 - Commercial Core and part SP1 - Special Activities (Place of Public Worship);</p> <p>ii. A maximum Height of Building Control of 211 RL; and</p> <p>iii. A maximum FSR of 17.5:1 (or 16:1 exclusive of Design Excellence bonus), made up of a mapped FSR of 10:1 (plus 1.5:1 design excellence bonus) and a site-specific clause permitting a maximum FSR of 6:1 for office uses.</p>		
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			<p>b. For the southern development site:</p> <p>i. Include on the Land Reservation Acquisition (LRA) map at 41-45 Hunter Street a 6m wide accessway along the boundary to the rail line;</p> <p>ii. Application of the FSR sliding scale; and</p> <p>iii. Allow basement car parking on small portion of SP1-zoned land.</p> <p>c. The following amendments:</p> <p>i. For the northern development site:</p> <p>1. Amendments to include site specific local provisions that address:</p> <p>a. Conversion of the exhibited provision relating to Unlimited Commercial Floor Space to an equivalent nominated FSR control for office uses of 6:1;</p> <p>b. Limiting the height to 211 RL inclusive of a design excellence bonus; and</p> <p>c. A requirement for a site specific DCP to be prepared that provides for identified matters to be satisfied including the outcome for St John's Parish Hall.</p> <p>ii. For the southern development site:</p> <p>1. Removal of the following provisions as they are consistent with the finalised Parramatta Local Environment Plan (LEP) 2011 (Amendment No. 56) and are no longer required:</p> <p>a. A maximum Height of Building Control of 211 RL; and</p>		
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				<ul style="list-style-type: none"> b. A maximum FSR of 10:1. iii. For both development sites: <ul style="list-style-type: none"> 1. Removal of the following provisions as they are consistent with the finalised Parramatta LEP 2011 (Amendment No. 56) and are no longer required: <ul style="list-style-type: none"> a. Parramatta Square solar access, b. Aerospace investigations, and c. Car parking. 2. Amendments to address the following two minor Gateway compliance issues discussed in this report: <ul style="list-style-type: none"> a. Addressing the Direction on Remediation of Contaminated Land in the Planning Proposal document; and b. Raising the State infrastructure needs generated by the proposal when consulting State Agencies. 3. Noting the following unresolved matters raised by State Agencies are to be referred to the DPE for their consideration: <ul style="list-style-type: none"> a. Transport for NSW: objects to the number of car parking spaces on the site; b. Department of Planning and Environment – Environment and Heritage Group: raises concern about the inconsistency of the Planning Proposal with Ministerial Direction 4.3 Flood Prone Land 		
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				<p>c. State Emergency Service NSW: raises concern about the flood planning and management policy framework for the Planning Proposal and wider-CBD.</p> <p>(d) That Council forwards the amended Planning Proposal at Attachment 1 including the amendments summarised in part (c) above, for which are also detailed in this report, to the DPE for finalisation.</p> <p>(e) That Council approves the DCP controls at Attachment 2 including the amendments summarised at Table 10 in this report.</p> <p>(f) That Council enters into the Planning Agreement at Attachment 3 and delegates authority to the Chief Executive Officer to sign it on behalf of Council.</p> <p>(g) That in the event the DPE makes changes to the Planning Proposal and in response the applicant seeks to withdraw or renegotiate the Planning Agreement (outside the Chief Executive Officer's delegation at (h) below), then the DCP is to be amended to remove provisions relating to the Stage 1 DA and "Option A" [removal of Hall] and finalised with "Option B" [partial retention of Hall] only, thereby becoming the only option. The DCP is to be finalised and published as soon as practicable following finalisation of the LEP amendment.</p> <p>(h) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the Planning</p>		
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				Proposal, DCP amendment and Planning Agreement. The Panel decision was UNANIMOUS.		
