



**CITY OF PARRAMATTA COUNCIL**  
**REGISTER OF VOTING ON PLANNING DECISIONS AT COUNCIL & LOCAL PLANNING PANEL MEETINGS IN 2019**  
**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 15 January 2019	5.1	DA/165/2018	8-10 Shirley Street, Carlingford	That the Parramatta Local Planning Panel exercising the functions of the Council as the consent authority pursuant to the provisions of S4.16 of the Environmental Planning and Assessment Act 1979 grants development consent to DA/165/2018 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 amendment to condition 1.	David Lloyd QC Sue Francis Deb Sutherland Warwick Mclean	Nil
LPP 15 January 2019	6.1	DA/689/2017	264-268 Pennant Hills Road, Carlingford	That the Parramatta Local Planning Panel recommends to Council:  (a) That Council note the outcomes of the public exhibition period in relation to the Planning Proposal for land at 264-268 Pennant Hills Road, Carlingford.  (b) That Council amend the Planning Proposal for the land at 264-268 Pennant Hills Road, Carlingford provided at Attachment 1 which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) as exhibited in August-September 2018 in relation to the subject site as follows:  - Rezone the land from Part R2 Low Density Residential, Part SP2 Infrastructure to Part R4 High Density Residential, Part SP2 Infrastructure, Increase the maximum Height of Building (HOB) control from 9 metres to 14 metres, the maximum Floor Space Ratio (FSR) control be	David Lloyd QC Sue Francis Deb Sutherland Warwick Mclean	Nil

				<p>adjusted from 1:1 to reflect the changed height control, identify part of the site as Natural Resources – Biodiversity to reflect the existing Endangered Ecological Community (EEC) of Blue Gum High Forest on the site.</p> <p>(c) That subject to the above the Planning Proposal be Forwarded to the Department of Planning and Environment for finalisation and that Council requires the plan not to be finalised until the Voluntary Planning Agreement (VPA) is signed by Council and the applicant.</p> <p>(d) That Council amend the draft site specific Development Control Plan (DCP) included at Attachment 2 incorporating changes outlined in this report. An advertisement will be placed in the local newspaper advising that the site specific DCP will come into force on the day the Planning Proposal is finalised and comes into legal effect.</p> <p>(e) That Council grant delegation to the Acting CEO to continue to progress negotiations with the applicant on the Voluntary Planning Agreement (VPA) offer with the outcome to be reported to Council if the Baker Street traffic signals are not supported by RMS prior to any revised VPA being placed on public exhibition.</p> <p>(f) Further, that Council authorise The Acting CEO to correct. Any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.</p>		
Council 11 February 2019	LMM1	F2015/02009 D06611803	Teloepa Rezoning Site	That Council to facilitate signs around the Teloepa Rezoning Site area erected following the State Election, stating "Attention Teloepa, Unsupported Rezoning – brought to you by the State Government".	Clr Garrard, Clr Davis, Clr Esber, CLR Han, Clr Bradley, Clr Wearne, Clr Pandey, Lord Mayor	Clr Tyrell, Clr Jefferies, Clr Dwyer, Clr Barrak, Clr Zaiter and Clr Issa
LPP 19 February 2019	5.1	DA/452/2018	34 Kissing Point Road, Oatlands	That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to the provisions of S4.55 of the EPA Act 1979, modifies development consent DA/452/2018/A for demolition of existing structures & construction of a part single, part 2 storey 12 room boarding house over basement level comprising 6 car parking spaces under the Affordable	David Lloyd QC Jane Fielding Alf Lester Anne Smith	Nil

				Rental Housing SEPP 2009 to include modifications comprising increasing the number of boarders from 12 to 17, increasing the size of the communal area and amendments to Condition No. 90 on land at 34 Kissing Point Road, Oatlands 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 modifications.		
LPP 19 February 2019	5.2	DA/21/2018	109 A Wigram Street, Lot 1 DP 128961, Harris Park, NSW 2150	<p>a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 8.4 and 4.16 of the Environmental Planning &amp; Assessment Act 1979 approves the variation to Clause 4.4 of Parramatta Local Environmental Plan 2011, as it is satisfied that the applicants request has adequately addressed under clause 4.6, of that plan, and the proposed development will be in the public interest because it is consistent with the objectives of that particular standard and the objectives for the development within the zone.</p> <p>b) That the Parramatta Local Planning Panel under Section 8.4 of the Environmental Planning &amp; Assessment Act 1979, exercising the function of Council pursuant to Clause 4.16 of the Environmental Planning &amp; Assessment Act 1979, grant approval to DA/21/2018 for tree removal, demolition works and the construction of an 8 storey mixed use development comprising 2 commercial tenancies on the ground floor with 41 boarding rooms (new age boarding house) above with at-grade parking for 9 motorcycles &amp; 10 bicycles.at 109A Wigram Street, Harris Park, Dundas subject to the conditions as amended and agreed by the applicant including the following amendment to condition 109:</p> <p>Should the proponent elect to seek land tax exemption the rate charge shall not exceed the maximum tariff for boarding</p>	David Lloyd QC Jane Fielding Alf Lester Anne Smith	Nil

				houses or lodging houses as determined by the Office of State Revenue NSW Boarding House land tax exempting rules.		
LPP 19 February 2019	5.3	DA/925/2016/A	40-46 Alice Street and 128A Alfred Street, Harris Park	<p>The Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979 refuses the application for modification for the following reasons:</p> <p>1. That the Parramatta Local Planning Panel is not satisfied that it has the power to grant consent for this application as it is of the opinion that the proposal is not substantially the same development which has been approved.</p> <p>2. Further, that the Parramatta Local Panel exercising the functions of Council as the consent authority pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979 does not approve a variation to the building height control prescribed by Clause 4.3 of the Parramatta Local Environmental Plan 2011 as it is not satisfied that the applicants request has adequately addressed the matters required to be demonstrated by Clause 4.6 and the proposed development will not be in the public interest because it is not consistent with the objectives of that particular standard and the objectives of that particular zone.</p>	David Lloyd QC Jane Fielding Alf Lester Anne Smith	Nil
LPP 19 February 2019	5.4	DA/54/2018	85 Victoria Road, Parramatta, NSW 2150	a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, approves the variation to the height control prescribed as 4.3 of the Parramatta Local Environmental Plan 2011 as it is satisfied that the applicants request has adequately addressed the matters required, and the proposed development would be in the public interest because it is consistent with the objectives	David Lloyd QC Jane Fielding Alf Lester Anne Smith	Nil

				<p>of that particular standard and the objectives of that particular zone.</p> <p>b) That the Parramatta Local Planning Panel, exercising the functions as Council pursuant to Clause 4.16 of the Parramatta Local Environmental Plan 2011, grants development consent to DA/54/2018 for alterations and additions to the approved shop top housing development including increasing FSR and building height, additional storey and four (4) units in Building B, altering the unit mix, additional parking in the basement levels and consolidation of the ground floor tenancies to accommodate a future supermarket and specialty tenancies at 85 Victoria Road, Parramatta (Lot 100 DP 635092), subject to conditions of consent contained in Attachment 1.</p> <p>c) Further, that all objectors be advised of the Parramatta Local Planning Panel's decision.</p>		
LPP 19 February 2019	5.5	DA/549/2018	33 Thomas Street, Parramatta	That the Parramatta Local Planning Panel, exercising the functions of Council as the consent authority pursuant to the provisions of Section 4.16 of the Environmental Planning and Assessment Act 1979, defer the matter at the request of the applicant and it be listed for another Parramatta Local Planning Panel Meeting.	David Lloyd QC Jane Fielding Alf Lester Anne Smith	Nil
LPP 19 February 2019	5.6	DA/745/2018	21-23 Norfolk Road, Epping, NSW 2121	<p>a) That this matter be deferred to enable a full traffic assessment to be prepared and issued to the Panel.</p> <p>b) Further, that a report be prepared to determine whether all significant trees can be retained in addition to the ones within the assessment report.</p>	David Lloyd QC Jane Fielding Alf Lester Anne Smith	Nil
Council 11 March 2019	13.1	RZ/26/2016 D06653665	55-59 Kirby Street, Rydalmere	a) That, Council resolve to proceed with the Planning Proposal for land at 55-59 Kirby Street, Rydalmere to make the following amendments to Parramatta Local Environmental Plan (PLEP) 2011:	Councillors Wilson, Bradley, Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Procviv, Tyrrell, Wearne and Zaiter	Nil

				<p>1. Rezone the site from IN1 General Industrial to R2 Low Density Residential</p> <p>2.Reduce the maximum height of buildings from 12m to 9m (2 storeys)</p> <p>3.Reduce the floor space ratio from 1:1 to 0.5:1</p> <p>4. Amend Schedule 1 Additional Permitted Uses within PLEP 2011 to permit café/restaurant, shops and office premises on 59 Kirby Street (Lot 20 DP 855339) only, providing adequate detail has been provided relating to the exact nature of the proposed uses.</p> <p>For the following reasons:</p> <ul style="list-style-type: none"> <li>i. Consistency with the surrounding low-density residential context</li> <li>ii. Distance from public transport and Ermington local centre</li> <li>iii. Impacts on adjacent environmentally sensitive land</li> <li>iv. Improved heritage interface</li> </ul> <p>b) That the planning proposal at Attachment 1 be amended and reflect (a) above with supporting planning justification and evidence.</p> <p>c) That, the applicant be required to contribute towards future upgrades of the Victoria Road/Kirby Street intersection as identified by Transport for NSW (TfNSW)/Roads and Maritime Services (RMS) as part of current investigations being undertaken for the Victoria Road Corridor.</p>		
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				<p>d) That, a site-specific Development Control Plan (DCP) be prepared and reported to Council prior to the exhibition of</p> <p>the Planning Proposal addressing detailed design requirements for the site, including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. Heritage</li> <li>2. Interface with Upjohn House and Upjohn Park</li> <li>3. Built form</li> <li>4. Internal road network</li> </ol> <p>e) That, the Applicant's Traffic Impact Assessment be updated to reflect the proposed scheme.</p> <p>f) That the Applicant be invited to make a Voluntary Planning Agreement (VPA) offer to Council and the Acting CEO be authorised to negotiate the VPA. The VPA is to be in addition to Section 7.12 contributions payable, and that the outcome of negotiations be reported back to Council prior to its concurrent exhibition with the draft site specific DCP and Planning Proposal.</p> <p>g) That the Planning Proposal be forwarded to the Department of Planning and Environment for Gateway determination.</p> <p>h) That Council advises the Department of Planning and Environment that the Acting CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p>		
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				<p>i) Further, that Council authorise the Acting CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment process.</p>		
<p>Council 11 March 2019</p>	<p>13.2</p>	<p>RZ/13/2018 D06658109</p>	<p>128 Marsden Street</p>	<p>a) That Council note the recommendation of the Local Planning Panel dated 19 February 2019 in relation to this matter as detailed below, noting that the Panel's recommendation amended part of the Council Officer's recommendation to support the proposal to address the Panel's preference that the existing colonnade not be infilled.</p> <p>b) That the Planning Proposal to increase the maximum floor space ratio control from the existing 4.2:1 to the density in line with the city centre planning proposal of 6.4:1.</p> <p>c) That Council endorse the Planning Proposal contained at Attachment 2 for land at 128 Marsden Street, Parramatta, subject to the following:</p> <ul style="list-style-type: none"> <li>i. Amend the maximum floor space ratio control as per Clause (b) above;</li> <li>ii. Rezone the site from B4 Mixed Use to B3 Commercial Core; and</li> <li>iii. Include a site-specific clause to replace Clause 7.3 of the Parramatta Local Environmental Plan 2011 with an alternate clause that applies the maximum car parking rates previously endorsed by Council as part of the CBD Planning Proposal.</li> </ul> <p>d) That the Planning Proposal be forwarded to the Department of Planning and Environment with a request for a Gateway Determination.</p>	<p>Councillors Wilson, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Proxiv, Tyrrell, Wearne and Zaiter</p>	<p>Councillors Bradley and Davis</p>



				<p>e) That Council advise the Department of Planning and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>f) Further, that Council authorises the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during plan amendment processes.</p>		
Council 11 March 2019	13.3	RZ/20/2017 D06658750	2-6 Hassall Street, Parramatta	<p>a) That Council note the recommendation of the Local Planning Panel dated 19 February 2019 in relation to this matter as detailed below, noting that the Panel's recommendation is consistent with the Council Officer's recommendation to support the proposal.</p> <p>b) That Council receives and notes the submissions made during the public exhibition period of the Planning Proposal and draft site-specific DCP provided at Attachment 2 for land at 2 – 6 Hassall Street, Parramatta.</p> <p>c) That Council endorse the Planning Proposal provided at Attachment 3 and forward it to the Department of Planning and Environment for finalisation.</p> <p>d) That Council endorse the site-specific DCP contained at Attachment 4 for insertion in Section 4.3.3 – Parramatta City Centre of Parramatta DCP 2011.</p> <p>e) That a notice be placed in relevant local newspapers advising of Council's decision on the site-specific DCP, as required by legislation.</p> <p>f) Further, that Council grant delegated authority to the Chief Executive Officer to make any minor amendments and corrections of an administrative and non-policy nature relating to the Planning Proposal and draft DCP that may arise during the plan-making and finalisation process.</p>	Councillors Wilson, Garrard, Dwyer, Esber, Han, Issa, Jefferies, Pandey, Prociv, and Tyrrell.	Councillors Wearne, Bradley, Davis and Zaiter

IHAP 19 March 2019	5.1	DA/649/2018	83 Woodbury Street, North Rocks	That the matter be deferred to allow further discussions to be held between Council Officers, residents and the applicant regarding street scape issues and the possibility to submit amended plans	Stephen O'Connor in the Chair, Lindsay Fletcher, Warrick McLean and Robert Hussey	Nil
IHAP 19 March 2019	5.2	DA/769/2018	32-34 Boronia Avenue, Epping NSW 2121	<p>a) That the Parramatta Local Planning Panel pursuant to the provisions of S.4.16(3) of the Environmental Planning and Assessment Act, 1979 grant a Deferred Commencement development consent to DA/769/2018 for the lot consolidation, demolition of two existing dwellings and construction of a day surgery at 32-34 Boronia Avenue, Epping 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. With amendments to the conditions as follows:</p> <p>1. Schedule 1: final paragraph to read as follows:</p> <p><i>Upon compliance with the above requirements, a full Consent will operate subject to the following conditions:</i></p> <p>2. The inclusion of condition 30A:</p> <p><i>30A The air conditioning plant is to be relocated under the building and the vacated area is to be landscaped to the satisfaction of Council.</i></p> <p>3. Amendment to condition 42 to read:</p> <p><i>42 The recommendations outlined in the acoustic report prepared by Acoustic Logic; Titled – 34 Boronia Avenue Epping Noise Impact Assessment document reference 20170684. 1/1012A/R1/TT, dated 12/10/2017 shall be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority except as amended by condition 30A.</i></p>	Stephen O'Connor in the Chair, Lindsay Fletcher, Warrick McLean and Robert Hussey	Nil

				b) Further, that all objectors are advised of the Panel's decision.		
IHAP 19 March 2019	5.3	DA/31/2018/A	7-9 Morton Street, Parramatta	<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/31/2018 for demolition, consolidation of two allotments, tree removal and construction of a 4 storey residential flat building comprising 12 apartments above basement car parking to include Modifications comprising changed unit mix and increased number of units from 12 to 13; increased parking; provision Of an enclosed foyer on Level 4 of the building; increase in building height; and relocation of the air-conditioning plant to the roof on land at 7-9 Morton Street, Parramatta, as shown on the plans submitted with the modification of determination application, for a period of five (5) years from the date on the original Notice of Determination subject to the following modifications:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Amend Condition No. 1 to reflect modified architectural plans and documentation as submitted with the modification application.</li> <li><input type="checkbox"/> Amend Condition No. 18 to reflect additional bicycle spaces required for the development.</li> <li><input type="checkbox"/> Amend Condition No. 24 to remove reference to the A/C plant equipment permitted only within the basement.</li> </ul>	Stephen O'Connor in the Chair, Lindsay Fletcher, Warrick McLean and Robert Hussey	Nil

				<input type="checkbox"/> Amend Condition No. 25 to reflect additional applicable development contributions to be paid based on the amended cost of works for the development.  <input type="checkbox"/> Amend Condition No. 74 to refer to the amended BASIX Certificate submitted with the modification application. <input type="checkbox"/> All other conditions of DA/31/2018 to remain unmodified.  b)Further, that all submitters are advised of the decision.		
IHAP 19 March 2019	5.4	DA/489/2018	70 Antoine Street, Rydalmere	a) That the Parramatta Local Planning Panel approves the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.  (b) That the Parramatta Local Planning Panel in accordance with Clause 4.16 grants development consent to DA/489/2018 for the demolition of existing structures and construction of a shop top housing development comprising of one commercial level with two retail tenancies and a three storey residential component comprising of 6 units and 2 levels of basement parking on land at No. 70 Antoine Street RYDALMERE, subject to conditions of consent contained in Attachment 1 with the addition of the following condition 1A:  1A <i>That the planter box on the southern side of the roof top communal area is to be widened to restrict overlooking of the neighbouring properties.</i>  (c) Further, that all objectors be advised of the Parramatta Local Planning Panel's decision.	Stephen O'Connor in the Chair, Lindsay Fletcher, Warrick McLean and Robert Hussey	Nil

