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CITY OF PARRAMATTA

RECORD OF MEETING

MS M. TAYLOR, Presiding

**CITY OF PARRAMATTA, LOCAL PLANNING
PANEL – COUNCIL MEETING**

**RYDALMERE OPERATIONS CENTRE
316 VICTORIA RD, RYDALMERE NSW**

TUESDAY, 18 JUNE 2019

MS M. TAYLOR: Good afternoon, ladies and gentlemen, and welcome to this meeting of the Local Planning Panel Meeting of the City of Parramatta. The panel is all here today and there are no apologies. The panel acknowledges and along with the city council that we are amongst the lands of the Burramattagal clan of the
5 Darug, the traditional landowners in Parramatta, and we pay our respects to the elders both past and present. This public meeting will be recorded and we are asking if you are going to speak to us to sit in the chair near the microphone. The recording is archived and available on council's website and all care is taken to maintain your privacy, however, if you are in attendance in the public gallery you may be – should
10 be aware that your presence may be recorded.

The declarations of interest. Now, I have a declaration of interest to make in one of the matters in that – to do with the planning proposal for the Greek Orthodox Church I sat on the State panel and I feel I've expressed my views and cannot, therefore, sit
15 again on this panel looking at this matter. In that case, David Ryan on my left here will take over as the chair and I will excuse myself. The panel today is, on my left is David Ryan. Would you introduce yourself, David.

MR D. RYAN: David Ryan, town planner. Expert in town planning.
20

MS TAYLOR: Thank you.

MR P. BERKEMEIER: Paul Berkemeier, architect. Expert in architecture.

25 MR H. COLLIS: Hugh Collis. I'm the community representative.

MS TAYLOR: And I think you're also an architect, Hugh.

MR COLLIS: And architect.
30

MS TAYLOR: Yes. Thank you very much. We'll start with the – well, we might start with item number 4, Dunmore Avenue, Carlingford, because I believe that this matter is subject of an appeal and that you are seeking Mr – from – no. No. Mr
35 Travis Lythall wants to speak in support in support of the recommendation. Is that going to be you or Travis Lythall?

MS STEPHENS: No. That's a different matter. That's the Awesome Church.

MS TAYLOR: Sorry. Sorry. 5.3 Euston Street, Rydalmere.
40

MS STEPHENS: That's the Awesome Church. So Dunmore is the one with the – Adam Byrnes is for that one.

MR A. BYRNES: Dunmore, I'm going to speak on behalf of the applicant seeking
45 a deferral.

MS TAYLOR: Okay. I'm going to ask you to speak first.

MR BYRNES: Sure.

5 MS TAYLOR: Because we can get that matter out of the way.

MR BYRNES: Thank you.

10 MS TAYLOR: So I believe you've got an application to make?

MR BYRNES: I do indeed, sir. Thank you chair and panel. My name's Adam Byrnes of Think Planners and we're the applicant for the 8.3 application before council and the panel of 1 Dunmore. We understand that council's in a position where it needs to report this because the six months period in which to make a
15 determination of the application expires this month and, therefore, in order to continue our discussions with council about improving the development and addressing the issues raised by the panel in the refusal, we've sought – we have now made application to the Land and Environment Court and we've had positive discussions with council.

20 The primary purpose of that is to give us time in order to resolve outstanding issues and hopefully get to a point where we get a recommendation for approval off the back of an improved design and we think that can be achieved speedily and we're hopeful that you'll give us the time by deferring this today in order for us to
25 complete that process and come back before you, we trust, in July/August depending how our finalisation of the - - -

MS STEPHENS: Probably more August.

30 MR BYRNES: Probably more August. Depending how we go with our amendment – amended design.

MS TAYLOR: So you're seeking to defer the matter today?

35 MR BYRNES: Correct.

MS TAYLOR: Does the council wish to respond?

40 MS STEPHENS: We agree to the deferral.

MS TAYLOR: You agree to that. Council think it's very wise to defer the matter – or the panel does, I believe, and we agree with the council and we will defer the matter.

45 MR BYRNES: Thank you very much.

MS TAYLOR: Thank you very much. Item number 1 is 14A Mons Road, Westmead. Is there anybody here to speak to this matter? Panel are we in a position to make a decision on this now?

5 MR RYAN: Yes.

MR BERKEMEIER: Yes.