COUNCIL 14 Dec 2022	13.1A	RZ/5/2018	195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta (St John's Anglican Church)	<p>RESOLVED (Garrard/Esber)</p> <p>(a) That Council note the submissions received in response to the exhibition of the Planning Proposal, Development Control Plan (DCP) amendment and Planning Agreement as summarised in Attachment 4 for the St John's Anglican Church Site.</p> <p>(b) That Council note the Department of Planning and Environment's (the DPE) preliminary findings for the 'SEPP 2 work' as outlined in their letter dated 17 October 2022 at Attachment 5 and advise the DPE that the additional commercial floor space sought by the subject Planning Proposal, for the portion of the subject site proposed to be zoned B3 Commercial Core, has been assessed in regard to the findings and recommendations for the Western Edge Precinct outlined in the DPE's advice with the conclusion that a tall, slender tower with an appropriate street wall consistent with the site specific DCP (as amended) is consistent with the principles outlined in the DPE's letter.</p> <p>(c) That Council approve the finalisation of the Planning Proposal (at Attachment 1) for land at 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta as follows:</p> <p>a. For the northern development site:</p> <p>i. Rezone from B4 - Mixed Use and SP1 – Special Activities (Place of Public Worship) to part B3 - Commercial Core and part SP1 - Special Activities (Place of Public Worship);</p>	Councillors Esber, Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak and Wang	Councillors Bradley, Darley, Davis, Maclean and Procriv

				<ul style="list-style-type: none"> ii. A maximum Height of Building Control of 211 RL; and iii. A maximum FSR of 17.5:1 (or 16:1 exclusive of Design Excellence bonus), made up of a mapped FSR of 10:1 (plus 1.5:1 design excellence bonus) and a site-specific clause permitting a maximum FSR of 6:1 for office uses. b. For the southern development site: <ul style="list-style-type: none"> i. Include on the Land Reservation Acquisition (LRA) map at 41-45 Hunter Street a 6m wide accessway along the boundary to the rail line; ii. Application of the FSR sliding scale; and iii. Allow basement car parking on small portion of SP1-zoned land. c. The following amendments: <ul style="list-style-type: none"> i. For the northern development site: <ul style="list-style-type: none"> 1. Amendments to include site specific local provisions that address: <ul style="list-style-type: none"> a. Conversion of the exhibited provision relating to Unlimited Commercial Floor Space to an equivalent nominated FSR control for office uses of 6:1; b. Limiting the height to 211 RL inclusive of a design excellence bonus; and c. A requirement for a site specific DCP to be prepared that provides for identified matters to be satisfied including the outcome for St John's Parish Hall. ii. For the southern development site: <ul style="list-style-type: none"> 1. Removal of the following provisions as they are consistent with the finalised Parramatta Local Environment Plan (LEP) 2011 (Amendment No. 56) and are no longer required: <ul style="list-style-type: none"> a. A maximum Height of Building Control of 211 RL; and b. A maximum FSR of 10:1. iii. For both development sites: 		
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				<p>1. Removal of the following provisions as they are consistent with the finalised Parramatta LEP 2011 (Amendment No. 56) and are no longer required:</p> <ul style="list-style-type: none"> a. Parramatta Square solar access, b. Aerospace investigations, and c. Car parking. <p>2. Amendments to address the following two minor Gateway compliance issues discussed in this report:</p> <ul style="list-style-type: none"> a. Addressing the Direction on Remediation of Contaminated Land in the Planning Proposal document; and b. Raising the State infrastructure needs generated by the proposal when consulting State Agencies. <p>3. Noting the following unresolved matters raised by State Agencies are to be referred to the DPE for their consideration:</p> <ul style="list-style-type: none"> a. Transport for NSW: objects to the number of car parking spaces on the site; b. Department of Planning and Environment – Environment and Heritage Group: raises concern about the inconsistency of the Planning Proposal with Ministerial Direction 4.3 Flood Prone Land c. State Emergency Service NSW: raises concern about the flood planning and management policy framework for the Planning Proposal and wider-CBD. <p>(d) That Council forward the amended Planning Proposal at Attachment 1 including the amendments summarised in part (c) above, for which are also detailed in this report, to the DPE for finalisation.</p>		
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				<p>(e) That Council approve the DCP controls at Attachment 2 including the amendments summarised at Table 10 in Attachment 6.</p> <p>(f) That Council enters into the Planning Agreement at Attachment 3 and delegates authority to the Chief Executive Officer to sign it on behalf of Council.</p> <p>(g) That in the event the DPE makes changes to the Planning Proposal and in response the applicant seeks to withdraw or renegotiate the Planning Agreement (outside the Chief Executive Officer's delegation at (h) below), then the DCP is to be amended to remove provisions relating to the Stage 1 DA and "Option A" [removal of Hall] and finalised with "Option B" [partial retention of Hall] only, thereby becoming the only option. The DCP is to be finalised and published as soon as practicable following finalisation of the LEP amendment.</p> <p>(h) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the Planning Proposal, DCP amendment and Planning Agreement.</p>		