IHAP 19 March 2019	5.5	DA/53/2019	2/38 Briens Road, Northmead, NSW	<b>That</b> the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to the provisions of Clause 4.16 of the Environmental Planning and Assessment Act 1979 grant development consent to DA/53/2019 for the change of use to a laundromat for Shop 2 on land at 38 Briens Road NORTHMEAD, subject to conditions of consent contained in Attachment 1.	Stephen O'Connor in the Chair, Lindsay Fletcher, Warrick McLean and Robert Hussey	Nil
IHAP 19 March 2019	6.1	RZ/3/2017 D06671968	135 George Street and 118 Harris Street, Parramatta	<b>That</b> the Local Planning Panel recommend to Council:  The Panel has serious concerns regarding the potential shadowing impacts from the proposed controls, particularly the cumulative impact with the adjoining proposal.  The Panel considers these concerns should be addressed prior to a decision being made on this planning proposal.  In these circumstances, the Panel recommends that the shadowing diagrams be prepared so that a decision can be made by Council on what is an acceptable level of shadowing impact	Stephen O'Connor in the Chair, Lindsay Fletcher, Warrick McLean and Robert Hussey	Nil
COUNCIL 25 March 2019	11.1	F2018/03742 D06667583	Parramatta CBD Planning Proposal Gateway determination	a) That Council note receipt of the Gateway determination for the Parramatta CBD Planning Proposal at Attachment 2. b) That Council adopt the recommendations outlined in 'Schedule 1' at Attachment 1 to refine the Parramatta CBD Planning Proposal and satisfy the Gateway Conditions, including providing direction on the following pathways:  (i) That Council resolve in accordance with Pathway 2 in relation to Gateway determination Condition 1. (i) ii - FSR sliding scale to enable the planning	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil

				<p>proposal to be updated and satisfy the Gateway condition.</p> <p>(ii) That Council resolve in accordance with Pathway 3 in relation to Gateway determination Condition 1. (i) ii - FSR out clause to enable the planning proposal to be updated and satisfy the Gateway condition.</p> <p>(iii) That Council resolve in accordance with Pathway 2 in relation to Gateway Condition 1. (i) v - Unlimited office premises FSR in the B3 Commercial Core zone to enable the planning proposal to be updated and satisfy the Gateway condition</p> <p>(iv) That Council not progress West Auto Alley precinct plan and heritage study underway to support an FSR of 6:1 .</p> <p>c) That Council adopt a no net financial loss Council policy position as an interim measure when negotiating Voluntary Planning Agreements in relation to site specific Planning Proposals in the CBD to ensure contributions are consistent with Council's adopted value sharing rates in the Parramatta CBD.</p> <p>d) That Councillor workshops be arranged as required so that Councillors are kept appropriately briefed and informed on key issues associated with the Parramatta CBD Planning Proposal.</p>		
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				<p>e) That a further report is put to Council following completion of the work and studies required to update the Parramatta CBD Planning Proposal in relation to the Gateway conditions.</p> <p>f) That the applicants of site-specific planning proposals being assessed by Council which fall within the Parramatta CBD Planning Proposal boundary are informed of the outcome of this report.</p> <p>g) Further, that the Department of Planning and Environment be advised of this resolution to assist with its processing of the Parramatta CBD Planning Proposal.</p>		
LPP 16 April 2019	5.1	DA/87/2013/B	21 Hassall Street, PARRAMATTA NSW 2150	<p>a) That the Parramatta Local Planning Panel exercising the functions of the Council as the consent authority pursuant to s4.55 of the <i>Environmental Planning and Assessment Act 1999</i>, approves a variation to the floor space ratio prescribed by the Parramatta Local Environmental Plan 2011, as it is satisfied that the applicants request has adequately addressed the matters required to be demonstrated by Clause 4.6 of that's Plan, and the proposed development would be in the public interest because it is consistent with the objectives of that particular standard and the objectives for development within the zone.</p> <p>b) That the Parramatta Local Planning Panel exercising the functions of the Council, pursuant to s4.55 of the <i>Environmental Planning and Assessment Act 1999</i>, modifies development consent DA/87/2013 for demolition and construction of a 9-storey mixed-use development containing 1 retail tenancy and 32 units over 2 basement car parking levels for 21 vehicles to include modifications comprising deletion</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil

				of conditions 12(a) and 46 and the deletion of a substation and increasing the size of the retail tenancy on land at 21 Hassall Street, Parramatta 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 conditions contained in Attachment 1.		
IHAP 16 April 2019	5.2	DA/856/2018	21R Darcy Street PARRAMATTA NSW 2150	<p>a) That the Parramatta Local Planning Panel grant development consent to DA/856/2018 at 21R Darcy Street, Parramatta for a period of five (5) years within which subdivision is to occur from the date on the Notice of Determination, subject to the amended conditions of consent outlined in Attachment 1 of this report (including the deletion of Condition 4(g) and Condition 6; and</p> <p>b) Further, that all stakeholders be advised of the decision.</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil
IHAP 16 April 2019	5.3	DA/731/2018	5, 7 and 8 Parramatta Square, PARRAMATTA NSW	<p>a) That the Parramatta Local Planning Panel grant development consent to DA/731/2018 at 5, 7 and 8 Parramatta Square, Parramatta for a period of five (5) years within which the subdivision is to occur from the date on the Notice of Determination, subject to the amended conditions of consent outlined in Attachment 1 of this report (including the deletion of Condition 6 and</p> <p>b) Further, that all stakeholders be advised of the decision.</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil
IHAP 16 April 2019	5.4	DA/26/2019	5, 7 & 8 Parramatta Square and 10 Darcy Street, Parramatta 2150	<p>a) That Parramatta Local Planning Panel grant development consent to DA/26/2019 at 5, 7 and 8 Parramatta Square, Parramatta for a period of five (5) years within subdivision is to occur from the date on the Notice of Determination, subject to the amended conditions of consent outlined in</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil



				<p>Attachment 1 of this report (including the deletion of Condition 7); and</p> <p>b) Further, that all stakeholders be advised of the decision.</p>		
<p>IHAP 16 April 2019</p>	5.5	DA/591/2018	15 Anthony Street, Carlingford	<p>a) That the Parramatta Local Planning Panel support the recommendation of the Section 8.3 review;</p> <p>b) Further, that the Parramatta Local Planning Panel exercising the functions of the Council as consent authority pursuant to sections 8.4 and 4.16 of the <i>Environmental Planning and Assessment Act 1979</i> grant a deferred commencement development consent to the demolition of existing structures, construction of a two storey dwelling with suspended driveway and flood mitigation works, at 15 Anthony Street, Carlingford, 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 set out in the assessment report and the reasons below:</p> <p><b>1.</b>The development is permissible in the R2 Low Density Residential zone and satisfies the requirements of all the applicable planning controls;</p> <p><b>2.</b> The development will be compatible with the emerging and planned future character of the area;</p> <p><b>3.</b> For the reasons given above, approval of the application is in the public interest.</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil
<p>IHAP 16 April 2019</p>	5.6	DA/739/2017/A	48A Dorset Street, EPPING NSW 2121	<p>a) That Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.55 of the <i>Environmental Planning and Assessment Act 1979</i>, modify development consent DA/739/2017 for the construction of a two storey dwelling with an attached double garage include modifications</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil

				<p>comprising of amendments to conditions 5, 7, 8 (b, c and d) and 44, which relate to the retention of the Peppercorn tree within the front setback for the following reasons:</p> <ol style="list-style-type: none"> <li>1.The development is permissible in the R2 zone and satisfies the requirements of all of the applicable planning controls.</li> <li>2.The development will be compatible with the emerging and planned future character of the area.</li> <li>3.Conditions can be imposed that adequately mitigate the removal of the Peppercorn tree.</li> <li>4.For the reasons given above, approval of the application is in the public interest.</li> </ol> <p>b) Further, that Council advise objectors of the decision.</p>		
IHAP 16 April 2019	5.7	DA/745/2018	21-23 orfolk Road Epping NSW 2121	<p>a) That the Parramatta Local Planning Panel exercising the functions of Council as consent authority in accordance with Clause 4.16 of the <i>Environmental Planning &amp; Assessment Act 1979</i> refuse development consent to DA/745/2018 for demolition of existing structures at No. 23 Norfolk Road, partial demolition of the existing dwelling at No. 21 Norfolk Road and construction of a centre based child care facility with basement parking for 15 vehicles at No. 21-23 Norfolk Road, Epping subject to the following reasons:</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil

				<p>Preservation of Trees and Vegetation</p> <p>1. In accordance with Section 4.15 (1) (a) (i) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposal fails to comply with the aims of the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</p> <p><input type="checkbox"/> The removal of two (2) significant trees <i>Angophora Costata</i> and <i>Eucalyptus Resinifera</i> are proposed. Both trees are identified as being prominent features of the streetscape and are worthy of retention.</p> <p>Flood Planning</p> <p>2. In accordance with Section 4.15 (1) (a) (i) and Section 4.15 (1) (a) (iii) of the <i>Environmental Planning and Assessment Act 1979</i> the proposal fails to comply with the aims of the Hornsby Local Environmental Plan 2013 and Clause 1C.3.2 of the Hornsby Development Control Plan 2013 to minimise risk to the community in areas subject to environmental hazards, including flooding.</p> <p><input type="checkbox"/> A portion of the childcare centre comprising of the car parking level and playroom 3 encroaches into the flood affected area;</p> <p><input type="checkbox"/> The on-site detention system has not been designed for drowned conditions and taking into account the 1% AEP flood level; and</p> <p><input type="checkbox"/> The basement floor level has not been designed to meet the probable maximum flood (PMF) level at the front entry.</p> <p>Further details to include:</p> <ul style="list-style-type: none"> <li>• Definition of the Flood Planning level on the site</li> </ul> <p>The development impact on any overland flows being diverted onto adjoining properties</p>		
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				<p>Whether any creek improvement works are required to existing watercourse, taking into account any blockage of the existing culvert, to avoid exacerbation of on-site flooding Is any provision required to accommodate overland flow paths along the rear boundary.</p> <p>Heritage Conservation</p> <p>3. In accordance with Section 4.15 (1) (a) (i) of the <i>Environmental Planning and Assessment Act 1979</i> the proposal fails to comply with the aims of the Hornsby Local Environmental Plan 2013 to conserve the environmental heritage of Hornsby and to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, setting and views.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal seeks consent for the demolition of a dwelling identified as having heritage value;</li> <li><input type="checkbox"/> The proposal seeks to alter the existing subdivision pattern; and</li> <li><input type="checkbox"/> The proposal is contrary to the controls of the East Epping Heritage Conservation Area as the proposal exceeds a single storey built form.</li> </ul> <p>Earthworks</p> <p>4. In accordance with Section 4.15 (1) (a) (i) and Section 4.15 (1) (a) (iii) of the <i>Environmental Planning and Assessment Act 1979</i> the proposal fails to comply with the aims of the Hornsby Local Environmental Plan 2013 and Clause 1C.1.4 of the Hornsby Development Control Plan 2013: to reduce earthworks that is likely to have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> A maximum of 3.3 metres in cut and an excavated area of 1615m<sup>2</sup> is proposed. This is well in excess of the control which prescribes a maximum of 1 metre cut under Clause 1C.1.4 of the Hornsby DCP 2013. The earthworks are excessive and is not supported as the</li> </ul>		
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				<p>development has not been designed to respect the natural landform characteristics that maintains the amenity of adjoining properties and streetscape character.</p> <p>Bulk and Scale</p> <p>5. In accordance with Section 4.15 (1) (a) (iii) of the <i>Environmental Planning and Assessment Act 1979</i> the proposal fails to comply with the Clause 7.1.2 of the Hornsby Development Control Plan 2013 to ensure the development height, scale and intensity is compatible with the character of the area.</p> <p><input type="checkbox"/> The proposal as a two storey building is not supported as it adversely impacts on the East Epping Heritage Conservation Area which is characterised by single storey dwellings.</p> <p>Public Interest</p> <p>6. In respect to Section 4.15 (1)(b), Section 4.15 (1)(c) and Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is likely to have a substantial detrimental impact on the environment in the locality and therefore, the proposal in its current form is not in the public interest.</p> <p>Parking Arrangements</p> <p>7. The Parking arrangements and traffic impact, in particular, having regard to the proximity of Epping Public School, are not acceptable.</p> <p>b)Further, that submitters be advised of the Panel's decision.</p>		
IHAP 16 April 19	6.1	F2018/03031 D06564960	Epping Town Centre	<p>That the Local Planning Panel recommend to Council:</p> <p>(a)That Council endorses the Planning Proposal – Amendment to Clause 4.6 of Epping Town Centre, shown at Attachment 1, for submission to the Department</p>	David Lloyd QC, Robert Hussey, Richard Thorp and Ian Gilbertson	Nil

				<p>of Planning and Environment with a request for a Gateway Determination.</p> <p>(b) That Council retains this position until further infrastructure is provided in the locality to satisfactorily resolve the existing traffic congestion issues within Epping town centre.</p> <p>(c) That Council advises the Department of Planning and Environment that the Acting CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(d) Further, that Council authorises the Acting CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment process.</p>		
IHAP 21 May 2019	5.1	DA/910/2008/C	7/3 Sutherland Street, Clyde	<p><b>That</b> the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to the provisions of S4.56 of the <i>Environmental Planning and Assessment Act 1979</i> modify development consent DA/910/2008/B for the internal fitout and use of the existing premises as a commercial brothel to include modifications comprising a further 2-year trial period on land at 7/3 Sutherland Street, Clyde subject to Modifications.</p>	David Lloyd QC Helen Deegan Tony Reed Darryn Capes-Davis	Nil
IHAP 21 May 2019	5.2		24 Murray Farm Road, Carlingford	<p><b>That</b> Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>, refuse development consent DA/718/2018 for demolition, tree removal and construction of a two</p>	David Lloyd QC Helen Deegan Tony Reed Darryn Capes-Davis	Nil

				storey child care centre for 58 children (24 x 0-2 year olds, 18 x 2-3 year olds and 16 x 3-5 year olds) with at-grade car parking for 15 vehicles and associated landscaping works at 24 Murray Farm Road, Carlingford.		
IHAP 21 May 2019	5.3	DA/689/2018	5 Campbell Street, Northmead	At the request of the applicant, this matter was not considered by the panel and was deferred to enable the matter to be revisited in Consultation with the Council.	David Lloyd QC Helen Deegan Tony Reed Darryn Capes-Davis	Nil
IHAP 21 May 2019	6.1	RZ/1/2017	258-262 Pennant Hills Road	<p>a) That Council note the outcomes of the public exhibition period in relation to the Planning Proposal for land at 258-262 Pennant Hills Road and 17 &amp; 20 Azile Court, Carlingford.</p> <p>b) That Council adopt the Planning Proposal for the land at 258-262 Pennant Hills Road and 17 &amp; 20 Azile Court, Carlingford provided at Attachment 1 which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) as exhibited in November-December 2018 in relation to the subject site by:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rezoning the land from part R2 Low Density Residential, Part SP2 Infrastructure to Part R4 High Density Residential, Part SP2 Infrastructure,</li> <li><input type="checkbox"/> Increase the maximum Height of Building Control (HOB) from 9 metres to 14 metres,</li> <li><input type="checkbox"/> Increase the maximum Floor Space Ratio (FSR) control from 0.5:1 to 1:1</li> <li><input type="checkbox"/> Identify part of the site as Natural Resources-Biodiversity to reflect the existing Endangered Ecological Community (EEC) of Blue Gum High Forest on the site.</li> </ul> <p>c) That the Planning Proposal be forwarded to the Department of Planning and Environment for finalisation and that Council require the plan not to be finalised until</p>	David Lloyd QC Helen Deegan Tony Reed Darryn Capes-Davis	Nil

				<p>the Voluntary Planning Agreement (VPA) is signed by Council and the Applicant.</p> <p>d) That Council adopt the site specific Development Control Plan (DCP) included at Attachment 2 incorporating changes outlined in this report. An advertisement will be placed in the local newspaper advising that the site specific DCP will come into force on the day the Planning Proposal is finalised and comes into effect.</p> <p>e) That delegated authority be given to the Acting CEO of Council to finalise the draft VPA at Attachment 3 on behalf of Council in accordance with the matters for inclusion detailed in this report.</p> <p>f) That Council authorise the Acting CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.</p> <p>g) Further, that the following be inserted into DCP, objective 5 under built form;</p> <p>(i) Ensure solar access to adjoining properties is taken into consideration in the future design and massing of the buildings</p> <p>(ii) Ensure that the retained council owned pedestrian pathway is not detrimentally impacted by future built form.</p>		
IHAP 21 May 2019	6.2	RZ/14/2016	241-245 Pennant Hills Road, Carlingford	<p>a) That Council endorse the Planning Agreement in relation to the Planning Proposal for land at 264-268 Pennant Hills Road, Carlingford contained in Attachment 1, as publicly exhibited.</p>	<p>Cirs P Bradley, D Davis, B Dwyer, P Esber, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, L Wearne, A Wilson</p>	Nil