10 MS TAYLOR: Thank you. The recommendation is for approval and the panel will approve it for reasons clear throughout the report and our final version of this will be read later in the afternoon. We will now move to item number 2. Anybody here to speak to this matter?

15 MS STEPHENS: Awesome Church.

MS TAYLOR: Which is Station Street, Dundas.

MS STEPHENS: No. Sorry. Station Street, Dundas. That one.

20 MR BYRNES: I'm here to speak on behalf of the applicant. I wasn't sure if

MS STEPHENS: No.

25 MR BYRNES: No. Thank you.

MS TAYLOR: This is for a modification to residential flat building which includes the addition of an additional level five. Yes. Over to you, Mr Byrnes.

30 MR BYRNES: Thank you. I don't want to be too verbose. We really appreciate the recommendation before you. We support it. We seek your adoption of it this afternoon. I'm here obviously keen to address any concerns you may have and if there's any concerns I would love to be able to respond to them but we're really pleased with the assessment and the recommendation and seek your adoption. Thank you.

35 MS TAYLOR: Thank you. Any questions from any members of the panel?

40 MR RYAN: Yes. I'm just interested in the nature of the application or the previous application. Clearly, the report before us tells us that this application complies with the height and the FSR. Is there any reason why that wasn't applied for in the first instance? Was it a case of pragmatism in trying to get an easy approval through that complied with everything and now this was always the main game?

45 MR BYRNES: No. Sorry. So there was no covert thinking about this where we, sort of, let's hold back and come back later. So there was certainly no discussion of that type. I guess, in having a look at the consent, we can see ways to improve – improve the development, I think, particularly around the mix and obviously there's

a great future in terms of Dundas and I think the yield – the yield is obviously an improvement, one extra apartment, but I also think it's nice that we've got a mix, an approved mix with less reliance on one. So we've got a studio, we've got – we've improved the three bedders, so overall I think it's an improvement but, no, there was
5 no covert, sort of, secret, sort of, way in which we were trying to work council. I find they're usually smarter than me and I can't often be successful in that way, so that – yes.

MR RYAN: I think that's it. Yes.
10

MS TAYLOR: Gentlemen, are we in a position to make a decision on this matter?

MR RYAN: Yes.

15 MR COLLIS: Yes.

MS TAYLOR: The panel will unanimously approve the application. The reasons are that the development, as modified, is substantially the same development for which consent was originally granted. The modified development, compatible with
20 the emerging and planned future character of the area. The increase to the height and gross floor area does not significantly alter the streetscape appearance of the approved building to Station Street. The modified proposal will not result in any significant adverse impacts in respect to privacy overshadowing or bulk and scale. The panel has taken into account the issues raised in the submissions and agrees with
25 council's assessment of those submissions, noting that there will not be any overshadowing of neighbouring properties.

There will not be any increase in overlooking as a result of the additional floor and that, otherwise, I believe the application to be in the public interest and we adopt the
30 conditions in the council town planning report. Thank you very much.

MR BYRNES: Thank you panel.

MS TAYLOR: That matter is dealt with. Item number 4 has already been dealt
35 with and we're now in a position to look at the planning proposals.

MS STEPHENS: Awesome Church.

MR COLLIS: Awesome Church, Euston. 583.
40

MS TAYLOR: Sorry. I'm determined not to get to this properly. I think I'm overwhelmed by the awesomeness of the name. 5.34 Euston Street, Rydalmere. 5.3. We have, of course, been to the site so we know what we're thinking about here. Thank you very much.
45

MR LYTHALL: Well, firstly, thank you chairperson and panel members. My name's Travis Lythall.

MS TAYLOR: Just a little louder.

MR LYTHALL: My name's Travis Lythall. I'm the senior town planner on the project.

5

MS TAYLOR: Thank you.

MR LYTHALL: I work for Willowtree Planning. I'm here today with the Pastor for the church, Gary Costello, a senior board member, John, and the applicant Stephen Giacomelli from Guardian Realty with Red Council's assessment report and thank them for that and we completely endorse their recommendations for approval within the report. We're completely satisfied that the proposal is compliant in the IN1 zone for a place of public worship. We understand that there were some 13 submissions and quite a few of those were in regard to traffic non-compliances, however, we have done extra surveys within the area and we're satisfied that the church will be compliant with the available on-street and off-street parking within the area and we are happy to address any further questions the panel has.