LPP 15 Nov 2022	5.1	DA/10/2022	136 Church Street, PARRAMATTA NSW 2150	<p>(a) That, the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, grant development consent to DA/10/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, with the following amendments listed below;</p>	Julie Walsh (Chairperson), Ian Armstrong, Sue Francis and Peter Haliburn.	Nil

			<p>1. PART A – GENERAL CONDITIONS</p> <p>2. PART A – GENERAL CONDITIONS</p> <p>i. Condition 1 – add to Plan Box under “Specialist Reports”:</p> <table border="1"> <thead> <tr> <th>Document Dated</th> <th>Ref No.</th> <th>Issue</th> <th>Prepared By</th> </tr> </thead> <tbody> <tr> <td>Venue Management Plan November 2021</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> </tbody> </table> <p>2. PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE</p> <p>i. Condition 68A Acoustic absorption must be installed on the southern wall adjacent to the open areas. Absorption must have an NRC of at least 0.7, be 50mm thick and cover at least 60% of the surface area. Final location of absorption and materials must be approved by a qualified acoustic consultant at Construction Certificate assessment stage. Reason: To protect amenity of the area</p> <p>ii. Condition 68B Acoustic absorption must also be installed on the ceiling or walls of the ground floor and first floor internal areas. Absorption must have an NRC of at least 0.7, be 50mm thick and cover at least 50% of the surface area (either wall or ceiling). Final location of absorption and materials must be approved by a qualified acoustic consultant at Construction Certificate assessment stage. Reason: To protect amenity of the area</p>	Document Dated	Ref No.	Issue	Prepared By	Venue Management Plan November 2021	N/A	N/A	N/A		
Document Dated	Ref No.	Issue	Prepared By										
Venue Management Plan November 2021	N/A	N/A	N/A										

			<p>iii. Condition 68C All external windows shall be double glazed with a minimum Rw 38 glazing. Reason: To protect amenity of the area</p> <p>iv. Condition 68D All external doors shall be minimum Rw 36 glazing. Reason: To protect amenity of the area</p> <p>3. PART F – OCCUPATION AND ONGOING USE</p> <p>i. Condition 69 Use is not to cause offensive noise or vibration</p> <p>The use of the premises not giving rise to:</p> <p>(a) transmission of unacceptable noise or vibration to any place of different occupancy, (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997. Reason: To prevent loss of amenity to the area.</p> <p>ii. Condition 97A The licensee after 7pm shall ensure that a security guard is engaged to ensure that amenity impacts on neighbours are minimised including ensuring that patrons leaving the hotel do</p>		
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			<p>so as promptly and quietly as possible. After midnight an additional security guard shall be engaged. Reason: To prevent loss of amenity of the area</p> <p>iii. Condition 97B The maximum number of patrons in the premises at any one time shall be 450. This number shall be reduced to 200 after midnight. Reason: To ensure capacity of the premises.</p> <p>iv. Condition 98B The Venue Management Plan shall be amended to include a requirement to submit an acoustic report by an appropriately qualified acoustic consultant six months after the commencement of operations and there after annually confirming compliance with the conditions of consent and the Acoustic Report dated 17 November 2021, prepared by Rodney Stephens Acoustics (REPORT R210863R1 Revision 0). Reason: To prevent loss of amenity of the area</p> <p>v. Condition 100. The first-floor speakers shall not be located in near vicinity to first floor balcony door. Reason: To protect amenity of the area.</p> <p>vi. Condition 101. All doors to external areas must be closed from 11:00 pm. Reason: To protect amenity of the area.</p> <p>vii. Condition 102. All automated doors are to have self-closing mechanisms. Reason: To protect amenity of the area.</p>		
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			<p>viii. Condition 103. A noise limiter must be installed on the venues internal speaker system. Limiter must encompass all the speakers used for music in the venue and must ensure that noise levels the levels listed below at one metre the speaker. Limiter must be an octave band frequency limiter.</p> <p>Reason: To protect amenity of the area.</p> <p>ix. Condition 104. The external speakers shall have an SPL of no more than 70 dB(A) at one metre from the speaker before midnight and 60 dB(A) at one metre from the speaker after midnight. Reason: To protect amenity of the area.</p> <p>x. Condition 105. The maximum number of patrons on the balcony at any one time shall be 40. Reason: To protect amenity of the area.</p> <p>xi. Condition 106. The operations of the pub shall not exceed the Daytime Criteria and Night time Criteria for external noise impact levels at residential receivers during day time hours as per Tables 5 – 6 and 5 - 7 of the Acoustic Report dated 17 November 2021, prepared by Rodney Stephens Acoustics (REPORT R210863R1 Revision 0) reproduced below.</p> <p>Reason: To protect the amenity of the area</p> <p>4. Condition 99 – add a sentence at the end:</p> <p>Where there is a conflict between the Venue Management Plan and a specific condition of this consent, the condition of consent shall prevail.</p>		