				<p>(b) That the Lord Mayor and Acting Chief Executive Office be given delegated authority to execute and affix the Common Seal of Council to the Planning Agreement.</p> <p>(c) That upon signing the Planning Agreement, it be forwarded to the Department of Planning and Environment in accordance with Section 25G of the Environmental Planning and Assessment Regulation 2000.</p> <p>(d) Further, that Council authorise the Acting Chief Executive Officer to make any minor amendments and corrections of an administrative and non-policy nature relating to the VPA that may arise during the finalisation process.</p>	and M Zaiter	
COUNCIL 11 June 2019	12.4	F2009/00431	Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1	That the report be received and noted	Clr P Bradley, P Esber, P Han, A Jefferies, S Pandey, P Prociv, W Tyrrell and A Wilson	Clr M Garrard, S Issa and M Zaiter
COUNCIL 11 June 2019	15.1	RZ/15/2016	12 Hassall Street Parramatta	<p>a) That Council endorse the draft Development Control Plan (DCP) for the site at 12 Hassall Street, Parramatta as provided at Attachment 2, for the purpose of public exhibition.</p> <p>b) That Council endorse the Draft Voluntary Planning Agreement (VPA) at 12 Hassall Street, Parramatta, provided at Attachment 3, for the purpose of public exhibition.</p> <p>c) That Council's decision on the outcome of the Parramatta CBD Planning Proposal overshadowing study and any changes to planning controls that apply to this site be reflected in the draft DCP and draft VPA prior to public exhibition.</p> <p>d) Further, that the draft DCP and draft VPA be placed on public exhibition concurrently with the Planning Proposal for land at 12 Hassall Street, Parramatta, once the conditions of the Gateway Determination are satisfied. The exhibition period shall be a minimum of</p>	Clrs P Esber, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, A Wilson and M Zaiter	Clr P Bradley

				28 days, and the outcome of the public exhibition be reported back to Council.		
LPP 18 June 2019	5.1	DA/370/2016/C	14A Mons Road Westmead NSW 2145	<p>That Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to the provisions of S4.55 of the Environmental Planning and Assessment Act 1979, modify development consent DA/370/2016 for <i>'tree removal, construction of a four storey building containing 22 serviced apartments over basement car parking. The application is identified as Nominated Integrated Development under the provisions of the Water Management Act 2000'</i> to include modifications comprising internal and external amendments, replacement of BASIX compliance with compliance with Section J of the BCA, and replacement of conditions provided by the Department of Primary Industries (water), on land at 14A Mons Road, Westmead as shown on the plans submitted with the modification of determination, for a period of five (5) years from the date on the <b>original</b> Notice of Determination.</p> <p><b>The Panel would add the following additional conditions to those proposed by the Council:</b></p> <ol style="list-style-type: none"> <li>1. A gate or barrier shall be provided to the entrance to the passageway to the bin room to ensure safety.</li> <li>2. The area previously set aside for the substation shall be landscaped.</li> </ol>	Mary-Lynne Taylor in the Chair and Paul Berkemeier, David Ryan and Hugh Colless	Nil
LPP 18 June 2019	5.2	DA/573/2017A	25 Station Street Dundas NSW 2117	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/573/2017 for construction of a 4 storey residential flat building comprising of 12 units over one level of basement parking. The proposed modifications include changed unit mix and	Mary-Lynne Taylor in the Chair and Paul Berkemeier, David Ryan and Hugh Colless	Nil

				<p>increased number of units from 12 to 13 units, addition of level five (with mezzanine floor) increased parking spaces, increase in building height and amendments to balcony balustrade finishes on land at 25 Station Street, Dundas, as shown on the plans submitted with the modification of determination application, for a period of five (5) years from the date on the original Notice of Determination subject to the amended conditions in the Council assessment report.</p> <p>b) Further, that submitters are advised of the decision</p>		
LPP 18 June 2019	5.3	DA/824/2018	4 Euston Street, Rydalmere	<p>a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.55 of the <i>Environmental Planning and Assessment Act 1979</i>, grant consent to DA/824/2018 for the change of use to a place of public worship, including internal fit-out and external works with building identification signs 4 Euston Street, Rydalmere, physical commencement for which is to occur within five (5) years from the date on the Notice of Determination, subject to conditions in the Council assessment report.</p> <p>b) Further, that all submitters are advised of the Panel's decision.</p>	Mary-Lynne Taylor in the Chair and Paul Berkemeier, David Ryan and Hugh Colless	Nil
LPP 18 June 2019	5.4	DA/669/2017	1 Dunmore Avenue Carlingford NSW 2118	That consideration of this matter be deferred.	Mary-Lynne Taylor in the Chair and Paul Berkemeier, David Ryan and Hugh Colless	Nil
LPP 18 June 2019	6.1	RZ/3/2018	163-165 George Street Parramatta	a) That Council endorse the Planning Proposal at Attachment 1 for land at 163-165 George and 1 Purchase Streets, Parramatta, which seeks to:	Paul Berkemeier, David Ryan and Hugh Colless	Nil

				<p>i. Amend the control on the Height of Buildings map from RL 14 metres to RL 21 metres, but only on the part of the site at which the proposed Cathedral is to be built;</p> <p>ii. Insert a clause so that the Height of Buildings control on the site can be exceeded for the purposes of a steeple or similar, but only if the consent authority is satisfied that the heritage impact is acceptable and the height is no greater than RL 40m (allow a steeple up to RL 34m and cross upon it up to RL 40m); and</p> <p>iii. Add car parking as an additional permitted use on the site.</p> <p>b) That the Planning Proposal be forwarded to the Department of Planning and Environment to request a Gateway determination be issued.</p> <p>c) That Council advise the Department of Planning and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>d) Further, that Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.</p>		
LPP 18 June 2019	6.2	RZ/11/2018	108 Silverwater Road, Silverwater	<p>a) That Council endorse the Planning Proposal (at Attachment 1) for the land at 108 Silverwater Road, Silverwater, which seeks to amend Schedule 1 of the Auburn Local Environment Plan 2010 (Auburn LEP 2010) to allow 'office premises' as an additional permitted use (limited to the existing office area of 2,100m<sup>2</sup> only).</p> <p>b) That the Planning Proposal be forwarded to the Department of Planning and Environment (DPE) for a Gateway Determination.</p> <p>c) That Council advise the DPE that the CEO will be exercising the plan-making delegations for this</p>	Mary-Lynne Taylor in the Chair and Paul Berkemeier, David Ryan and Hugh Colless	Nil

				<p>Planning Proposal as authorised by Council on 26 November 2012.</p> <p>d) Further, that Council authorise the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment process.</p>		
COUNCIL 24 June 2019	14.1	RZ/9/2016 D06794666	Draft Melrose Park Southern Structure Plan	<p>(a) That the draft Structure Plan for Melrose Park South be amended to reflect the revised scheme prepared by Council officers as detailed in Attachment 1 to this report.</p> <p>(b) That Council publicly exhibit the amended draft Structure Plan for a period of 28 days in accordance with the consultation process outlined in this report.</p> <p>(c) That a report be provided to Council on the outcomes of the public exhibition of the draft Structure Plan.</p> <p>(d) Further, that a report detailing the structure plan implementation process, potential costs and funding mechanisms associated with the preparation of a Precinct Wide Planning Proposal for the Southern Precinct be put to Council following the public exhibition of the draft Structure Plan.</p>	Cirs P Bradley, D Davis, B Dwyer, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell and M Zaiter	Clr A Wilson
COUNCIL 24 June 2019	14.2	F2018/03742	Parramatta CBD Planning Proposal – Urban Design, Heritage and Feasibility Analysis for Church Street Precinct	That consideration of this matter be deferred until specific analysis is conducted that could address issues raised by Councillors as well the public forum statement.	Cirs P Bradley, D Davis, B Dwyer, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell and A Wilson.	Nil
COUNCIL 24 June 2019	14.3	F2018/03742	Parramatta CBD Overshadowing Analysis	That this matter be deferred for staff to conduct further analysis and consultation with Councillors.	Cirs P Bradley, D Davis, B Dwyer, M	Nil

					Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociw, W Tyrrell and A Wilson	
COUNCIL 24 June 2019	14.4	RZ/1/2017	Outcomes of exhibition of Planning Proposal at 258-262 Pennant Hills road and 17&20 Azile Court, Carlingford (SPD site)	<p>(a) That Council note the outcomes of the public exhibition period in relation to the Planning Proposal for land at 258-262 Pennant Hills Road and 17 &amp; 20 Azile Court, Carlingford.</p> <p>(b) That Council adopt the Planning Proposal for the land at 258-262 Pennant Hills Road and 17 &amp; 20 Azile Court, Carlingford provided as part of the Local Planning Panel report at Attachment 1, which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) as exhibited in November - December 2018 in relation to the subject site by:</p> <ol style="list-style-type: none"> <li>1. Rezoning the land from part R2 Low Density Resident, Part SP2 Infrastructure to Part R4 High Density Residential, Part SP2 Infrastructure,</li> <li>2. Increase the maximum Height of Building Control (HOB) from 9 metres to 14 metres,</li> <li>3. Increase the maximum Floor Space Ratio (FSR) control from 0.5:1 to 1:1,</li> <li>4. Identify part of the site as Natural Resources – Biodiversity to reflect the existing Endangered Ecological Community (EEC) of Blue Gum High Forest on the site.</li> </ol> <p>(c) That the Planning Proposal be forwarded to the Department of Planning and Environment for finalisation and that Council require the plan not be finalised until Council and the Applicant sign the Planning Agreement (VPA).</p>	Clrs P Bradley, B Dwyer, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociw, W Tyrrell, A Wilson and M Zaiter	Clr D Davis

				<p>(d) That Council adopt the site-specific Development Control Plan (DCP) included at, Attachment 2, incorporating the changes outlined in this report. An advertisement will be placed in the local newspaper advising that the site-specific DCP will come into force on the day the Planning Proposal is finalised and comes into effect.</p> <p>(e) That Council endorse the Planning Agreement in relation to the Planning Proposal for land at 258 - 262 Pennant Hills Road and 17 &amp; 20 Azile Court, Carlingford included at Attachment 3, and delegated authority be given to the Lord Mayor and Acting Chief Executive Officer of Council to finalise the Planning Agreement on behalf of Council.</p> <p>(f) That upon signing the Planning Agreement, it be forwarded to the Department of Planning and Environment in accordance with Section 25G of the Environmental Planning and Assessment Regulation 2000.</p> <p>(g) That the following be inserted into the DCP, objective 5 under built form;</p> <ul style="list-style-type: none"> <li>i. Ensure solar access to adjoining properties is taken into consideration in the future design and massing of the buildings.</li> <li>ii. Ensure that the retained council owned pedestrian pathway is not detrimentally impacted by future built form.</li> </ul> <p>(h) Further, that Council authorise the Acting Chief Executive Officer to make any minor amendments and corrections of an administrative and non-policy nature relating to the VPA that may arise during the finalisation process.</p>		
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COUNCIL 24 June 2019	14.8	RZ/7/2013	Amendment to Planning Agreement (Executed April 2015) relating to land at 189 Macquarie Street, Parramatta	<p>(a) That Council endorse the Draft Deed of Variation to amend the Planning Agreement (executed April 2015) relating to land at 189 Macquarie Street, Parramatta included as Attachment 3 for the purpose of public exhibition.</p> <p>(b) That the outcome of the public exhibition be reported to Council to allow Council to determine whether the Draft Deed of Variation should be executed.</p> <p>(c) Further, that Council authorise the Acting CEO to correct any minor inconsistencies or anomalies of an administrative nature relating to the Deed of Variation and associated exhibition documentation that may arise during the exhibition process.</p>	Cllrs P Bradley, D Davis, B Dwyer, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, A Wilson and M Zaiter	Nil
COUNCIL 8 JULY 2019	14.1	RZ/11/2018 D06860868	Planning Proposal for land at 108 Silverwater Road, Silverwater.	<p>a) That Council note the recommendation of the Local Planning Panel on 18 June 2019 in relation to this matter as detailed below, noting that the Panel's recommendation is consistent with the Council officers' recommendation.</p> <p>b) That Council endorse the Planning Proposal (at Attachment 1) for the land at 108 Silverwater Road, Silverwater, which seeks to amend Schedule 1 of the Auburn Local Environment Plan 2010 (Auburn LEP 2010) to allow 'office premises' as an additional permitted use (limited to the existing office area of 2,100m<sup>2</sup> only).</p> <p>c) That the Planning Proposal be forwarded to the Department of Planning and Environment (DPE) for a Gateway Determination.</p> <p>d) That Council advise the DPE that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p>	Councillors Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Wearne and Zaiter	Nil



				e) Further, that Council authorise the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment process.		
LPP 16 July 2019	5.1	DA/728/2018	30 Hainsworth Street, Westmead	(a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, grant consent to DA/728/2018 for Demolition of existing structures, tree removal and construction of a 6 storey residential flat building comprising 15 units and 1 retail tenancy on ground floor over basement car parking accommodating 9 carparking spaces at 30 Hainsworth Street, Westmead, physical commencement for which is to occur within five (5) years from the date on the Notice of Determination, subject to conditions in the Council assessment report.  (b) Further, that all submitters are advised of the Panel's decision.	David Lloyd QC, Tony Reed, David Johnson and Maree Turner.	Nil
LPP 16 July 2019	6.1	RZ/1/2018 – D06843517	Planning proposal for land at 14-16 Hill Road, Wentworth Point.	That the Local Planning Panel recommend to Council: (a) That Council resolve to proceed with the Planning Proposal for land at 14-16 Hill Road, Wentworth Point (provided at Attachment 1) which seeks the following amendments to Auburn Local Environmental Plan (ALEP) 2010: 1) Increase the RE1 Public Recreation zone area with a corresponding reduction of the R4 High Density Residential zone (refer to Attachment 11) 2) Introduce the B4 Mixed Use zone at the north-eastern corner of the site 3) Amending the Height of Buildings Map to provide a range of heights across the site from 44m (approximately 15 storeys) to 134m (approximately 40 storeys) (refer to Attachment 12). 4) Amend the FSR map to provide individual FSRs for the development parcels to reflect the previously approved gross floor area (GFA) of 188,800m <sup>2</sup> (refer to Attachment 13).	David Lloyd QC, Tony Reed, David Johnson and Maree Turner.	Nil

				<p>5) Add 'food and drink premises' as an Additional Permitted Use within the RE1 Public Recreation zone on the site of the existing cafe.</p> <p>6) Amend the Land Acquisition Map to reflect the larger RE1 Public Recreation area and exclude the foreshore wharf from public acquisition to allow it to be retained, refurbished and operated as a café under the existing community title (refer to Attachment 14).</p> <p>(b) That Council include in this planning proposal a site specific provision that prevents the use of clause 4.6 in relation to floor space ratio.</p> <p>(c) That proposed amendments to the Wentworth Point Development Control Plan 2014 to support the planning proposal be prepared and reported to Council.</p> <p>(d) That delegated authority be given to the Acting CEO to negotiate the Voluntary Planning Agreement (VPA) on behalf of Council in addition to Section 7.12 contributions payable, and that the outcomes of negotiations be reported back to Council prior to its concurrent exhibition with the draft amendments to the Wentworth Point DCP 2014 and Planning Proposal.</p> <p>(e) That the Planning Proposal be forwarded to the Department of Planning and Environment for Gateway determination.</p> <p>(f) That Council advises the Department of Planning and Environment that the Acting CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(g) Further, that Council authorise the Acting CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment process.</p>		
COUNCIL 22 July 2019	14.3	RZ/14/2016 – D06815071	241-245 Pennant Hills Road, Carlingford	<p>a) That Council notes the recommendation of the Local Planning Panel on 21 May 2019 in relation to this matter, but does not endorse the Planning Proposal for 241-245 Pennant Hills Road, Carlingford to proceed to Gateway Determination for the following reasons:</p> <p><input type="checkbox"/> The proposed maximum building heights would be out of character for the site and is likely to negatively impact upon the privacy, amenity and solar access of properties to the west of the site on Felton and Pennant Hills Roads.</p> <p><input type="checkbox"/> The proposal in its current format will result in a reduction in the amount of existing commercial floor space at the site</p>	Councillors Davis, Dwyer, Han, Jefferies, Pandey, Prociv, Tyrrell and Wearne	Councillor Bradley, Esber, Garrard, Wilson and Zaiter