MS TAYLOR: Okay. I see that I don't have any person to speak here against this application. Questions from the panel.

20

MR RYAN: I don't have a question, though I might just prompt you. There was a landscaping issue.

MR LYTHALL: Yes. We're just looking at the possible introduction of more landscaping within the area.

25

MR RYAN: Okay.

MR LYTHALL: With the reduction of that small landscaping strip at the front to provide a pathway from the car park and into the front entrance.

30

MR BERKEMEIER: Sure.

MR LYTHALL: Whether there's an opportunity to provide a landscaping strip at that front entrance to the front door between the boundaries.

35

MR BERKEMEIER: Sure.

MR LYTHALL: Just to soften that had paved area because it's quite a lot. Whether that's something that can be looked into, not only to soften the hardscape, as discussed, but to help celebrate that entrance as well.

40

MR BERKEMEIER: Most definitely.

45

MR LYTHALL: To highlight that entrance.

MR BERKEMEIER: local character a little more as well.

MR LYTHALL: Yes. That's my position.

5 MS TAYLOR: Thank you. I understand. Yes. So are we in a position to make a decision on this, gentlemen?

MR BERKEMEIER: Yes.

10 MS TAYLOR: Thank you. The panel unanimously approves the application and agrees with the recommendation within the council report. The development is permissible in the general industrial zone and satisfies the requirements of all the planning controls. The development will be compatible with the emerging and planned future character of the area and, together with an additional condition
15 relating to landscaping, will be a suitable site for the proposal. The panel noted the number of submissions that were received and, in particular, relating to parking, traffic, illegal parking and, in that regard, the panel notes that the use of this particular places of public worship will have no – it won't coincide with the traffic from the industrial area so in that – and there is a requirement for a travel plan in the
20 conditions of the council to understand how the church is going to work in that regard.

There is also requirements for restriction on numbers of people and on the hours of operation. These are – it will be a condition of consent and so any changes to those
25 operational matters will have to be a matter that comes before the council again and that the panel – sorry. And that the local people get an opportunity to comment. The panel doesn't find that there is any conflict with having a church in any of the other variety of uses in the area and does not believe that this is a matter that needs to be addressed in town planning terms and otherwise, together with the conditions,
30 including an additional condition relating to landscaping, the panel believes that this is an appropriate approval and is in the public interest for it to be approved. We wish you well with the church.

MR LYTHALL: Thank you.
35

MS TAYLOR: And the other various uses in the area. Thank you very much. I think there's a suspicious looking person in the back seat there that might want to make – do you want to make an objection?

40 MR1: No. I'm fine. I'll keep the peace.

MS TAYLOR: You stay away from that area near that church.

MR1: Absolutely.
45

MS TAYLOR: I'm thinking of doing a planning proposal for Silverwater Road first. Is that you, Mr Byrnes? Anybody here to speak to the planning proposal for Silverwater Road?

5 MR2: I don't think we had anyone registered to speak. No.

MS TAYLOR: Sorry?

MR2: I don't think we had anyone registered to speak.

10

MS TAYLOR: No. Right. You never know though. If somebody is still here, they might be wanting to say something. Okay. So, council, did you want to address us on this matter?

15 MR2: Yes. This planning proposal is just seeking to include office premises as an additional permitted use within the IM1 zone on 108 Silverwater Road, Silverwater. So our analysis is in the report and it's relatively straight forward from our perspective, in the sense that we agree with the proponent's planning proposal and – but there was a concern around the issue of precedent for office premises in an
20 area which otherwise wasn't permitted but we've addressed that through the report in the sense of the existing building there is a purpose built office building, in any case, and so if there was to be a precedent argument for other office premises in the area it would, essentially, require a demolition and a construction of a purpose built office building and that's not the case for this particular proposal because there is an
25 existing office building there right now.

So the proposal and the recommendation of the report was that the office use is to be limited just to that office building on the site and, in that regard, we're – at office 11 we're satisfied with the planning proposal and recommend that it proceeds to
30 Gateway on that

MS TAYLOR: This is a planning proposal and what this panel is asked to do is to say do they recommend to the council that it go ahead and endorse the planning proposal to go forward to the department. Any questions or comments, Hugh?