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				<p>5. Amend "Plan of Management" to " Venue Management Plan" in condition 98(a),(h) and (j)</p> <p>(b) Further, that submitters are advised of the decision.</p> <p>REASONS FOR APPROVAL</p> <p>1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of Parramatta Local Environmental Plan 2011.</p> <p>2. The proposal is permissible within the B4 Mixed Use zone and is satisfactory when considered against Section 4.15 of the Environmental Planning and Assessment Act 1979;</p> <p>3. The development will be compatible with the emerging and planned future character of the area; and</p> <p>4. The Panel is satisfied that the condition as modified by the Panel will appropriately deal with amenity impacts including noise.</p> <p>5. Approval of the application is in the public interest.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 15 Nov 2022	5.2	DA/61/2022	2-4 Boundary Street and 85 Railway Street, PARRAMATTA NSW 2150	<p>The Panel determined to DEFER the item for the following matters to be addressed:</p> <p>1. Provision of information (including sketch plans) regarding shading required to the north, east, and west facing windows as referred to at point 17</p>	Julie Walsh (Chairperson), Ian Armstrong, Sue Francis and Peter Haliburn.	Nil

				<p>of the Design Excellence Assessment Panel comments on page 10 (of 66 pages) of the council report. Any proposed shading device must not affect solar access requirements under the Apartment Design Guidelines.</p> <p>2. Assessment of impacts including impacts on vegetation of any required drainage easement through 7 or 9 Rosehill Street Parramatta.</p> <p>3. Detailed plans and sections including screening and landscaping details to be provided to address privacy issues along the northern boundary between adjoining neighbours and ground floor courtyards.</p> <p>Upon receipt of this information a supplementary report is to be provided to the Panel which may determine the matter electronically.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 15 Nov 2022	6.1	RZ/1/2020	Holdmark Sites (Melrose Park South)	<p>The Panel supports the recommendations in the Council officer's report and endorses the reasons in that report as follows:</p> <p>(a) That Council receives and notes the submissions made during the exhibition of the Planning Proposal, draft Site-Specific Development Control Plan (DCP), and draft Planning Agreement (Attachment 1) and Council officer responses to the issues raised (Attachment 2).</p> <p>(b) That Council approve the updated Planning Proposal for finalisation (provided at Attachment 3) that seeks to amend Parramatta Local Environmental Plan 2011 as follows:</p>	Julie Walsh (Chairperson), Ian Armstrong and Peter Haliburton	Nil

				<ol style="list-style-type: none"> 1. Rezone 112 Wharf Road, 32 Waratah Street, Melrose Park and 82 Hughes Avenue, Ermington from IN1 General Industrial to part R4 High Density Residential and part RE1 Public Recreation. 2. Rezone 30 Waratah Street, Melrose Park from IN1 General Industrial to RE1 Public Recreation. 3. Amend the maximum building height on the East Site and West Site from 12m to a combination of 25m (6 storeys), 34m (8 storeys), 68m (20 storeys, and 77m (22 storeys) on each site. 4. Amend the Floor Space Ratio on the East Site from 1:1 to 2.74:1 (net). 5. Amend the Floor Space Ratio on the West Site from 1:1 to 2.46:1 (net). 6. Insert a site-specific provision in Part 6 additional local provisions – generally of Parramatta Local Environmental Plan 2011 and amending the Additional Local Provisions map to include the East Site and West Site to ensure: <ol style="list-style-type: none"> 6.1 That design excellence provisions be applicable to buildings with a height of 55m and above and appoint a Design Excellence Panel to provide design advice for all development applications within the subject sites. Floor Space Ratio and height of building bonuses are not to be awarded on any development lot. 		
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			<p>6.2 A minimum of 1,000m² of non-residential floor space is to be provided across the East and West Sites to serve the local retail and commercial needs of the incoming population.</p> <p>7. Amend the Land Reservation Acquisition map to reflect areas of open space to be dedicated to Council.8) Insert provisions into the Parramatta Local Environmental Plan 2011 to ensure that the number of dwellings approved at the development application stage aligns with the required infrastructure identified by Council in the Transport Management and Accessibility Plan (TMAP).</p> <p>8. Insert provisions into the Parramatta Local Environmental Plan 2011 requiring the Planning Secretary to be satisfied that all State public infrastructure needs (including transport and schools) are met before development can proceed.</p> <p>9. Insert provisions into Parramatta Local Environmental Plan 2011 to ensure that the new planning controls do not take effect on the subject sites prior to the local infrastructure identified in the local Planning Agreement being secured by way of an executed Planning Agreement between Council and the Applicant.</p> <p>10. Amend Schedule 1 Additional Permitted Uses of Parramatta Local Environmental Plan 2011 to permit 'food and drink' premises in the R4 High Density Residential zone as identified on the new Additional Permitted Uses map.</p>		
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				<p>(c) That Council forward the Planning Proposal to the Department of Planning and Environment for finalisation.</p> <p>(d) That Council approve the Site-Specific DCP at Attachment 4.</p> <p>(e) That Council approve the Planning Agreement at Attachment 6 and the Chief Executive Officer be authorised to sign the Planning Agreement on behalf of Council.</p> <p>(f) Further, that Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the finalisation of the Planning Proposal, DCP and Planning Agreement.</p> <p>The Panel decision was UNANIMOUS.</p>		