				<p>which is inconsistent with the objectives of the Central City District Plan and its objectives to provide employment in the Carlingford area.</p> <p><input type="checkbox"/> The vehicle movements generated and connections proposed would put unacceptable levels of traffic on local roads which are already over capacity during peak periods and would potentially delay and conflict with movements on Pennant Hills Road.</p> <p>b) That Council notes the Pre-Gateway Review panel decision on 30 November 2016 that recommended a maximum FSR of 1.5:1 and a maximum building height of 28 metres (8 storeys).</p> <p>c) Further, that Council be amenable to a site specific amendment to The Hills LEP 2012 for 241-245 Pennant Hills Road, in line with the Pre-Gateway Review panel decision of 30 November 2016 with the following additional condition:</p> <p><input type="checkbox"/> That a minimum of 2,940 square metres of commercial floor space be provided in a new proposal to ensure that there is no loss of commercial space across the current site and that the employment objectives to provide jobs close to homes in this business zone may continue to be made possible.</p>		
COUNCIL 22 July 2019	14.4	RZ/3/2018 – D06851078	163-165 George Street, Parramatta	That consideration of this matter be deferred until the next Ordinary Council meeting to be held on 12 August 2019 to allow time for interested Councillors to attend a site inspection and to assess the impact that the proposed building will have on the surrounding area.	Councillors Bradley, Davis, Esber, Garrard, Han, Prociv, Wearne and Wilson	Councillors Dwyer, Jefferies and Tyrrell
22 JULY 2019	14.5	F2018/03742 – D06852464	Parramatta CBD Planning Proposal – Clarification of matters to be rescinded	That Council reaffirm its resolution of 25 March 2019 in relation to the Parramatta CBD Planning Proposal in full, as shown at Attachment 1, except for the following amendments: Replace parts (b)(iv) of the resolution with the following new parts (b)(iv):	Councillors Bradley, Davis, Dwyer, Garrard, Han, Jefferies, Pandey, Prociv, Tyrrell and Wearne	Councillor Wilson

				(iv) That Council request the consultants that were undertaking the preparation of a Precinct Plan (with supporting heritage analysis) for the West Auto Alley Precinct to provide an independent recommendation (and Precinct Plan) as to the heights and FSRs for the precinct, based on their detailed analysis of constraints and opportunities in the precinct, so as to achieve the best possible urban design and public domain outcomes in particular, the provision of a sensitive built form transition from Church Street to the Heritage Conservation area.		
COUNCIL 22 JULY 2019	14.6	F2013/01432 – D06887669	21 Hassall Street	(a) That Council authorise the Chief Executive Officer to draft a Deed of Variation to the existing Planning Agreement at 21 Hassall Street, Parramatta in accordance with the offer made by the landowner, to pay Council a monetary contribution of \$92,182 instead of physical works in-kind. (b) That a draft Deed of Variation authorised by the Chief Executive Officer, and associated documentation, that proposes to modify the Planning Agreement in accordance with Clause (a) above be publicly exhibited in accordance with Council's Planning Agreements Policy. (c) Further, that the outcome of the public exhibition of the draft Deed of Variation to the Planning Agreement be reported back to Council for final determination.	Councillors Davis, Dwyer, Garrard, Han, Jefferies, Pandey, Tyrrell, Wearne, Wilson and Zaiter	Councillors Bradley and Prociv
COUNCIL 12 AUGUST 2019	13.4	RZ/11/2015 - D06897967	21-21A Tucks Road, Toongabbie	(a) That Council note the recommendation of the Local Planning Panel (on 18 September 2018) in relation to this matter as detailed below noting that the recommendation is inconsistent with the recommendation provided by Council Officers to the Panel. (b) That Council note the outcome of the public exhibition period in relation to the Planning Proposal for the land at 21-21A Tucks Road, Toongabbie. (c) That Council resolve not to proceed with the Planning Proposal for the land at 21-21A Tucks Road, Toongabbie which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) by: 1. Rezoning the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site 2. Amending the maximum height of building controls from part 12m and part 9m to part 15m and part 9m	Councillors Bradley, Davis, Esber, Han, Jefferies, Pandey, Prociv, Tyrrell, Wilson and Zaiter	Councillors Dwyer, Garrard and Issa

				<p>3. Amending the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site</p> <p>(d) That Council note the following Local Planning Panel reasons for recommending refusal of the above Planning Proposal:</p> <ol style="list-style-type: none"> <li>1. The proposal would result in a large increase in the maximum height of buildings</li> <li>2. The proposal would result in multi-storey residential flat buildings situated away from public transport</li> <li>3. There is concern about the possibility of the land being subject to flooding</li> <li>4. It is considered inappropriate to have higher density residential development in a location such as this</li> </ol> <p>(e) Further, that the Department of Planning, Industry and Environment (DPIE) and the applicant be advised that Council will not be proceeding with this Planning Proposal.</p>		
COUNCIL 12 AUGUST 2019	11.3	F2009/00431 - D06911871	Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1	That the report be received and noted	Councillors Bradley, Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wilson and Zaiter.	Nil
COUNCIL 12 AUGUST 2019	13.1	F2019/02276 – D06928828	Transfer of land to Council from Endeavour Energy - Lot 1476 DP 36692 known as 9 Rumsey Crescent, Dundas Valley	<p>(a) That Council agrees to the transfer of Lot 1476 DP 36692 into Council's ownership for nil consideration.</p> <p>(b) That Council classify the land as Community Land upon Transfer of the Land.</p> <p>(c) Further that Council delegate authority to the Acting Chief Executive Officer to execute the Transfer, Purchaser/Transferee Declaration and any other associated documents as set out within this report.</p>	Councillors Bradley, Davis, Dwyer, Esber, Garrard, Han, Issa, Pandey, Prociv, Tyrrell, Wilson and Zaiter	Nil
COUNCIL 12 AUGUST 2019	13.2	F2019/00458 – D06857944	5 Parramatta Square	<p>(a) That Council endorse the design for the 5 Parramatta Square building provided at Attachment 2.</p> <p>(b) Further, that Council delegate authority to the Acting Chief Executive Officer to lodge a Development Application and all related applications for the 5 Parramatta Square building, consistent with the design provided at Attachment 2.</p>	Councillors Bradley, Davis, Esber, Garrard, Han, Issa, Pandey, Prociv, Tyrrell, Wilson and Zaiter	Councillor Dwyer
COUNCIL 12 AUGUST 2019	13.3	RZ/1/2016 - D06889077	Revised Melrose Park North Planning Proposal	(a) That Council resolve to proceed with the revised Planning Proposal (Attachment 2) for land at 8, 38-42, 44 and 44A Wharf Road, Melrose Park and 15-19 Hughes Avenue and 655 Victoria Road, Ermington for the purposes of forwarding it to the	Councillors Davis, Dwyer, Esber, Garrard, Issa, Pandey, Prociv, Wilson and Zaiter	Councillors Bradley and Tyrrell

			<p>Department of Planning, Industry and Environment for approval to proceed to public exhibition seeking the following amendments to the Parramatta Local Environmental Plan (PLEP) 2011:</p> <p>1) Amend the Land Use Zone map to rezone the site from part IN1 General Industrial and part SP1 Special Activities (Place of Public Worship) to part R4 High Density Residential, part B2 Local Centre, part RE1 Public Recreation and part SP2 Infrastructure (Educational Establishment)</p> <p>2) Amend the Height of Buildings map to increase the building heights from part 9m and part 12m to multiple heights ranging from 28m (6 storeys) to 90m (26 storeys)</p> <p>3) Amend the Floor Space Ratio (FSR) map to increase the FSR from 1:1 to 1.85:1 subject to recommendation (h) being achieved</p> <p>4) Amend the Land Reservation Acquisition map to reflect areas of open space to be dedicated to Council and land for the new school site to the State Government</p> <p>5) Amend the Additional Local Provisions map to include the site and insert a site specific provision in Part 6 <i>Additional local provisions – generally</i> of PLEP 2011 to ensure:</p> <p>5.1) That design excellence provisions be inserted into PLEP 2011 for the site applicable to buildings of 55m and above in height without the provision on bonuses.</p> <p>5.2) The total residential gross floor area within the planning proposal site not 507,245m<sup>2</sup></p> <p>5.3) A minimum of 30,000m<sup>2</sup> of non-residential floor space is to be provided within the site to serve the retail and commercial needs of the incoming population</p> <p>(b) That Council update the Planning Proposal at Attachment 2 to reflect the changes detailed at Attachment</p>		
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				<p>1, including the land use map and street locations and widths.</p> <p>(c) That Council continue to proceed with the drafting of a site specific DCP and it be reported back to Council prior to the commencement of any public exhibition period.</p> <p>(d) That Council continue Voluntary Planning Agreement (VPA) negotiations based on the floor space ratio of 1.85:1 and the draft VPA be reported back Council prior to the commencement of any public exhibition period.</p> <p>(e) That Council forward the revised Planning Proposal to the Department of Planning, Industry and Environment for approval to be placed on public exhibition.</p> <p>(f) That the draft Planning Proposal, draft Site Specific DCP and draft VPA be placed on public exhibition concurrently for a minimum period of 28 days and in accordance with the public consultation strategy detailed in this report.</p> <p>(g) That Council endorse the Transport Management and Accessibility Plan (TMAP) for the purposes of public exhibition.</p> <p>(h) That Council endorse the following implementation plans provided at Attachment 1 which stages the delivery of dwellings subject to traffic and transport infrastructure being in place to serve the incoming population as identified in the TMAP.</p> <p>(a) Implementation Plan A – Provides up to 11,000 dwellings over the north and south precincts subject to identified road and traffic works, the bridge to Wentworth Point with light rail or equivalent bus service and Sydney West Metro being delivered. Implementation Plan A will facilitate an FSR 1.85:1 for the northern part of the precinct with and an appropriate development potential in the southern precinct.</p> <p>(b) Implementation Plan B – Should there be no State Government commitment towards Sydney West Metro, the bridge to Wentworth Point and associated light rail or bus</p>		
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				<p>service then only 6,700 dwellings can be accommodated within the precinct. Accordingly, a 40% reduction in yield will be applied to the development in Melrose Park to ensure both north and south precincts are treated equitably.</p> <p>(i) That satisfactory arrangements provisions be inserted into PLEP 2011 to ensure that the number of dwellings constructed aligns with the delivery of the required infrastructure as identified in the TMAP as per the implementation plans detailed in recommendation (h).</p> <p>(j) That the planning proposal be updated to reflect the dwelling mix specified in the Parramatta DCP for residential flat building.</p> <p>(k) Further, that Council authorise the Acting CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment process.</p>		
COUNCIL 12 AUGUST 2019	13.5	RZ/4/2018 - D06920212	Gateway Request – Planning Proposal – 18–40 Anderson Street, Parramatta	<p>(a) That Council note the recommendations of the Local Planning Panel dated 16 July 2019 in relation to this matter as detailed below, noting that the Panel’s recommendation is consistent with the Council officer’s recommendation to support the amendments.</p> <p>(b) That Council endorse the proposed amendments to the Planning Proposal at 18 – 40 Anderson Street, Parramatta (included as Attachment 2) for the purposes of a Gateway Determination, in relation to the subject site:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rezone the site from B5 Business Development to B4 Mixed Use;</li> <li><input type="checkbox"/> Insert a site-specific provision requiring a minimum 3:1 non-residential FSR; and</li> <li><input type="checkbox"/> Remove the proposed site-specific additional permitted use provisions allowing for residential accommodation and serviced apartments.</li> </ul> <p>(c) Further, that the amended Planning Proposal be forwarded to the Department of Planning and Environment with a request for a Gateway Determination to be issued.</p>	Councillor Davis, Dwyer, Esber, Garrard, Issa, Pandey, Proxiv, Tyrrell, Wilson and Zaiter.	Nil Abstained- Councillor Bradley



COUNCIL 12 AUGUST 2019	13.6	RZ/3/2018- D06851078	163-165 George Street, Parramatta (St Ioannis Greek Orthodox Church)	<p>(a) That Council note the recommendation of the Local Planning Panel on 18 June 2019 in relation to this matter as detailed below, noting that the Panel's recommendation is consistent with the Council Officer recommendation.</p> <p>(b) That Council endorse the Planning Proposal at Attachment 1 for land at 163-165 George and 1 Purchase Streets, Parramatta, which seeks to:</p> <p>i. Amend the control on the Height of Buildings map from RL 14 metres to RL 21 metres, but only on the part of the site at</p> <p>which the proposed Cathedral is to be built; ii. Insert a clause so that the Height of Buildings control on the site can be exceeded for the purposes of a steeple or similar, but only if the consent authority is satisfied that the heritage impact is acceptable and the height is no greater than RL 40m (allow a steeple up to RL 34m and cross upon it up to RL 40m); and</p> <p>iii. Add car parking as an additional permitted use on the site.</p> <p>(c) That the Planning Proposal be forwarded to the Department of Planning and Environment to request a Gateway determination be issued.</p> <p>(d) That Council advise the Department of Planning and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>(d) Further, that Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.</p>	Councillors Bradley, Davis, Dwyer, Esber, Garrard, Issa, Prociv, Tyrrell and Wilson	Nil
LPP 20 AUGUST 2019	5.1	DA/5/2008/F	1 Nirvana Street, Pendle Hill (Lot 6 DP 16541)	<p>That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.15 and 4.56 of the Environmental Planning and Assessment Act 1979, modify development consent DA/5/2008/F for approved alterations and use of the premises as a sex services premises granted by the NSW Land and Environment Court on land at 1 Nirvana Street, Pendle Hill (Lot 6 DP 16541) subject to the following modifications:</p> <ol style="list-style-type: none"> <li>1. Delete Condition No. 2.</li> <li>2. All other conditions of DA/5/2008/F remain unmodified.</li> </ol>	David Lloyd QC Jane Fielding Deb Sutherland Richard Thorp	Nil

LPP 20 AUGUST 2019	5.2	DA/345/2019	Lot 8 DP 1252009, Civic Place, Parramatta (Rosehill Ward)	<p>(b) Further, that submitters are advised of the decision.</p> <p>That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority under section 4.16 of the Environmental Planning Assessment Act 1979 approves a variation to the sun access control in clause 7.4(2) of Parramatta Local Environmental Plan 2011, being satisfied that the applicants written request has adequately addressed the matters to be demonstrated by clause 4.6 of that plan, and that the proposed development would be in the public interest because it is consistent with the objectives of the particular standards and the objectives of the development within the zone.</p> <p>(b) That the Parramatta Local Planning Panel exercising the powers of the council as the consent authority under section 4.16 of the Environmental Planning and Assessment Act 1979 grants development consent to DA/345/2019 for the use and fit out of outdoor dining at Lot 8 DP 1252009, Civil Place Parramatta 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 recommended conditions of consent.</p> <p>(c) Further, that all stakeholders be advised of the decision.</p>	David Lloyd QC Jane Fielding Deb Sutherland Richard Thorp	Nil
LPP 20 AUGUST 2019	5.3	DA/722/2018	25 Lanhams Road, Winston Hills	That this matter be deferred at the Applicant's request to enable further amended plans to be produced.	David Lloyd QC Jane Fielding Deb Sutherland Richard Thorp	Nil
LPP 20 AUGUST 2019	6.1	RZ/18/2016 - D06868767	23-25 Windsor Road, Northmead	<p>That the Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council endorse the Planning Proposal for the land at 23-25 Windsor Road, Northmead in accordance with the following recommendation, which seeks to amend The Hills Local Environmental Plan 2012 (THLEP 2012) in relation to the subject site by:</p> <p>i. Amending the maximum building height (HOB) from 16 metres (5 storeys) to 30 metres (9 storeys),</p> <p>ii. Amending the maximum floor space ratio (FSR) control from no FSR to 1.8:1</p> <p>(b) That subject to Council endorsing Council officer's recommendation (a) as above, the Planning Proposal be forwarded to the Department of Planning, Industry and</p>	David Lloyd QC Jane Fielding Deb Sutherland Richard Thorp	Nil

				<p>Environment for a Gateway Determination with the following conditions:</p> <p>i. The applicant prepare a Stage 1 Preliminary Contamination Report, with the findings concurrently exhibited with the Planning Proposal.</p> <p>(c) That a site-specific Development Control Plan be prepared to reflect urban design, wayfinding and open space advice from Council officers and any other changes that may result from the Gateway Determination prior to exhibition of the Planning Proposal.</p> <p>(d) That Council authorise the Acting CEO to negotiate a Voluntary Planning Agreement (VPA) on behalf of Council, that the VPA be in addition to any development contribution payable, and that the outcome of negotiations be reported back to Council prior to its concurrent public exhibition with the draft DCP and Planning Proposal.</p> <p>(e) That Council advises the Department of Planning, Industry and Environment that the Acting CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>(f) Further, that Council authorise the Acting CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process</p>		
LPP 20 AUGUST 2019	6.2	RZ/13/2016 - D06796023	470 Church Street, Parramatta	<p>That the Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal, draft site-specific Development Control Plan and draft Planning Agreement, summarised and addressed at Attachment 1.</p> <p>(b) That Council endorse the Planning Proposal provided at Attachment 2, which seeks to increase the maximum floor-space ratio (FSR) from 3:1 to</p> <p>5.6:1 which is applying the FSR sliding scale and increase the maximum building height from 24m to 80m for land at 470 Church Street, Parramatta, and forward it to the Department of Planning, Industry and Environment for finalisation, but request that the final notification in the Government Gazette only be undertaken once Council confirms that the Planning Agreement has been executed.</p>	David Lloyd QC Jane Fielding Deb Sutherland Richard Thorp	Nil