35

MR COLLIS: Nothing.

MS TAYLOR: Paul?

40 MR BERKEMEIER: No.

MS TAYLOR: David, did you want to express your concerns?

MR RYAN: My concern is about the precedent they have addressed. So I'm happy.
45

MS TAYLOR: Been addressed. Yes.

MR RYAN: They have been.

MS TAYLOR: Yes. Yes. I think unanimously this panel will endorse the planning proposal to allowing office premises as an additional permitted use on the site. We
5 want it to be restricted to the existing office area of the existing building only so that it will not create precedent in the area and otherwise, having recommended that to the council, we also recommend that the planning proposal be forwarded to the Department of Planning for a Gateway determination and that the council advise the department that council's CEO will be exercising its plan making delegations for this
10 planning proposal as the council has so authorised and, further, the council will authorise the CEO to correct any minor policy inconsistencies and anomalies.

Otherwise, this local planning panel recommends that council endorse the planning proposal unanimously. Thank you for that. Then we're moving onto planning
15 proposal for 6.1, which is for the Greek Orthodox Church and, as I have a conflict of interest in this matter, I will step down.

MR RYAN: David Ryan chairing. Item 61, planning proposal for 163-165 George Street, Parramatta. This is a planning proposal seeking endorsement to increase the
20 height of building controls for part of the site and include a clause which allows car parking on the site to be used for paid parking by the general public during periods of low demand by the church. I believe we don't have any registered objectors but we do have Mr Byrnes to address us on behalf of the proponent.

MR BYRNES: Thank you, chair and panel. Once again, I'm happy to, sort of, have
25 some dialogue if there's some questions. We obviously really thank council staff for their assessment and the recommendation that's before you. We support it. We would seek your adoption of it. I'm happy to talk at length about the site. It's a great site, great compass potential, great cathedral idea, great contribution to public open
30 space but I may not need to but happy to respond to any questions.

MR RYAN: I think we understand the qualities of the site. Any questions?

MR COLLIS: No. No. We did got to the site - - -
35

MR BYRNES: Yes.

MR COLLIS: - - - as you would expect, and we were impressed by the potential of
40 that site and we think it has the chance to really be an exceptional civic and religious building on that site. So we would encourage the best possible outcome for the site.

MR BYRNES: Yes.

MR BERKEMEIER: Nothing from me.
45

MR RYAN: Okay. All right. In that case, thank you very much.

MR BYRNES: Thank you.

MR RYAN: All right. So this – the panel’s role in this is advisory to council. We’re not making any decisions on the matter so, as indicated, the panel has visited
5 the site and considers it’s highly appropriate for the proposed use and for a height amendment – amendment to the LEP that would enable a steeple for the cathedral. The panel also considers that a design excellence process would be beneficial for the development of the site, either as an amendment to the LEP or by a voluntary process. We understand that there’s already a process in train but this is an LEP
10 amendment so, as a matter of principle, we believe that would be appropriate for this site. Otherwise, our recommendation to the council will be that council endorse the planning proposal, as submitted, and the procedural matters relating to the forwarding of that to the department, the Gateway determination and the delegations as ordinarily apply.

15

So, on that note, I will – I won’t close the meeting. I will wait for the chair to close the meeting but that’s the end of that item, so thank you very much.

MR BYRNES: We had an in-house. The community have an in-house design
20 comparison exercise where about 5000 people put in their thoughts on a series of different options and they went with that traditional architectural approach. I think there were some people that obviously wanted a contemporary approach but they had their own in-house process in that sense. Obviously it’s a large site and there will be opportunities to work on that compass moving forward and it may well be that it’s
25 appropriate as a sort of a master plan

MR RYAN: Yes. Yes. It is. Again, just speaking informally, there is really great potential for that whole site.

30 MR BYRNES: Yes.

MR RYAN: As you’ve described it, as a compass, so it need to be carefully considered.

35 MR BYRNES: Yes.

MS TAYLOR: Mary-Lynne Taylor has returned to the chair in time to close the meeting. Thank you very much to everybody present and especially the council.

40 MR BYRNES: Thank you, very much.

MS TAYLOR: Mr Byrnes.

45 MR BYRNES: Thank you.

MS TAYLOR: Good luck with the referral.

MR COLLIS: And various projects.

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[3.54 pm]