COUNCIL 28 Nov 2022	11.2	F2022/00105	195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta (St John's Anglican Church)	<p>RESOLVED (Darley/Prociv)</p> <p>That the resolution of the Council held on 14 November 2022 in relation to Item 13.1 – Post-exhibition - Planning Proposal, draft Development Control Plan and draft Planning Agreement for 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta (St John's Anglican Church), namely:</p> <p>(a) That Council note the submissions received in response to the exhibition of the Planning Proposal, Development Control Plan (DCP) amendment and Planning Agreement as summarised in Attachment 4 for the St John's Anglican Church Site.</p> <p>(b) That Council note the Department of Planning and Environment's (the DPE) preliminary</p>	Councillors Bradley, Darley, Davis, Maclean and Prociv	Councillors Esber, Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne

				<p>findings for the 'SEPP 2 work' as outlined in their letter dated 17 October 2022 at Attachment 5 and advise the DPE that the additional commercial floor space sought by the subject Planning Proposal, for the portion of the subject site proposed to be zoned B3 Commercial Core, has been assessed in regard to the findings and recommendations for the Western Edge Precinct outlined in the DPE's advice with the conclusion that a tall, slender tower with an appropriate street wall consistent with the site specific DCP (as amended) is consistent with the principles outlined in the DPE's letter.</p> <p>(c) That Council approve the finalisation of the Planning Proposal (at Attachment 1) for land at 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta as follows:</p> <p>a. For the northern development site:</p> <p>i. Rezone from B4 - Mixed Use and SP1 – Special Activities (Place of Public Worship) to part B3 - Commercial Core and part SP1 - Special Activities (Place of Public Worship);</p> <p>ii. A maximum Height of Building Control of 211 RL; and</p> <p>iii. A maximum FSR of 17.5:1 (or 16:1 exclusive of Design Excellence bonus), made up of a mapped FSR of 10:1 (plus 1.5:1 design excellence bonus) and a site-specific clause permitting a maximum FSR of 6:1 for office uses.</p> <p>b. For the southern development site:</p> <p>i. Include on the Land Reservation Acquisition (LRA) map at 41-45 Hunter Street a 6m wide accessway along the boundary to the rail line;</p> <p>ii. Application of the FSR sliding scale; and</p> <p>iii. Allow basement car parking on small portion of SP1-zoned land.</p> <p>c. The following amendments:</p>		
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				<ul style="list-style-type: none"> i. For the northern development site: <ul style="list-style-type: none"> 1. Amendments to include site specific local provisions that address: <ul style="list-style-type: none"> a. Conversion of the exhibited provision relating to Unlimited Commercial Floor Space to an equivalent nominated FSR control for office uses of 6:1; b. Limiting the height to 211 RL inclusive of a design excellence bonus; and c. A requirement for a site specific DCP to be prepared that provides for identified matters to be satisfied including the outcome for St John's Parish Hall. ii. For the southern development site: <ul style="list-style-type: none"> 1. Removal of the following provisions as they are consistent with the finalised Parramatta Local Environment Plan (LEP) 2011 (Amendment No. 56) and are no longer required: <ul style="list-style-type: none"> a. A maximum Height of Building Control of 211 RL; and b. A maximum FSR of 10:1. iii. For both development sites: <ul style="list-style-type: none"> 1. Removal of the following provisions as they are consistent with the finalised Parramatta LEP 2011 (Amendment No. 56) and are no longer required: <ul style="list-style-type: none"> a. Parramatta Square solar access, b. Aerospace investigations, and c. Car parking. 2. Amendments to address the following two minor Gateway compliance issues discussed in this report: <ul style="list-style-type: none"> a. Addressing the Direction on Remediation of Contaminated Land in the Planning Proposal document; and 		
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			<p>b. Raising the State infrastructure needs generated by the proposal when consulting State Agencies.</p> <p>3. Noting the following unresolved matters raised by State Agencies are to be referred to the DPE for their consideration:</p> <p>a. Transport for NSW: objects to the number of car parking spaces on the site;</p> <p>b. Department of Planning and Environment – Environment and Heritage Group: raises concern about the inconsistency of the Planning Proposal with Ministerial Direction 4.3 Flood Prone Land</p> <p>c. State Emergency Service NSW: raises concern about the flood planning and management policy framework for the Planning Proposal and wider-CBD.</p> <p>(d) That Council forward the amended Planning Proposal at Attachment 1 including the amendments summarised in part (c) above, for which are also detailed in this report, to the DPE for finalisation.</p> <p>(e) That Council approve the DCP controls at Attachment 2 including the amendments summarised at Table 10 in Attachment 6.</p> <p>(f) That Council enters into the Planning Agreement at Attachment 3 and delegates authority to the Chief Executive Officer to sign it on behalf of Council.</p> <p>(g) That in the event the DPE makes changes to the Planning Proposal and in response the applicant seeks to withdraw or renegotiate the Planning Agreement (outside the Chief Executive Officer's delegation at (h) below), then the DCP is to</p>		
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				<p>be amended to remove provisions relating to the Stage 1 DA and "Option A" [removal of Hall] and finalised with "Option B" [partial retention of Hall] only, thereby becoming the only option. The DCP is to be finalised and published as soon as practicable following finalisation of the LEP amendment.</p> <p>(h) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the Planning Proposal, DCP amendment and Planning Agreement.be and is hereby rescinded.</p> <p>In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.</p> <p>The motion move by Councillor Darley and seconded by Council Prociv on being put was LOST.</p>		