				<p>(c) That Council endorse for finalisation the site-specific Development Control Plan contained at Attachment 3 for insertion in Section 4.3.3 – Parramatta City Centre of Parramatta Development Control Plan 2011. Subject to a review of the built form controls particularly those relating to podium levels and set backs on Harold Street. Specifically the Panel suggest that the maximum street wall height to both Church Street and Harold Street be limited to two storeys or 7 metres, this is based on the Panel's consideration of the site's location in close proximity to the valued heritage conservation area.</p> <p>(d) That Council enter into the Planning Agreement as exhibited at Attachment 4, following any consequential amendments.</p> <p>(e) That the Chief Executive Officer be authorised to sign the Planning Agreement.</p> <p>(f) Further, that Council authorise 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.</p>		
LPP 20 AUGUST 2019	6.3	RZ/21/2015 - D06796099	Post-exhibition - Planning Proposal, draft site-specific Development Control Plan (DCP) and draft Planning Agreement for 20 Macquarie Street, Parramatta	<p>That the Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal, draft site-specific Development Control Plan and draft Planning Agreement;</p> <p>(b) That Council endorse the Planning Proposal provided at Attachment 1 which seeks to: ncrease the maximum height of buildings from 36 metres (approximately 11 storeys) to 90 metres (approximately 29 storeys) and maximum floor space ratio from 4:1 to 10:1; Include a site-specific clause requiring development on the subject site to comply with the FSR sliding-scale provisions except if the development is for a hotel or motel; Include maximum car parking rates consistent with Council's resolution of 10 April 2017, and</p>	David Lloyd QC Jane Fielding Deb Sutherland Richard Thorp	Nil

				<p>forward the Planning Proposal to the Department of Planning, Industry and Environment for finalisation, but request that the final notification in the Government Gazette only be undertaken once Council confirms that the Planning Agreement has been executed by Council and the applicant.</p> <p>(c) That Council re-exhibit the draft site-specific Development Control Plan as amended at Attachment 2 and that the results of the exhibition be reported to Council;</p> <p>(d) That Council authorise the Chief Executive Officer to re-enter negotiations with the applicant to seek to amend the draft Planning Agreement at Attachment 3 to secure a right of way over the two metre setback on Marsden Street for the benefit of Council for the purpose of 24 hour pedestrian access;</p> <p>(e) That Council authorise the Chief Executive Officer to re-exhibit any such amendment to the draft Planning Agreement and that the results of re-exhibition be reported to Council; and</p> <p>(f) Further, that Council authorise 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, DCP and Planning Agreement.</p>		
AUGUST 2019	6.4	RZ/13/2018 - D06903208	Post-exhibition outcomes: Planning Proposal for 128 Marsden Street, Parramatta	<p>That the Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council receives and notes the submission received following the conclusion of the exhibition period.</p> <p>(b) That Council endorse the Planning Proposal, provided at Attachment 1 for land at 128 Marsden Street, Parramatta, to allow the Planning Proposal to be finalised so the new controls legally come into force.</p> <p>(c) That Council notify the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising their plan-making delegations as granted by the Gateway Determination for this Planning Proposal.</p> <p>(d) Further, that Council authorise 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>	David Lloyd QC Jane Fielding Deb Sutherland Richard Thorp	Nil
COUNCIL	14.2	RZ/10/2013- D06928458	171/187 Parramatta Road and 58-60 Victoria Street and 64 Victoria Street	(a) That Council endorse the drafting of a Voluntary Planning Agreement (VPA) and associated Explanatory	Councillors Bradley, Davis, Dwyer, Esber, Garrard,	Nil

20 AUGUST 2019				<p>Note based on the current VPA offer dated 9 August 2019 (provided at Attachment 2) and as detailed in this report (Table 1) subject to the following amendments and clarifications:</p> <p>i) That in the event that the proposed embellishment rate of \$1,000 per square metre (\$3.2M total) for the 3,200m<sup>2</sup> park is not fully spent that the gap be paid to Council and put towards existing and future open space provision.</p> <p>ii) That should a monetary contribution be provided in lieu of an Affordable Rental Housing Dwelling (referred to in this report) that the monetary contribution be at least equal to the market value of an equivalent dwelling in Granville.</p> <p>(b) That the draft VPA and associated Explanatory Note be placed on public exhibition for a period of 28 days from the day it is advertised in the local newspaper.</p> <p>(c) That subject to Council endorsing (a) and (b) above, that Council authorise the Acting CEO to negotiate and determine the specific terms around delivery of the proposed VPA items as detailed in this report not limited to staging, contingencies, delivery, security and indexing in accordance with Council's Planning Agreements Policy 2018 (Amendment No. 1) and prior to the VPA being placed on public exhibition.</p> <p>(d) Further, that Council authorise the Acting CEO to correct any anomalies of a minor or non-policy nature that may arise during the legal drafting of the VPA.</p>	Han, Issa, Jefferies, Prociv, Tyrrell, Wilson and Zaiter	
COUNCIL 26 AUGUST 2019	18.2	RZ/1/2018- D06912340	14-16 Hill Road, Wentworth Point	<p>(a) That Council note the advice of the Local Planning Panel dated 16 July 2019 in relation to this matter, noting that the Panel's advice supports the Council officer's recommendation detailed below.</p> <p>(b) That Council resolve to proceed with the Planning Proposal for land at 14-16 Hill Road, Wentworth Point (provided at Attachment 1) which seeks the following amendments to Auburn Local Environmental Plan (ALEP) 2010:</p> <p>1) Increase the RE1 Public Recreation zone area with a corresponding reduction of the R4 High Density Residential zone (refer to Figure 6 in Attachment 2)</p> <p>2) Introduce the B4 Mixed Use zone at the north-eastern corner of the site</p> <p>3) Amending the Height of Buildings Map to provide a range of heights across the site from 44m (approximately</p>	Councillors Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wilson and Zaiter	Councillors Bradley and Davis

				<p>15 storeys) to 134m (approximately 40 storeys) (refer to Figure 7 in Attachment 2).</p> <p>4) Amend the FSR map to provide individual FSRs for the development parcels to reflect the previously approved gross floor area (GFA) of 188,800m2 (refer to Figure 8 in Attachment 2).</p> <p>5) Add 'food and drink premises' as an Additional Permitted Use within the RE1 Public Recreation zone on the site of the existing cafe.</p> <p>6) Amend the Land Acquisition Map to reflect the larger RE1 Public Recreation area and exclude the foreshore wharf from public acquisition to allow it to be retained, refurbished and operated as a café under the existing community title (refer to Figure 9 in Attachment 2).</p> <p>(c) That Council include in this planning proposal a site specific provision that prevents the use of clause 4.6 in relation to floor space ratio.</p> <p>(d) That proposed amendments to the Wentworth Point Development Control Plan 2014 to support the planning proposal be prepared and reported to Council.</p> <p>(e) That delegated authority be given to the Acting CEO to negotiate the Voluntary Planning Agreement (VPA) on behalf of Council in addition to Section 7.12 contributions payable, and that the outcomes of negotiations be reported back to Council prior to its concurrent exhibition with the draft amendments to the Wentworth Point DCP 2014 and Planning Proposal.</p> <p>(f) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment for Gateway determination.</p> <p>(g) That Council advises the Department of Planning, Industry and Environment that the Acting CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(h) Further, that Council authorise the Acting CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment process.</p>		
COUNCIL 26 AUGUST 2019	18.3	RZ/12/2015- D06936066	18-22A Hunter and 23-29 Macquarie Streets, Parramatta	(a) That Council note that the Department of Planning, Industry and Environment has advised Council that the Gateway Review request for 18-22A Hunter and 23-29	Councillors Bradely, Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies,	Nil

				Macquarie Streets, Parramatta has been withdrawn, meaning that the Gateway Determination stands.  (b) Further, that Council take no further action on this Planning Proposal.	Pandey, Prociv, Tyrrell, Wilson and Zaiter	
COUNCIL 9 SEPTEMBER 2019	14.1	F2009/00431	Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1	That the report be received and noted.	Clrs Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Clrs Barrak, Bradley
COUNCIL 9 SEPTEMBER 2019	18.1	F2018/01790	Draft Local Strategic Planning Statement, Draft Local Housing Strategy and Draft Community Infrastructure Strategy - Seeking endorsement for Public Exhibition	(a) That Council endorses the public exhibition of the draft Local Strategic Planning Statement (LSPS) at Attachment 1, commencing from Monday, 30 September to Monday, 11 November 2019 consistent with the Accelerated LEP Framework Review Funding Agreement and statutory requirements.  (b) That Council endorses the public exhibition of the supporting draft Local Housing Strategy (LHS) at Attachment 2 in conjunction with the draft LSPS and consistent with the Accelerated LEP Framework Review Funding Agreement and statutory requirements.  (c) That Council endorses the public exhibition of the draft Community Infrastructure Strategy (CIS), at Attachment 3 (under separate cover), commencing from Monday, 30 September to Monday, 11 November 2019, to occur concurrently with the exhibition of the draft Local Strategic Planning Statement and draft Local Housing Strategy.  (d) Further, that a report be brought back to Council detailing the outcomes of the exhibition, any updates to the draft documents in response to stakeholder and community submissions, prior to finalisation of the draft documents.	Clrs Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Clrs Barrak and Bradley
COUNCIL 9 SEPTEMBER 2019	18.2	RZ/18/2016	Gateway Request for Planning Proposal at 23-25 Windsor Road, Northmead	(a) That Council endorse the Planning Proposal attached to the LPP report at Attachment 1 for land at 23-25 Windsor Road, Northmead which seeks to amend The Hills Local Environmental Plan 2012 (LEP 2012) by: i. Amending the maximum building height (HOB) from 16 metres (5 storeys) to 30 metres (9 storeys),	Clrs Barrak, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Clr Bradley



				<p>ii. Amending the maximum floor space ratio (FSR) control from no FSR to 1.8:1.</p> <p>(b) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) requesting a Gateway Determination be issued.</p> <p>(c) That a site-specific Development Control Plan (DCP) be prepared to reflect advice from Council officers and any other changes that may result from the Gateway Determination prior to exhibition of the Planning Proposal.</p> <p>(d) That Council authorise the Chief Executive Officer (CEO) to negotiate a Voluntary Planning Agreement (VPA) on behalf of Council, that the VPA be in addition to any development contribution payable, and that the outcome of negotiations be reported back to Council prior to its concurrent public exhibition with the draft DCP and Planning Proposal.</p> <p>(e) That Council advises the DPIE that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>(f) 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.</p> <p>(g) Further, that Council note the advice of the Local Planning Panel (LPP), provided at Attachment 1, is consistent with the Council Officer's recommendation to support the proposal.</p>		
COUNCIL 9 SEPTEMBER 2019	18.3	RZ/13/2018	Post Exhibition Outcomes - Planning Proposal for 128 Marsden Street, Parramatta	<p>(a) That Council receives and notes the submission received following the conclusion of the exhibition period.</p> <p>(b) That Council endorse the Planning Proposal, provided at Attachment 1 for land at 128 Marsden Street, Parramatta, to allow the Planning Proposal to</p>	Clrs Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Procriv, Tyrrell, Wearne and Zaiter	Nil

				<p>be finalised so the new controls legally come into force.</p> <p>(c) That Council notify the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising their plan-making delegations as granted by the Gateway Determination for this Planning Proposal.</p> <p>(d) That Council authorise 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 advice of the Local Planning Panel, provided at Attachment 3, is consistent with the Council Officer's recommendation to support the proposal.</p>		
COUNCIL 9 SEPTEMBER 2019	18.4	RZ/13/2016	Post Exhibition Outcomes –Planning Proposal for land at 470 Church Street Parramatta	That matter be deferred for a workshop at the earliest opportunity.	Clrs Barrak, Bradley, Davis, Garrard, Pandey, Prociv and Wearne	Clrs Dwyer, Esber, Issa, Jefferies, Tyrrell and Zaiter
COUNCIL 9 SEPTEMBER 2019	18.5	RZ/21/2015	Post Exhibition Outcomes –Planning Proposal, draft site-specific Development Control Plan (DCP) and draft Planning Agreement for 20 Macquarie Street, Parramatta	<p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal, draft site-specific DCP and draft Planning Agreement.</p> <p>(b) That Council endorse the Planning Proposal provided at Attachment 3 which seeks to:</p> <ul style="list-style-type: none"> <li>• Increase the maximum height of buildings from 36 metres (approximately 11 storeys) to 90 metres (approximately 29 storeys) and maximum floor space ratio from 4:1 to 10:1;</li> <li>• Include a site-specific clause requiring development on the subject site to comply with the FSR sliding-scale provisions except if the development is for a hotel or a motel and subject to the following provisions:</li> </ul>	Clrs Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Clrs Barrak and Bradley

				<p>(i) the sliding-scale exemption only applies if all the floor space in the building is used for a hotel or motel and ancillary related uses; and</p> <p>(ii) no floor space in a building developed for a hotel or motel under the site-specific clause can be used for or converted to serviced apartments or residential accommodation;</p> <ul style="list-style-type: none"> <li>• Include maximum car parking rates consistent with Council's resolution of 10 April 2017; and forward the Planning Proposal to the Department of Planning, Industry and Environment for finalisation, but request that the final notification in the Government Gazette only be undertaken once Council confirms that the Planning Agreement has been executed by Council and the applicant.</li> </ul> <p>(c) That Council re-exhibit the draft site-specific DCP as amended at Attachment 4 and that the results of the exhibition be reported to Council.</p> <p>(d) That Council authorise the Chief Executive Officer to re-enter negotiations with the applicant to seek to amend the draft Planning Agreement at Attachment 5 to secure a right of way over the two metre setback on Marsden Street for the benefit of Council for the purpose of 24-hour pedestrian access.</p> <p>(e) That Council authorise the Chief Executive Officer to re-exhibit any such amendment to the draft Planning Agreement and that the results of re-exhibition be reported to Council.</p> <p>(f) That Council authorise 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, DCP and Planning Agreement.</p> <p>Further, that Council note the advice of the Local Planning Panel (provided at Attachment 2) is consistent with the recommendation of Council Officers.</p>		
COUNCIL	18.6	RZ/7/2013	Post Exhibition Outcomes – Draft Deed of Variation to an Existing	(a) That Council notes that two (2) submissions were received during the public exhibition of the draft deed	Clrs Bradley, Davis, Dwyer, Esber, Garrard, Issa,	Clr Barrak

9 SEPTEMBER 2019			Planning Agreement (Executed April 2015) in relation to 189 Macquarie Street, Parramatta.	<p>of variation to the existing Planning Agreement at 189 Macquarie Street, Parramatta.</p> <p>(b) That Council: -</p> <p>i. Endorse the amended Planning Agreement at 189 Macquarie Street, Parramatta which contains the provisions of the executed Planning Agreement (Attachment 1) subject to the exhibited amendments (Attachment 2).</p> <p>ii. Enter into the amended Planning Agreement</p> <p>(c) That the Chief Executive Officer be authorised to execute the necessary documents to enter into the amended Planning Agreement.</p> <p>(d) Further, that upon signing the Planning Agreement, the agreement be forwarded to the Department of Planning, Industry &amp; Environment in accordance with Section 25G of the Environmental Planning and Assessment Regulation 2000.</p>	Jefferies, Pandey, Proxiv, Tyrrell, Wearne and Zaiter	
LPP 17 SEPTEMBER 2019	5.1	DA/776/2018	6 Bond Avenue, Toongabbie Lot 44 DP 35665 - Ward: Parramatta	That the Parramatta Local Planning Panel (PLPP) exercising the functions of the Council pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, grant development consent to DA/776/2018 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 recommended conditions of consent.	Stephen O'Connor, David Ryan, Alf Lester, Ian Gilbertson	Nil
LPP 17 SEPTEMBER 2019	5.2	DA/582/2017/A	Unit 5/5 Clyde Street, Rydalmere NSW 2116 (Lot 5, DP 55127)	That the Parramatta Local Planning Panel exercising the functions of Council pursuant to Section 4.16 and Section 4.55 of the Environmental Planning & Assessment Act 1979, modify Condition No. 3 to allow for the extension of the term of operation for a further 2 years (24 months).	Stephen O'Connor, David Ryan, Alf Lester, Ian Gilbertson	Nil
LPP 17 SEPTEMBER 2019	6.1	RZ/22/2017	Planning Proposal for Land at 70 Pemberton Street, 260 & 260A Victoria Road, 178-184 & 190-200 James Ruse Drive and 15-19 Collet Parade, Parramatta (WSU North Parramatta Campus)	<p>That the Parramatta Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>That Council resolve to proceed with The Planning Proposal for land at 70</p>	Stephen O'Connor, David Ryan, Alf Lester, Ian Gilbertson	Nil

				<p>Pemberton Street, 260 &amp; 260A Victoria Road, 178-184 &amp; 190-200 James Ruse Drive and 15-19 Collet Parade, Parramatta which seeks to amend Parramatta Local Environmental Plan (PLEP) 2011 to rezone the land from part SP2 (Educational Establishment), part R3 Medium Density Residential and part R4 High Density Residential to part R4 High Density Residential and part B4 Mixed Use, subject to the following amendments:</p> <p>Incorporate a minimum of 20 percent of The site as open space which should be consolidated rather than dispersed. Transition the maximum height of buildings from the west from part 11m (3 storeys) and part no height control (SP2 land) to part 28m (8 storeys) and part 50m (15 storeys) as recommended by Council officers; and Increase the floor space ratio from part 0.6:1, part 0.8:1 and part no FSR control (SP2 land) to 1.4:1 and potentially up to 1.5:1 subject to a Comprehensive Traffic Management Plan that demonstrates that this higher FSR is acceptable.</p>		
LPP 17 SEPTMEBER 2019	6.2	RZ/27/2015	Post Exhibition Outcomes: Planning Proposal at 23-27 Harold Street, Parramatta	That the Parramatta Local Planning Panel provides the following advice to Council. The Panel believes that it would be premature to proceed with this planning proposal until the outcome of the planning proposal for 470 Church Street, Parramatta (RZ/13/2016) is known.	Stephen O'Connor, Alf Lester and David Ryan	Ian Gilbertson
LPP 17 SEPTEMBER 2019	6.3	RZ/15/2018	Planning Proposal for land at 22 Noller Parade, Parramatta	<p>That the Parramatta Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council endorse the Planning Proposal for land at 22 Noller Parade, Parramatta which seeks to</p>	Stephen O'Connor, Alf Lester and David Ryan Ilan Gilbertson	Nil

				<p>amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) in relation to the subject site by:</p> <ol style="list-style-type: none"> <li>1 Rezoning the land from R2 Low Density Residential to R4 High Density Residential</li> <li>2 Increasing the Maximum Height of Building control from RL14.00 to 17m</li> <li>3 Including a Maximum Floor Space Ratio control of 1.5:1.</li> </ol> <p>(b) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.</p> <p>(c) That the CEO be authorised to negotiate a Voluntary Planning Agreement on behalf of Council to the land value of 50% of the value uplift as per Council's Planning Agreements Policy 2018 in addition to any development contributions payable, and that the outcome of negotiations be reported back to Council prior to its concurrent exhibition with the Planning Proposal.</p> <p>(d) That Council advises the Department of Planning, Industry and Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>(e) Further, 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.</p>		
LPP 17 SEPTEMBER 2019	6.4	RZ/6/2018	Post Exhibition Outcome – Planning Proposal and draft site-specific Development Control Plan for 10 Valentine Avenue, Parramatta	<p>That the Parramatta Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal and draft site-specific Development Control Plan.</p> <p>(b) That Council endorse the Planning Proposal provided at Attachment 1 which seeks to:</p>	Stephen O'Connor, Alf Lester and David Ryan Ian Gilbertson	Nil

				<ul style="list-style-type: none"> <li><input type="checkbox"/> Increase the maximum height of buildings from 54 metres (approximately 16 storeys) to 130 metres (approximately 29 storeys) and maximum floor space ratio from 6:1 to 10:1;</li> <li><input type="checkbox"/> Include a site-specific clause that exempts office premises from the Floor Space Ratio calculation;</li> <li><input type="checkbox"/> Include a site-specific clause that applies the maximum car parking rates recommended under the CBD Strategic Transport Study, consistent with Council's resolution of 10 April 2017;</li> <li><input type="checkbox"/> Include a site-specific clause that prohibits the subdivision of the aboveground car parking.</li> </ul> <p>and forward the Planning Proposal to the Department of Planning, Industry and Environment for finalisation.</p> <p>(c) That Council not proceed with the draft site-specific DCP at Attachment 2 for the reasons outlined in this report.</p> <p>(e) Further, that Council authorise 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>		
LPP 17 SEPTEMBER 2019	6.5	F2019/01712	Gateway Request: Planning Proposal - 2-8 and 1-7 Rosebank Avenue, Epping	<p>That the Parramatta Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council endorse the Planning Proposal at 2-8 and 1-7 Rosebank Avenue, Epping (included as Attachment 1) which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013 in relation to the subject site:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Remove the Heritage Conservation Area notation from these sites;</li> <li><input type="checkbox"/> Rezone the sites from R2 Low Density Residential to R4 High Density Residential;</li> </ul>	Stephen O'Connor, Alf Lester and David Ryan Ian Gilbertson	Nil

				<ul style="list-style-type: none"> <li><input type="checkbox"/> Amend the maximum permitted height of buildings control for these sites from 8.5 metres to 11 metres – to enable future apartment building development no greater than 3 storeys on the sites; and</li> <li><input type="checkbox"/> Apply a maximum floor space ratio (FSR) control of 0.8:1, noting there is no existing maximum FSR control for the sites.</li> </ul> <p>(b) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.</p> <p>(c) That amendments to Hornsby Development Control Plan (DCP) 2013 relating to setbacks, landscaping and heritage be prepared and reported to Council for endorsement prior to their public exhibition with the Planning Proposal.</p> <p>(d) That Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(e) Further, that Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.</p>		
LPP 17 SEPTEMBER 2019	6.6	F2019/02038	Gateway Request: Planning Proposal - various properties in Rock Leigh Way, Pembroke and Essex Streets, Epping	<p>That the Parramatta Local Planning Panel provides the following advice and recommendation to the Council:</p> <p>(a) That Council endorse the Planning Proposal at Attachment 1 which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013 in relation to the following sites:</p> <p>(i) Land at 5A Essex Street, 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rezone the land from R4 High Density Residential to R3 Medium Density Residential;</li> </ul>	Stephen O'Connor, Alf Lester and David Ryan Ian Gilbertson	Nil



				<ul style="list-style-type: none"> <li><input type="checkbox"/> Amend the maximum height of buildings from 17.5 metres to 9 metres; and</li> <li><input type="checkbox"/> Apply a floor space ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites.</li> </ul> <p>(ii) Land at 21-29 Essex Street</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Amend the maximum height of buildings from 17.5 metres to 11 metres (to allow for residential flat buildings no greater than 3 storeys); and</li> <li><input type="checkbox"/> Apply a floor space ratio (FSR) of 0.8:1, noting there is no existing FSR control for the sites.</li> </ul> <p>(iii) Land at 23 and 23A Pembroke Street, Epping</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rezone the sites from R3 Medium Density Residential to R4 High Density Residential;</li> <li><input type="checkbox"/> Amend the maximum height of buildings from 12 metres to 11 metres; and</li> <li><input type="checkbox"/> Apply a floor space ratio (FSR) of 0.8:1, noting there is no existing FSR control for the sites.</li> </ul> <p>(b) That Council not prepare a masterplan for the Rockleigh Park Precinct sites. Instead any redevelopment under the proposed R3 Medium Density Residential be assessed against the relevant Hornsby Development Control Plan (DCP) 2013.</p> <p>(c) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.</p> <p>(d) That Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(e) Further, that Council authorise 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 8 OCTOBER 2019	18.3	RZ/15/2017	Draft DCP for 38 Cowper Street, Granville	<p>(a) That Council endorse the draft site specific Development Control Plan (DCP) at Attachment 1 for public exhibition.</p> <p>(b) That the draft site specific DCP be placed on public exhibition concurrently with the associated Planning Proposal.</p> <p>(c) That the outcomes of the public exhibition be reported back to Council prior to the finalisation of the plan amendments associated with the Planning Proposal and site specific DCP.</p> <p>(d) Further, that Council authorise the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the draft site specific DCP prior to exhibition.</p>	Clrs Barrak, Bradley, Davis, Dwyer, Esber, Han, Issa, Jefferies, Prociv, Tyrrell, Wearne and Wilson	Nil
COUNCIL 8 OCTOBER 2019	18.4	RZ/10/2013	Draft DCP for block bound by Parramatta Road, Albert and Victoria Streets and the Western Railway Line, Granville	<p>(a) That Council endorse the draft DCP prepared for the block bound by Parramatta Road, Victoria and Albert Streets and the Western Railway Line, Granville, provided at Attachment 4, for the purpose of public exhibition.</p> <p>(b) That the draft DCP and Background Report at Attachment 4 be placed on public exhibition for a minimum period of 28 days, subject to the background report being updated to reflect the finalisation of the Planning Proposal for this site on 4 October 2019. Following the exhibition, the outcome of public exhibition be reported back to Council.</p> <p>(c) Further, that Council authorise the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft DCP documentation that may arise during the drafting and exhibition processes.</p>	Clrs Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Han, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Clrs Issa and Wilson

<p>COUNCIL 18.5 OCTOBER 2019</p>	<p>18.5</p>	<p>F2019/01712</p>	<p>Gateway Request: Planning Proposal – 2-8 &amp; 1-7 Rosebank Avenue, Epping</p>	<p>(a) That Council endorse the Planning Proposal at 2-8 and 1-7 Rosebank Avenue, Epping (included as Attachment 1), which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013 for the purposes of public exhibition:</p> <ul style="list-style-type: none"> <li>• Remove the Heritage Conservation Area notation from these sites;</li> <li>• Rezone the sites from R2 Low Density Residential to R4 High Density Residential;</li> <li>• Amend the maximum height of buildings control for these sites from 8.5 metres to 11 metres – to enable future apartment building development no greater than three storeys on the sites; and</li> <li>• Apply a maximum floor space ratio (FSR) control of 0.8:1, noting there is no existing maximum FSR control for the sites.</li> </ul> <p>(b) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.</p> <p>(c) That amendments to Hornsby Development Control Plan (DCP) 2013 relating to setbacks, landscaping and heritage be prepared and reported to Council for endorsement prior to their public exhibition with the Planning Proposal.</p> <p>(d) That Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(e) That Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.</p> <p>(f) Further, that Council note the Local Planning Panel's advice provided at Attachment 2 is</p>	<p>Clrs Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter</p>	<p>Clrs Barrak, Bradley and Wilson</p>
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				consistent with the Council Officer's recommendation.		
COUNCIL 8 OCTOBER 2019	18.6	F2019/02038	Gateway Request: Planning Proposal – Various properties in Rockleigh Way, Pembroke and Essex Streets, Epping	<p>(a) That Council endorse the Planning Proposal at Attachment 1 which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013:</p> <ul style="list-style-type: none"> <li>• Land at 5A Essex Street, 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way: <ul style="list-style-type: none"> <li>▪ Rezone the land from R4 High Density Residential to R3 Medium Density Residential;</li> <li>▪ Amend the maximum height of buildings control from 17.5 metres to 9 metres; and</li> <li>▪ Apply a floor space ratio control of 0.6:1, noting there is no existing FSR control for the sites.</li> </ul> </li> <li>• Land at 21-29 Essex Street <ul style="list-style-type: none"> <li>▪ Amend the maximum height of buildings control from 17.5 metres to 11 metres (to allow for residential flat buildings no greater than three storeys); and</li> <li>▪ Apply a floor space ratio control of 0.8:1, noting there is no existing FSR control for the sites.</li> </ul> </li> <li>• Land at 23 and 23A Pembroke Street, Epping <ul style="list-style-type: none"> <li>▪ Rezone the sites from R3 Medium Density Residential to R4 High Density Residential;</li> <li>▪ Amend the maximum height of buildings control from 12 metres to 11 metres; and</li> <li>▪ Apply a floor space ratio control of 0.8:1, noting there is no existing FSR control for the sites.</li> </ul> </li> </ul> <p>(b) That Council not prepare a masterplan for the Rockleigh Park Precinct sites that any redevelopment under the proposed R3 Medium Density Residential instead be assessed against the</p>	Clrs Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Proxiv, Tyrrell, Wearne, Wilson and Zaiter	Nil

				<p>relevant Hornsby Development Control Plan (DCP) 2013.</p> <p>(c) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.</p> <p>(d) That Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.</p> <p>(e) That Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.</p> <p>(f) Further, that Council note the Local Planning Panel's advice provided at Attachment 2 is consistent with the Council Officer's recommendation.</p>		
COUNCIL 8 OCTOBER 2019	18.7	RZ/15/2018	Gateway Request: Planning Proposal for land at 22 Noller Parade, Parramatta	<p>(a) That Council endorse the Planning Proposal for land at 22 Noller Parade, Parramatta which seeks to amend the Parramatta Local Environmental Plan 2011 in relation to the subject site by:</p> <ol style="list-style-type: none"> <li>1. Rezoning the land from R2 Low Density Residential to R4 High Density Residential</li> <li>2. Increasing the Maximum Height of Building control from RL14.00 to 17m</li> <li>3. Including a Maximum Floor Space Ratio control of 1.5:1</li> </ol> <p>(b) That the Planning Proposal be forwarded to the Department of Planning, Industry &amp; Environment for a Gateway Determination.</p>	Clrs Bradley, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Clrs B Barrak and D Davis

				<p>(c) That the CEO be authorised to negotiate a Voluntary Planning Agreement on behalf of Council to the land value of 50% of the value uplift as per Council's Planning Agreements Policy 2018 in addition to any development contributions payable, and that the outcome of negotiations be reported back to Council prior to its concurrent exhibition with the Planning Proposal.</p> <p>(d) That Council advises the Department of Planning, Industry &amp; Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>(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.</p> <p>(f) Further, that Council note the advice of the Local Planning Panel (provided at Attachment 3) is consistent with Council officer's recommendation.</p>		
COUNCIL 8 OCTOBER 2019	18.8	RZ/22/2017	Gateway Request: Planning Proposal at 70 Pemberton Street, 260 & 260A Victoria Road, 178-184 & 190-200 James Ruse Drive and 15-19 Collet Parade, Parramatta (WSU Northern Parramatta Campus)	<p>(a) That Council resolve to defer its decision to proceed with the Planning Proposal for land at 70 Pemberton Street, 260 &amp; 260A Victoria Road, 178-184 &amp; 190-200 James Ruse Drive and 15-19 Collet Parade, Parramatta (provided at Attachment 1), which seeks the following amendments to Parramatta Local Environmental Plan (PLEP) 2011:</p> <ol style="list-style-type: none"> <li>1. Rezone the land from part SP2 (Educational Establishment), part R3 Medium Density Residential and part R4 High Density Residential to part R4 High Density Residential, part B4 Mixed Use and part RE1 Public Recreation;</li> <li>2. Increase the maximum height of buildings from part 11m (3 storeys) and part no height control (SP2 land) to part 28m (8 storeys) and part 50m (15 storeys); and</li> </ol>	Clrs Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Procv, Tyrrell, Wearne, Wilson and Zaiter	Clrs Barrak and Bradley

				<p>3. Increase the floor space ratio from part 0.6:1, part 0.8:1 and part no FSR control (SP2 land) to 1.4:1.</p> <p>(b) That the Planning Proposal be deferred subject to the following:</p> <p>i. The draft Transport Management and Accessibility Plan (TMAP) following its exhibition for the ADHC site on the eastern side of James Ruse Drive to enable Council to fully understand the cumulative traffic and transport impacts of this development within the broader area.</p> <p>ii. Finalisation of Council's corridor structure plan from Harris Park to Carlingford.</p> <p>(c) Further, that a report be considered by Council on the WSU Northern Campus Planning Proposal following the outcomes of the matters raised in (b) as soon as possible.</p>		
COUNCIL 8 OCTOBER 2019	18.9	RZ/13/2016	Post Exhibition Outcomes – Planning Proposal for land at 470 Church Street Parramatta	That Council defer consideration of this matter until after Council considers a report on the response to the Gateway determination for the Parramatta CBD Planning Proposal.	Clrs Barrak, Bradley, Davis, Dwyer, Pandey, Prociw, Wearne and Wilson	Clrs Esber, Garrard, Han, Issa, Jefferies, Tyrrell and Zaiter
COUNCIL 8 OCTOBER 2019	18.10	RZ/27/2015	Post Exhibition Outcomes - 23-27 Harold Street, Parramatta	That Council defer consideration of this matter until after Council considers a report on the response to the Gateway determination for the Parramatta CBD Planning Proposal.	Clrs Barrak, Bradley, Davis, Dwyer, Pandey, Prociw, Wearne and Wilson	Clrs Esber, Garrard, Han, Issa, Jefferies and Tyrrell
COUNCIL 8 OCTOBER 2019	18.11	RZ/6/2018	Post Exhibition Outcomes – Planning Proposal and Draft Development Control Plan for 10 Valentine Avenue, Parramatta	<p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal and draft site-specific Development Control Plan.</p> <p>(b) That Council endorse the Planning Proposal provided at Attachment 3 which seeks to:</p> <ul style="list-style-type: none"> <li>• Increase the maximum height of buildings from 54 metres (approximately 16 storeys) to 130 metres</li> </ul>	Clrs Barrak, Davis, Dwyer, Esber, Garrard, Han, Jefferies, Prociw, Tyrrell, Wearne, Wilson and Zaiter	Clr Bradley

				<p>(approximately 29 storeys) and maximum floor space ratio from 6:1 to 10:1;</p> <ul style="list-style-type: none"> <li>• Include a site-specific clause that exempts office premises from the Floor Space Ratio calculation;</li> <li>• Include a site-specific clause that applies the maximum car parking rates recommended under the CBD Strategic Transport Study, consistent with Council's resolution of 10 April 2017;</li> <li>• Include a site-specific clause that prohibits the subdivision of the aboveground car parking;</li> <li>• and forward the Planning Proposal to the Department of Planning, Industry and Environment for finalisation.</li> </ul> <p>(c) That Council not proceed with the draft site-specific DCP at Attachment 4 for the reasons outlined in this report.</p> <p>(d) Further, that Council authorise 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>		
LPP 15 OCT 2019	5.1	DA/469/2019	16 Tulong Avenue, Oatlands	That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 grant development consent to DA/469/2019 for the demolition of existing carport and construction of a new carport on land at Lot 8 DP 218903, 16 Tulong Avenue, Oatlands NSW 2117.	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil
LPP 15 Oct 2019	5.2	DA/689/2018	5 Campbell Street (Lot 13 Sec 5 DP 6436), NORTHMEAD NSW 2152	(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council as the consent authority, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979, refuse development consent to DA/689/2018 for demolition of existing structures, tree removal and	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil



				<p>construction of a part two and part three (3) storey boarding house containing thirty seven (37) boarding rooms over two (2) levels of basement car parking for 19 vehicles pursuant to the SEPP (Affordable Rental Housing) 2009 at Lot 13 Sec 5 DP 6436, 5 Campbell Street, NORTHMEAD NSW 2152 for the following reasons:</p> <p>1) State Environmental Planning Policy (Affordable Rental Housing) 2009</p> <p>The proposed development does not exhibit a satisfactory building form and massing, in that it is inconsistent with the following provisions prescribed within State Environmental Planning Policy (Affordable Rental Housing) 2009:</p> <ul style="list-style-type: none"> <li>(i) Clause 29(2)(d) - The private open space.</li> <li>(ii) Clause 29(2)(e) –Parking.</li> <li>(iii) Clause 30(1)(a) – Communal living room.</li> <li>(iv) Clause 30A –Character of local area.</li> </ul> <p>Accordingly, the proposal fails to satisfy Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979.</p> <p>2) The Hills Development Local Environmental Plan 2012</p> <p>The development does not satisfy aim 2(a) &amp; (b) of The Hills Local Environmental Plan 2012, as it does not contribute towards orderly and sustainable development.</p> <p>Accordingly, the proposal fails to satisfy Section 4.15 (1)(a)(i) &amp; (b) of the Environmental Planning and Assessment Act, 1979.</p> <p>3) The Hills Development Control Plan 2012</p> <p>The proposed development does not exhibit a satisfactory building form and massing, in that it is inconsistent with the following provisions prescribed within The Hills Development Control Plan 2012 - Part B Section 4 – Multi Dwelling Housing:</p>		
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				<p>Section 3.1 – Site Requirements  Section 3.3 – Setbacks  Section 3.5 – Density  Section 3.7 – Landscaped Area  Section 3.12 – Open Space (Solar access to Communal open space)  Section 3.13 – Solar Access  Section 3.20 – Pedestrian access, safety and security  Section 3.21 – Privacy – Visual  Section 3.23 – Waste Management  Accordingly, the proposal fails to satisfy Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979.</p> <p>4) Environmental Planning and Assessment Regulation 2000  Pursuant to Clause 50(1)(a) and Clause 2A(1) under Schedule 1 of the Environmental Planning and Assessment Regulation 2000, the application fails to provide:</p> <p>(i) A valid BASIX Certificate for the proposed 37 boarding room development.</p> <p>5) Environmental Planning and Assessment Act 1979  (i) The development fails to provide high quality affordable rental housing in the form of a boarding house that ensures that its operation would not adversely impact upon amenity of the site and the surrounding land. Accordingly, the proposal fails to satisfy Section 4.15(1)(a)(i),(b),(c) (d) &amp; (e) of the Environmental Planning and Assessment Act, 1979.</p> <p>(ii) The proposed development is not considered to be in the public interest given the number of submissions received and its failure to ensure privacy and amenity of the adjoining neighbouring properties, fails to satisfy the objectives of the R3 Medium Density Residential zone and character compatibility requirements of SEPP (Affordable Rental Housing) 2009. Accordingly, the proposal fails to satisfy Section 4.15 (a)(i), (d) and (e) of the</p>	
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				<p>Environmental Planning and Assessment Act, 1979.</p> <p>(b) Further, that the persons who lodged an individual submission be advised of Parramatta Local Planning Panel's determination of the application.</p>		
LPP 15 October 2019	5.3	DA/876/2018	32 Mary Street, NORTHMEAD (Lot 57 in DP 8884) (North Rocks Ward)	<p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council as the consent authority refuse the development consent to DA/876/2018 for the demolition of existing structures, removal of two (2) trees and construction of a two-storey child care facility for 100 children (20 x 0-2 year olds, 40 x 2-3 year olds &amp; 40 x 3-5 year olds) with basement car parking for twenty-six (26) vehicles and associated landscaping on land at Lot 57 in DP 8884, 32 Mary Street, Northmead NSW 2152 for the reasons in attachment 1.</p> <p>(b) Further, that the objectors be advised of the PLPP's decision.</p>	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil
LPP 15 October 2019	5.4	DA/745/2018	21-23 Norfolk Road, Epping	<p>A.</p> <p>1. State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</p> <p>a. The proposed development is inconsistent with the following Design Quality Principles prescribed under the Child Care Planning Guideline 2017:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Principle 2 – Built form</li> </ul> <p>Accordingly, the proposal fails to satisfy s4.15(1)(a)(i).</p> <p>2. Hornsby Local Environmental Plan 2013</p> <p>a. The proposed development is inconsistent with Clause 5.10 in respect to Heritage Conservation.</p>	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil

				<p>b. The proposed development is inconsistent with Clause 6.2 in respect to Earthworks.</p> <p>c. The proposed development is inconsistent with Clause 6.3 in respect to Flood Planning.</p> <p>Accordingly, the proposal fails to satisfy s4.15(1)(a)(i).</p> <p>3.Hornsby Development Control Plan 2013</p> <p>a. The proposed development fails to satisfy the following provisions of the DCP:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Part 1C.1.4 – Earthworks and Slope</li> <li><input type="checkbox"/> Part 1C.3.2 – Flood Planning</li> <li><input type="checkbox"/> Part 7.1.2 – Scale</li> <li><input type="checkbox"/> Part 9.3.12 – East Epping Heritage Conservation Area</li> </ul> <p>Accordingly, the proposal fails to satisfy s4.15(1)(a)(iii).</p> <p>4.Environmental Planning and Assessment Act 1979</p> <p>a. As highlighted above, the proposal has unjustifiable non-compliances with both the Hornsby LEP 2013 and the Hornsby DCP 2013. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(a)(i) and (iii).</p> <p>b. As the proposal will require consolidation of two allotments, and substantial earthworks, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(c)</p> <p>c. For all the reasons listed above, the proposal is not considered to be in the public interest and therefore fails to satisfy the matters of consideration prescribed under s4.15(1)(e).</p>		
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				<p>5. Unacceptable impact on traffic and parking especially during drop off and pick up times</p> <p>B.Further, that those who made a submission be advised of the Panel's decision.</p>		
LPP 15 October 2019	5.5	DA/717/2018	5 Dent Street, EPPING	<p>(a)That the Parramatta Local Planning Panel (PLPP), exercising the function of Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, refuse DA/717/2018 for the reasons set out below:</p> <p>Flood planning</p> <p>1) In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal has failed to demonstrate that the proposed use would minimise the flood risk to life and property associated with the proposed use of the land and/or avoid significant adverse impacts on flood behavior and the environment in accordance with Clause 6.3 Flood Planning of Hornsby Local Environmental Plan 2013 (HLEP 2013).</p> <p>Significant vegetation impact</p> <p>2) In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal has failed to assess the impact of the development, either directly or indirectly, on the Sydney Blue Gum within the front setback of the site and is therefore inconsistent with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.</p> <p>Insufficient indoor play space for a childcare centre</p> <p>3) In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, the proposal fails to provide sufficient unencumbered indoor space as per Clause 4.1 – Indoor Space Requirements of</p>	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil

			<p>the Childcare Planning Guideline 2017, Regulation 107 of the Education and Care Services National Regulations and Clause 25(2)(a)(i) of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.</p> <p>Insufficient outdoor play space for a childcare centre</p> <p>4) In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, the proposal fails to provide sufficient unencumbered outdoor space as per Clause 4.9 – Outdoor Space Requirements of the Childcare Planning Guideline 2017, Regulation 108 of the Education and Care Services National Regulations and Clause 25(2)(a)(ii) of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.</p> <p>Building envelope controls</p> <p>5) In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposal fails to respond to the site constraints and comply with the desired outcomes and prescriptive measures within Part 7 of Hornsby Development Control Plan 2013 (HDCP 2013) in relation to scale; setback; landscaping; open space; privacy, security and sunlight; and design details.</p> <p>Likely impacts</p> <p>6) In accordance with Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the design of the proposed childcare centre does not contribute to the local area and is not in character within the locality and existing streetscape. The built form of the proposed building and outdoor play areas, particularly at first floor level, results in a development that is excessive in bulk and scale when viewed from the street and adjoining properties.</p> <p>7) In accordance with Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the</p>		
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				<p>development is considered to adversely impact on the built environment as well as the amenity for future building occupants and adjoining neighbours and as such is not considered to be suitable for the subject site.</p> <p>Insufficient information</p> <p>8) The proposal has not provided sufficient information regarding the Child Care Planning Guideline August 2017 with respect to site selection, building orientation, envelope and design, visual and acoustic privacy, indoor/outdoor space requirements, storage, laundry/toilet and hygiene facilities, ventilation and natural light, fencing, shade, nappy change facilities and emergency and evacuation procedures.</p> <p>Public interest</p> <p>9) In accordance with Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the site is not considered to be suitable for the proposed development for the reasons set out in points 1 to 8 above.</p> <p>10) In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the development is not considered to be in the public interest and would result in the setting of a detrimental precedent for the desired future character of the locality for the reasons set out in points 1 to 8 above.</p> <p>(b) Further, that the applicant and objectors be advised of PLPP's decision.</p>		
LPP 15 OCTOBER 2019	5.6	DA/113/2019	52-54 Dryden Avenue, Carlingford	<p>(a) That the Parramatta Local Planning Panel (PLPP) exercising the functions of Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 grant development consent to DA/113/2019 for a period of five (5) years within which physical commencement is to occur from</p>	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil

				<p>the date on the Notice of Determination, subject to conditions of consent.</p> <p>(b) That all objectors be advised of the Parramatta Local Planning Panel's decision.</p> <p>(c) Further, that Condition No. 5, listed on page 571 of the agenda, be amended to include:</p> <p>(r) Hazardous Management Strategy - the preparation of an appropriate hazardous management study, relating to the removal of asbestos from the building.</p>		
LPP 15 OCTOBER 2019	5.7	DA/873/2018	1 Bennetts Road West, Dundas NSW	That the matter be deferred for a further independent traffic study to be conducted in relation to the narrowness of Bennetts Road West, for vehicles entering the centre drop off and pick up time, focusing on safety aspects.	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil
LPP 15 OCTOBER 2019	5.8	DA/1/2019	61 Fennell Street, North Parramatta	That the Parramatta Local Planning Panel (PLPP), exercising the function of Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, refuse DA/1/2019.	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil
LPP 15 OCTOBER 2019	5.9	DA/792/2018	65 Harris Street, Harris Park	That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council as the consent authority grant development consent to DA/792/2018 for alterations and additions to a heritage listed dwelling and change of use of the existing dwelling to a medical centre for a radiology practice at 65 Harris Street, Harris Park 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.	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil
LPP 15 OCTOBER 2019	5.10	DA/404/2019	38 / 10 - 14 Hazlewood Place EPPING NSW 2121	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 development consent to DA/404/2019 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.	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil



LPP 15 OCTOBER 2019	5.11	DA/267/2018	15-19 Weston Street, Rosehill	<p>a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council as the consent authority, support the variation to Clause 4.3 – Building Height of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.</p> <p>(b) That pursuant to Section 4.17 of the Environmental Planning and Assessment Act, 1979, that the Parramatta Local Planning Panel (PLPP) grant deferred commencement development consent to DA/267/2018 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. The reasons for the conditions imposed on this application are as follows:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.</li> <li>3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds.</li> <li>4. To ensure the relevant matters for consideration under Section 4.15 of Environmental Planning and Assessment Act 1979 are maintained.</li> </ol> <p>(c) Further, that the objectors be advised of the PLPP's decision.</p>	David Lloyd QC Richard Thorp Robert Hussey Warrick Mclean	Nil
COUNCIL 28 OCT 2019	14.3	F2009/00431	Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1	That the report be received and noted.	Councillors Barrak, Bradley, Davis, Dwyer, Garrard, Han, Jefferies, Pandey, Procv, Tyrrell, Wearne, Wilson and Zaiter.	Nil

<p>COUNCIL 28 OCT 2019</p>	<p>15.1</p>	<p>F2018/03742</p>	<p>Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions</p>	<p>(a) That Council endorse the updated draft Parramatta CBD Planning Proposal ("Proposal") informed by technical studies contained at Attachment 2 for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:</p> <p>(i) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.</p> <p>(ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.</p> <p>(iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.</p> <p>(iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John's Church from Church Street (looking south) can be maintained.</p> <p>(v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.</p> <p>(vi) Amend the Proposal so that the area of the Proposal north of Ross Street (adjacent to the Sorrell Street and North Parramatta Conservation Areas) is amended to adopt the FSR controls as recommended in the "Heritage Study – CBD Planning Controls" prepared by Urbis (December 2015) as Incentive FSRs, which includes FSRs of 0.6:1, 2:1, 3:1 and 6:1, and that the Incentive</p>	<p>Cllrs Bradley, Davis, Pandey, Prociv, Wearne and Wilson</p>	<p>Cllrs Dwyer, Garrard, Han, Jefferies and Tyrrell</p>
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				<p>Heights be amended to 11m, 26m, 40m and 80m respectively to align accordingly with these FSRs.</p> <p>(vii) Amend the Proposal so that the area zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) fronting Elizabeth Street, Parramatta is amended to adopt the FSR controls as recommended in the "Heritage Study – CBD Planning Controls" prepared by Urbis (December 2015) as Incentive FSRs, which includes FSRs of 0.8:1, 2:1 and 5.2:1, and that the Incentive Heights be amended to 11m, 26m and Solar Access Plane (to protect the Parramatta River Foreshore), respectively to align accordingly with these FSRs.</p> <p>(viii) Amend the Proposal so as to remove the area zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) generally bounded by Lansdowne Street, Inkerman Street, Boundary Street and Church Street and that this area be included in the future work on the 'Planning Investigation Areas' as per the Parramatta CBD Planning Strategy.</p> <p>(b) That the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.</p> <p>(c) That subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.</p> <p>(d) That Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:</p> <p>i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.</p> <p>ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.</p>		
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				<p>(e) That following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.</p> <p>(f) That the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.</p> <p>(g) That Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.</p> <p>(h) That Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.</p> <p>(i) Further, that draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.</p>		
COUNCIL 10 Nov 2019	12.1	F2018/03742	Parramatta CBD Planning Proposal- Response to Gateway Determination Conditions	<p>That the resolution of the Council Meeting held on 28 October 2019 in relation to Item 15.1 regarding the Parramatta CBD Planning Proposal – Response to Gateway Determination Conditions, namely:</p> <p>(a) That Council endorse the updated draft Parramatta CBD Planning Proposal (“Proposal”) informed by technical studies contained at Attachment 2 for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:</p> <p>(i) Amend maximum building heights shown on both the base and incentive height of building</p>	Clrs Dwyer, Garrard, Han, Issa, Jefferies and Tyrrell	Clrs Bradley, Davis, Pandey, Proxiv, Wearne and Wilson

				<p>maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.</p> <p>(ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.</p> <p>(iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.</p> <p>(iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John's Church from Church Street (looking south) can be maintained.</p> <p>(v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.</p> <p>(vi) Amend the Proposal so that the area of the Proposal north of Ross Street (adjacent to the Sorrell Street and North Parramatta Conservation Areas) is amended to adopt the FSR controls as recommended in the "Heritage Study – CBD Planning Controls" prepared by Urbis (December 2015) as Incentive FSRs, which includes FSRs of 0.6:1, 2:1, 3:1 and 6:1, and that the Incentive Heights be amended to 11m, 26m, 40m and 80m respectively to align accordingly with these FSRs.</p>		
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				<p>(vii) Amend the Proposal so that the area zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) fronting Elizabeth Street, Parramatta is amended to adopt the FSR controls as recommended in the “Heritage Study – CBD Planning Controls” prepared by Urbis (December 2015) as Incentive FSRs, which includes FSRs of 0.8:1, 2:1 and 5.2:1, and that the Incentive Heights be amended to 11m, 26m and Solar Access Plane (to protect the Parramatta River Foreshore), respectively to align accordingly with these FSRs.</p> <p>(viii) Amend the Proposal so as to remove the area zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) generally bounded by Lansdowne Street, Inkerman Street, Boundary Street and Church Street and that this area be included in the future work on the ‘Planning Investigation Areas’ as per the Parramatta CBD Planning Strategy.</p> <p>(b) That the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.</p> <p>(c) That subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.</p> <p>(d) That Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:</p> <ol style="list-style-type: none"> <li>i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.</li> <li>ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.</li> </ol>		
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				<p>(e) That following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.</p> <p>(f) That the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.</p> <p>(g) That Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.</p> <p>(h) That Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.</p> <p>(i) Further, that draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.</p> <p>be and is hereby rescinded.</p>		
COUNCIL 11 Nov 2019	5.1	F2018/03742	Parramatta CBD Planning Proposal- Response to Gateway Determination Conditions	<p>MOTION FOLLOWING RESCISSION MOTION</p> <p>(a) That Council endorse the updated draft Parramatta CBD Planning Proposal ("Proposal") informed by technical studies contained at Attachment 2 (of Item 15.1 of the Council meeting held on 28 October 2019 – being the Draft Consolidated Parramatta CBD Planning Proposal – Response to Gateway Determination) for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:</p>	Clrs Dwyer, Garrard, Han, Issa, Jefferies and Tyrrell	Clrs Bradley, Davis, Pandey, Prociv, Wearne and Wilson.