COUNCIL 28 Nov 2022	13.2	F2022/00105	361-365 North Rocks Road, North Rocks	<p>(a) That Council refuse the Planning Proposal at 361-365 North Rocks Road, North Rocks for the following reasons:</p> <p>1. The Planning Proposal is inconsistent with the Housing Diversity Precinct Criteria in Council's approved Parramatta Local Strategic Planning Statement as follows:</p> <p>a. the proposed increases in height (between 9m to 25m) and density (overall site FSR of 1.35:1), and site layout leads to built form and public domain outcomes that are incompatible with the local context;</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Nil

				<p>b. the predominance of mid-rise 4-7 storey residential flat buildings is incompatible with the local context and detracts from the strategic intent to promote medium density typologies of 2-3 storeys;</p> <p>c. inadequate provision of affordable housing;</p> <p>d. the lack of sufficient documentation to demonstrate no adverse traffic impacts, and the proposed measures to improve public transport access are not considered feasible;</p> <p>e. poor strategic merit in relation to access, topographical, environmental and amenity considerations; and</p> <p>f. inadequate open space provision considering the requirements of Council's Community Infrastructure Strategy.</p> <p>(b) That the applicant be advised of Council's decision.</p> <p>(c) Further, that Council note the following advice of the Local Planning Panel dated 18 October 2022 wherein:</p> <p>1. The Panel noted the Council officer recommendation and the applicant's position;</p> <p>2. The Panel noted the difference in the Council officer and applicant's position regarding the site's capacity to accommodate built form greater than 3 storeys, and the compliance of the proposal with Housing Diversity Precinct Criteria 6 within Council's adopted Local Strategic Planning</p>		
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				<p>Statement requiring the proposal to be predominantly low rise (2-3 storeys);</p> <p>3. The Panel did not support the applicant's request to defer consideration of the matter and recommended the matter be reported to Council.</p> <p>In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.</p> <p>The planning proposal moved by Councillor Valjak and seconded by Councillor Humphries was CARRIED UNANIMOUSLY.</p>		
COUNCIL 28 Nov 2022	13.3	RZ/3/2021	8 Lincluden Place, Oatlands	<p>(a) That Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal at Attachment 1 for the land at 8 Lincluden Place, Oatlands, which seeks the following change to the Parramatta (former The Hills) Local Environmental Plan 2012:</p> <p>i. Amend the Land Zoning Map from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential.</p> <p>(b) That the Planning Proposal be forwarded to the DPE for a Gateway Determination.</p> <p>(c) That Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.</p> <p>(d) That Council delegates authority to the CEO:</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Nil

				<p>i. To draft and negotiate the Planning Agreement based on the submitted offer provided at Attachment 2 and as detailed in this report.</p> <p>ii. In the event that a Gateway Determination is issued by DPE, that the Planning Agreement is placed on public exhibition concurrently with the Planning Proposal.</p> <p>(e) That, Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process or preparation of the Planning Agreement.</p> <p>(f) Further, that Council note the advice of the Local Planning Panel dated 18 October 2022 which is consistent with the above Council officer recommendation.</p> <p>In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.</p> <p>The planning proposal moved by Councillor Esber and seconded by Councillor Garrard was CARRIED UNANIMOUSLY.</p>		
Council 5 Dec 2022	13.2	F2022/00105	Rose Street Precinct, Epping	<p>(a) That Council does not proceed to prepare a drainage analysis to support consideration of amendments to the planning controls that apply to the Rose Street Precinct, Epping for the following reasons:</p> <p>1. Amendments to the planning controls for the Rose Street Precinct would have no strategic merit as the area is not required to contribute to meeting Council's adopted housing targets to 2036</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak and Wang.	Nil

				<p>and therefore the amendments sought would be inconsistent with Council's Local Strategic Planning Statement and Local Housing Strategy.</p> <p>2. Council's Local Strategic Planning Statement seeks to retain the local character of existing low density residential areas that are not currently identified to help meet housing growth targets, which are to be protected from the encroachment of high-density development.</p> <p>(b) Further, that Council writes to the landowners within the Rose Street Precinct, Epping and surrounding area advising them of Council's decision.</p> <p>In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.</p> <p>The report moved by Councillor Maclean and seconded by Councillor Esber was CARRIED UNANIMOUSLY.</p>		
Council 5 Dec 2022	13.5	F2022/00105	Holdmark Sites (Melrose Park South)	<p>That Council defer the consideration of this matter to Ordinary Council Meeting on Monday 12 December 2022.</p> <p>In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.</p> <p>The report moved by Councillor Noack and seconded by Councillor Humphries was CARRIED UNANIMOUSLY.</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Maclean, Noack, Pandey, Prociv, Siviero, Valjak and Wang.	Nil
LPP 20 Dec 2022	5.1	DA/318/2022 D08693308	1 Windsor Road, North Rocks	<p>(a) That the Parramatta Local Planning Panel, exercising the function of the consent authority, approves development consent to DA/318/2022 for</p>	Steve Driscoll, Deb Sutherland and Maree Turner	Mary-Lynne Taylor, declared a conflict of interest in Item 5.1 –1

			<p>the 'Construction of a commercial retail development comprising of a Woolworths supermarket, BWS liquor store, Direct to Boot distribution centre, gymnasium, and three (3) retail premises and associated car parking, landscaping, and business identification signage. The building is identified as a local heritage item A23 pursuant to THLEP 2012. Integrated development under Water Management Act 2000. Installation of 20 signage types to include business identification/advertising/direction/ safety and other' on land at 1 Windsor Road, North Rocks. The recommended conditions of consent are within Attachment 1, of the Council planning report.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible in the B6 Enterprise Corridor zone pursuant to Parramatta (former The Hills) Local Environmental Plan 2012 and generally satisfies the requirements of the applicable planning framework. 2. The development will be compatible with the emerging and planned future character of the area. 3. The development will promote a business along a main road and encourages a mix of compatible uses. 4. The Panel notes the requirement in consent Condition 18 for the applicant to comply with the requirements of Transport for NSW as set out in the letter of the 15 November 2022, or as may be communicated by Transport for NSW subsequently. 		<p>Windsor Road, North Rocks, NSW, 2151. She retired from the meeting prior debate and voting on the matter.</p>
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				<p>5. The proposal provides a range of employment opportunities.</p> <p>6. The amenity impacts can be appropriately managed.</p> <p>7. The development is in the public interest because it is consistent with the objectives for development in the B6 Enterprise Corridor zone.</p> <p>8. The Panel received the addendum dated 20 December 2022 from Senior Development Officer in relation to Conditions 1, 23, 48, 49(b) and 50 that will need to be amended to reflect the correct number of trees to be retained. The Panel accepted the amendment.</p> <p>9. For the reasons given above, approval of the application is in the public interest.</p> <p>The Panel decision was UNANIMOUS</p>		
LPP 20 Dec 2022	5.2	DA/932/2021	3 Farmhouse Road, Westmead	<p>(a) The Parramatta Local Planning Panel agrees with the reasons in the Council planning assessment report for approval of the application and notes as follows:</p> <p>1. Revised written requests to vary the Building Height and FSR development standards have been received and adequately address the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011;</p> <p>2. There is an approved a Concept Masterplan that was approved with variations to the Building Height and FSR prescribed by Parramatta LEP 2011;</p>	Mary-Lynne Taylor, Steve Driscoll, Deb Sutherland and Maree Turner.	Nil

				<p>3. The established density under the Concept Masterplan has been used to inform the building envelopes proposed under two subsequent Development Applications, including a prior approval on the subject site;</p> <p>4. As such, strict compliance with the standards is considered to be unachievable as a variation has already been approved;</p> <p>5. The further variation sought under this application results in a 4.3% increase to the overall density established under the Concept Masterplan;</p> <p>6. The additional variation of the development standards will not create any significant additional adverse impacts in regard to overshadowing, bulk and scale, streetscape, or traffic generation;</p> <p>7. The additional density will take advantage of the significant current investment in public transport infrastructure within the Westmead Precinct;</p> <p>8. The proposal remains consistent with the aims, objectives, and desired future character of the Westmead Precinct;</p> <p>9. This is a unique situation in which the extent of variation is guided by a Concept Masterplan that was approved by Council and the JRPP, and is unlikely to be replicated outside of the master planned area.</p> <p>REASONS FOR APPROVAL</p> <p>(b) That the Parramatta Local Planning Panel, exercising the function of the consent authority,</p>		
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				<p>approves development consent to DA/932/2021 for alterations and additions to the approved residential development including an additional 4 floors to Buildings D and F and internal and external facade changes on land at 3 Farmhouse Road, Westmead. The recommended conditions of consent are within Attachment 1, Council planning report, for the following reasons:</p> <ol style="list-style-type: none"> 1. This application relies upon the ability to vary the building height and FSR development standards in PLEP 2011. The application has been accompanied by a written request that adequately addresses the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011. 2. The Panel concurs that the written request demonstrates that strict compliance with the development standards for building height and FSR in the circumstances of this case is unreasonable and unnecessary. The application as amended has properly demonstrated that these development standards have, in effect been abandoned and the terms of the Concept Masterplan should now prevail. 3. The development is permissible in the B4 Mixed Used zone pursuant to the Parramatta Local Environmental 2011 and satisfies the requirements of all applicable planning standards and controls. 4. The development will be compatible with the emerging and planned future character of the area, which is to include the provision of new public transport infrastructure such as the Parramatta Light Rail and the Sydney Metro to complement the existing heavy rail infrastructure. 		
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				<p>5. The development will provide housing and employment that accommodates the needs of the existing and future residents, workers and visitors of Parramatta, consistent with the Westmead Place Strategy.</p> <p>6. The provision of car parking is now considered adequate for this application as this location is so well served by four modes of public transport.</p> <p>7. For the reasons given above, the site is suitable for the development and approval of the application is in the public interest.</p> <p>(c) That submitters are advised of the decision.</p> <p>(d) Further, that Council Officers consider amending relevant development standards such as Heights Of Buildings and Floor Space Ratios, as they relate to the subject property in the next "housekeeping amendment" that is undertaken of the relevant instrument so that the new controls are consistent with the development which has been approved in this locality.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 20 Dec 2022	5.3	DA/127/2022	30 Stanley Road, Epping	<p>(a) That, the Parramatta Local Planning Panel support the variation to Clause 4.3 of Hornsby Local Environmental Plan 2013 under the provisions of Clause 4.6 for the following reasons:</p> <p>1. That compliance with the development standard for height is considered unnecessary given the unique context and scale of the site and natural constraints present and,</p>	Mary-Lynne Taylor, Steve Driscoll, Deb Sutherland and Maree Turner.	Nil

				<p>2. The proposed non-compliance will result in negligible visual impact to adjoining properties and the streetscape and,</p> <p>3. The non-compliance is minor and restricted to a small area of the roof.</p> <p>(b) Parramatta Local Planning Panel, exercising the function of the consent authority, approves development consent to DA/127/2022 for the alteration and additions to the existing dwelling on land at 30 Stanley Road, Epping, subject to the conditions of consent in Attachment 1, of the Council planning report.</p> <p>1. The development is permissible in the R2 Low Density Residential zone pursuant to the Hornsby Local Environmental plan 2013 and substantially satisfies the requirements of all applicable planning standards and controls.</p> <p>2. The development is compatible with the existing and emerging and planned future character of the area.</p> <p>3. For the reasons given above, the site is suitable for the proposed development, and approval of the application is in the public interest.</p> <p>(c) Further, that submitters be advised of the Panel's decision.</p> <p>The Panel decision was UNANIMOUS.</p>		
LPP 20 Dec 2022	6.1	RZ/4/2021	Planning Proposal and Draft Planning Agreement for 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford	The Local Planning Panel supports the following Council Officer recommendation in its advice to Council with minor additional advice:	Mary-Lynne Taylor, Steve Driscoll, Deb Sutherland and Maree Turner.	Nil

				<p>(a) That Council receive and note the submissions (summarised in this report) made during the public exhibition of the Planning Proposal and draft Planning Agreement for 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford.</p> <p>(b) That Council approve the Planning Proposal (Attachment 1) for land at 263 - 273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford for finalisation that seeks to amend the Parramatta (former The Hills) Local Environmental Plan 2012 as follows:</p> <p>i. Amend Schedule 1 to permit 'shops' and 'food and drink premises', 'business premises' and 'recreational facility (indoor)' up to a combined total GFA of 2,000sqm on the R4 High Density Residential zoned part of the site.</p> <p>ii. Addition of the R4 High Density Residential zoned part of the site to the Additional Permitted Uses Map to facilitate retail floor space, neighbourhood supermarket along with specialty retail, business, and recreational uses.</p> <p>(c) That Council approve the Planning Agreement at Attachment 2 and the Chief Executive Officer be delegated authority to sign and execute the Planning Agreement on behalf of Council which will deliver:</p> <p>i. A shared walking/cycling pathway through Council owned Shirley Street Reserve which forms part of the connection to the Carlingford Light Rail stop,</p>		
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			<p>ii. A raised pedestrian crossing accommodating both cyclists and pedestrians on Shirley Street and, in addition,</p> <p>iii. In addition, the above items i and ii be delivered prior to the occupation of any of the dwellings on the site.</p> <p>(d) That Council delegate authority to the Chief Executive Officer to exercise the plan making delegations as granted by the Gateway Determination for this Planning Proposal.</p> <p>(e) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal and finalisation of the Planning Agreement.</p> <p>The Panel decision was UNANIMOUS.</p>		
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