				<ul style="list-style-type: none"> <li>(ix) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.</li> <li>(ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.</li> <li>(iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.</li> <li>(iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John's Church from Church Street (looking south) can be maintained.</li> <li>(v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.</li> </ul> <p>(b) That the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.</p> <p>(c) That subject to the outcome of consultation with State agencies being that only minor amendments</p>		
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				<p>of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.</p> <p>(d) That Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:</p> <ul style="list-style-type: none"> <li>i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.</li> <li>ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.</li> </ul> <p>(e) That following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.</p> <p>(f) That the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.</p> <p>(g) That Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.</p> <p>(h) That Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.</p> <p>(i) Further, that draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.</p>		
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COUNCIL 11 November 2019	18.1	RZ/2/2017	2 O'Connell Street Parramatta	<p>(a) That Council endorse the draft Development Control Plan (DCP) at Attachment 1 and the draft Planning Agreement at Attachment 2 for public exhibition.</p> <p>(b) That the draft DCP and draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal for 2 O'Connell Street previously endorsed by Council.</p> <p>(c) That the outcome of the public exhibition be reported back to Council after exhibition.</p> <p>(d) Further, that Council authorise the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft DCP and draft Planning Agreement documentation that may arise during the drafting and exhibition processes.</p>	Clrs Dwyer, Esber, Garrard, Han, Jeffereis, Pandey, Tyrrell and Wilson	Clrs Barrak, Bradley, Davis, Issa, Procriv and Wearne
COUNCIL 11 November 2019	18.2	F2019/00709	Gateway Request: Harmonisation Planning Proposal - Consolidated City of Parramatta Local Environmental Plan	<p>(a) That Council endorse the Planning Proposal – Consolidated Parramatta Local Environmental Plan (included at Attachments 4 and 5), for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination, and subject to the following amendments being incorporated:</p> <p>(i) Retain the existing height controls applying to R3 Medium Density Residential zoned land currently subject to Parramatta LEP 2011, and amend the Height of Building Map to apply a height limit of 11 metres to R3 zoned land across the remainder of the City of Parramatta LGA</p> <p>(ii) Remove Items 13A and 13B in Part 4 of the Planning Proposal relating to the rezoning of various places of public worship from R2 Low Density Residential to SP1 Special Activities.</p> <p>(iii) Amend the Zoning Map to rezone existing places of public worship adjoining R2 Low</p>	Clrs Bradley, Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Tyrrell, Wearne and Wilson	Nil

				<p>Density Residential zoned land from SP1 Special Activities to R2 Low Density Residential.</p> <p>(iv) Amend the Zoning Map to rezone land in Northmead bounded by Fletcher Street, Campbell Street and Murray Street from R3 Medium Density Residential to R2 Low Density Residential, and apply the corresponding height, FSR and minimum subdivision lot size controls consistent with that proposed for the adjoining R2 zoned land, to reflect the low-density character of the neighbourhood. Further, that this land be included on the Dual Occupancy Prohibition Map.</p> <p>(v) Amend the Zoning Map to rezone land at 34 to 62 Felton Road, Carlingford from R3 Medium Density Residential to R2 Low Density Residential to align with the R2 zoning on the north side of the road, and apply the corresponding height, FSR and minimum subdivision lot size controls consistent with that proposed for the adjoining R2 zoned land. Further, that this land be included on the Dual Occupancy Prohibition Map.</p> <p>(vi) Amend the Dual Occupancy Prohibition Map to include all R2 Low Density Residential zoned land between Marsden and Midson Roads.</p> <p>(b) That Council note the outcomes of the public exhibition of the Discussion Paper, outlined in the Consultation Report that is included as Appendix 5 to the Planning Proposal.</p> <p>(c) That Council authorises the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning</p>		
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				<p>Proposal that may arise during the Planning Proposal process.</p> <p>(d) Further, that Council note the Local Planning Panel's advice, provided at Attachment 6, except that it includes a recommendation that, post Gateway, there is greater targeted public consultation around the topical matters, including dual occupancy. Given the extensive consultation that has been undertaken to date, the Planning Proposal recommends targeted consultation including notification to those who made a submission on the Discussion Paper or have registered an interest in the project, as well as to landowners affected by a change in zoning, height, FSR or minimum lot size controls.</p>		
LPP 12 November 2019	5.1	Da/387/2019	1 Summers Street, DUNDAS VALLEY	<p>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 development consent to DA/387/2019 for the demolition of the existing garage, carport and retaining wall and the construction of a garage and carport.</p> <p>Further that two additional conditions of a detailed landscaping plan shall be submitted for council's approval, firstly such plan shall provide appropriate screening of the northern wall of the carport/garage. Secondly, the colour of the corrugated wall cladding shall be muted to match existing wall colour of the house. These conditions shall be complied with prior to issue of construction certificate.</p>	David Lloyd QC, Robert Hussey, Deborah Sutherland & Hugh Colless	Nil
LPP 12 November 2019	5.2	DA/484/2009/D	45 George Street, Clyde	That the Parramatta Local Planning Panel, exercising the functions of Council as the consent authority pursuant to the provisions of Section 4.56 of the Environmental Planning and Assessment Act 1979, modify development consent DA/484/2009 for alterations to an existing premises for use as a brothel and associated outcall/escort services, on land	David Lloyd QC, Robert Hussey, Deborah Sutherland & Hugh Colless	Nil

				<p>at 45 George Street, to include modifications comprising the deletion of Condition No. 2, namely</p> <p>2. This consent is valid until 25 August 2019. A section 4.55 or 4.56 Application of fresh Development Application may be submitted to Council prior to the expiration of the two (2) year trial period seeking the continuation of the brothel use. The consent shall continue to operate beyond the expiration of the trial period until that application is finally determined (including the expiration of any appeal rights against the Council's determination). Reason: To ensure the proper management of the brothel and to protect the amenity of the surrounding residential properties.</p> <p>Note: This condition is deleted under DA/484/2009/D, pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979.</p>		
LPP 12 November 2019	5.3	DA/870/2018	125-129 Arthur Street, PARRAMATTA NSW 2150	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council as the consent authority, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979, refuse development consent to DA/870/2018 for the following reasons:</p> <p>1. Section 4.15(1)(a)(i) – Parramatta Local Environmental Plan 2011 and State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)</p>	David Lloyd QC, Robert Hussey, Deborah Sutherland & Hugh Colless	Nil

				<p>i. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the development is inconsistent with the aims and objectives of the Parramatta Local Environmental Plan 2011, as it is out of character with the existing and desired future streetscape of the local area.</p> <p>ii. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the development is inconsistent with the objective (b) of clause 4.3 Height of buildings under the Parramatta Local Environmental Plan 2011, as it would not achieve a better outcome and is an overdevelopment of the site.</p> <p>iii. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the applicant has not demonstrated that there are sufficient environmental planning grounds to justify contravening the height standard under subclause (3)(b) of clause 4.3 Height of buildings under the Parramatta Local Environmental Plan 2011.</p> <p>iv. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the applicant has not adequately demonstrated why clause 4.3 Height of buildings development standard is unreasonable or unnecessary in the circumstances of the case and the exception is not well founded in accordance with clause 4.6 Exceptions to development standards under the Parramatta Local Environmental Plan 2011.</p> <p>v. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal is inconsistent with the design quality principles and the objectives specified in the Apartment Design Guide under State Environmental Planning Policy (SEPP) No. 65 (Design Quality of Residential Apartment Development), as the proposal:</p> <p>i. Does not adequately consider the principles of SEPP 65 in the design of the development, and does not in this instance consider the context of the wider area, achieve a better built form and is not of an appropriate density.</p>	
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				<p>ii. Does not provide satisfactory storage area, communal open space or private open space in accordance with the Apartment Design Guide. This results in unsatisfactory amenity within the development.</p> <p>2. Section 4.15(1)(a)(iii) – Parramatta Development Control Plan 2011</p> <p>vi. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the development application is inconsistent with the following provisions of the Parramatta Development Control Plan 2011:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Section 3.2.1 Building Form and Massing – The development fails to provide appropriate transition in building height having regard to its interface with the adjacent land zonings, including the R2 Low Density Residential zone, and consequently exacerbates the bulk and scale of development in the surrounding context.</li> <li><input type="checkbox"/> Section 3.1.1 Height and Section 3.1.3 Preliminary Building Envelope (Height) – The development has a maximum height of RL 34.83, which is significantly greater than the maximum height of RL 14.</li> <li><input type="checkbox"/> Section 3.2.2 Building Facades and Articulation – The appearance of the development fails to meet objectives O.1, O.2 and O.3.</li> <li><input type="checkbox"/> Section 3.2.5 Streetscape Appearance – The development does not positively contribute to the streetscape quality of Arthur Street and Hassall Street, as it creates excessive building dominance to the street frontages, being out of character with the existing and future desired character of the locality. In this regard, it is inconsistent with objectives O.1 and O.3.</li> <li><input type="checkbox"/> Section 3.4.5 Housing Diversity and Choice – The development does not provide an appropriate number of adaptable dwellings in accordance with Table 3.4.5.1 Adaptable Dwelling Requirement. In</li> </ul>		
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				<p>this regard, the development is inconsistent with objectives O.1 and O.3.</p> <p>□ Section 4.3.2 Harris Park Strategic Precinct – The development has not been designed to provide appropriate transitions of height, massing and scale within the Harris Park Strategic Precinct and fails to meet objectives O.2 and O.4 and Design Principle P.7.</p> <p>3. Section 4.15(1)(b), (c) and (e) – Impacts of development, suitability of the site for the development and not in public interest</p> <p>vii. In respect of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the development is not considered to be satisfactory with respect to building height, built form, bulk and scale and the adverse impacts to the streetscape and residential amenity.</p> <p>viii. In respect of Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the site is unsuitable for the proposed development having regard to the maximum building height restriction, which is not supported and has already been contravened under DA/766/2014 (as amended).</p> <p>ix. Pursuant to Section 4.15 (1) (e) of the Environmental Planning and Assessment Act 1979, the development cannot be supported given that it does not achieve a satisfactory planning outcome. As such, the development is not in the public interest.</p> <p>x. It is not in the public interest to increase the number of occupants on land that is subject to high hazard flooding</p> <p>(b) Further, that the persons who lodged an individual submission be advised of the Parramatta Local Planning Panel's determination of the application.</p>		
LPP 12 November 2019	5.4	DA/130/2019	65 Boronia Avenue, Epping	That Parramatta Local Planning Panel, exercising the functions of Council as the consent authority pursuant to	David Lloyd QC, Robert Hussey, Deborah Sutherland	Nil



				the provisions of section 4.16 of the Environmental Planning & Assessment Act 1979, refuse DA/130/2019.	& Hugh Colless	
LPP 12 November 2019	5.1	Da/387/2019	1 Summers Street, DUNDAS VALLEY	<p>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 development consent to DA/387/2019 for the demolition of the existing garage, carport and retaining wall and the construction of a garage and carport.</p> <p>Further that two additional conditions of a detailed landscaping plan shall be submitted for council's approval, firstly such plan shall provide appropriate screening of the northern wall of the carport/garage. Secondly, the colour of the corrugated wall cladding shall be muted to match existing wall colour of the house. These conditions shall be complied with prior to issue of construction certificate.</p>	David Lloyd QC, Robert Hussey, Deborah Sutherland & Hugh Colless	Nil
LPP 12 November 2019	5.2	DA/484/2009/D	45 George Street, Clyde	<p>That the Parramatta Local Planning Panel, exercising the functions of Council as the consent authority pursuant to the provisions of Section 4.56 of the Environmental Planning and Assessment Act 1979, modify development consent DA/484/2009 for alterations to an existing premises for use as a brothel and associated outcall/escort services, on land at 45 George Street, to include modifications comprising the deletion of Condition No. 2, namely</p> <p>2. This consent is valid until 25 August 2019. A section 4.55 or 4.56 Application of fresh Development Application may be submitted to Council prior to the expiration of the two (2) year trial period seeking the continuation of the brothel use. The consent shall continue to operate beyond the expiration of the trial period until that application is finally determined (including the expiration of any appeal rights against the Council's determination). Reason: To ensure the proper management of the brothel and to protect the amenity of the surrounding residential properties.</p>	David Lloyd QC, Robert Hussey, Deborah Sutherland & Hugh Colless	Nil

				Note: This condition is deleted under DA/484/2009/D, pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979.		
LPP 12 November 2019	5.3	DA/870/2018	125-129 Arthur Street, PARRAMATTA NSW 2150	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council as the consent authority, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979, refuse development consent to DA/870/2018 for the following reasons:</p> <p>1. Section 4.15(1)(a)(i) – Parramatta Local Environmental Plan 2011 and State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)</p> <p>i. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the development is inconsistent with the aims and objectives of the Parramatta Local Environmental Plan 2011, as it is out of character with the existing and desired future streetscape of the local area.</p> <p>ii. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the development is inconsistent with the objective (b) of clause 4.3 Height of buildings under the Parramatta Local Environmental Plan 2011, as it would not achieve a better outcome and is an overdevelopment of the site.</p> <p>iii. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the</p>	David Lloyd QC, Robert Hussey, Deborah Sutherland & Hugh Colless	Nil

				<p>applicant has not demonstrated that there are sufficient environmental planning grounds to justify contravening the height standard under subclause (3)(b) of clause 4.3 Height of buildings under the Parramatta Local Environmental Plan 2011.</p> <p>iv. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the applicant has not adequately demonstrated why clause 4.3 Height of buildings development standard is unreasonable or unnecessary in the circumstances of the case and the exception is not well founded in accordance with clause 4.6 Exceptions to development standards under the Parramatta Local Environmental Plan 2011.</p> <p>v. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal is inconsistent with the design quality principles and the objectives specified in the Apartment Design Guide under State Environmental Planning Policy (SEPP) No. 65 (Design Quality of Residential Apartment Development), as the proposal:</p> <ol style="list-style-type: none"> <li>I. Does not adequately consider the principles of SEPP 65 in the design of the development, and does not in this instance consider the context of the wider area, achieve a better built form and is not of an appropriate density.</li> <li>II. Does not provide satisfactory storage area, communal open space or private open space in accordance with the Apartment Design Guide. This results in unsatisfactory amenity within the development.</li> </ol> <p>2. Section 4.15(1)(a)(iii) – Parramatta Development Control Plan 2011</p> <p>vi. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the development application is inconsistent with the following provisions of the Parramatta Development Control Plan 2011:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Section 3.2.1 Building Form and Massing – The development fails to provide appropriate transition in</li> </ul>	
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				<p>building height having regard to its interface with the adjacent land zonings, including the R2 Low Density Residential zone, and consequently exacerbates the bulk and scale of development in the surrounding context.</p> <ul style="list-style-type: none"> <li>□ Section 3.1.1 Height and Section 3.1.3 Preliminary Building Envelope (Height) – The development has a maximum height of RL 34.83, which is significantly greater than the maximum height of RL 14.</li> <li>□ Section 3.2.2 Building Facades and Articulation – The appearance of the development fails to meet objectives O.1, O.2 and O.3.</li> <li>□ Section 3.2.5 Streetscape Appearance – The development does not positively contribute to the streetscape quality of Arthur Street and Hassall Street, as it creates excessive building dominance to the street frontages, being out of character with the existing and future desired character of the locality. In this regard, it is inconsistent with objectives O.1 and O.3.</li> <li>□ Section 3.4.5 Housing Diversity and Choice – The development does not provide an appropriate number of adaptable dwellings in accordance with Table 3.4.5.1 Adaptable Dwelling Requirement. In this regard, the development is inconsistent with objectives O.1 and O.3.</li> <li>□ Section 4.3.2 Harris Park Strategic Precinct – The development has not been designed to provide appropriate transitions of height, massing and scale within the Harris Park Strategic Precinct and fails to meet objectives O.2 and O.4 and Design Principle P.7.</li> </ul> <p>3. Section 4.15(1)(b), (c) and (e) – Impacts of development, suitability of the site for the development and not in public interest</p> <p>vii. In respect of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the development is not considered to be satisfactory with</p>		
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				<p>respect to building height, built form, bulk and sale and the adverse impacts to the streetscape and residential amenity.</p> <p>viii. In respect of Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the site is unsuitable for the proposed development having regard to the maximum building height restriction, which is not supported and has already been contravened under DA/766/2014 (as amended).</p> <p>ix. Pursuant to Section 4.15 (1) (e) of the Environmental Planning and Assessment Act 1979, the development cannot be supported given that it does not achieve a satisfactory planning outcome. As such, the development is not in the public interest.</p> <p>x. It is not in the public interest to increase the number of occupants on land that is subject to high hazard flooding</p> <p>(b) Further, that the persons who lodged an individual submission be advised of the Parramatta Local Planning Panel's determination of the application.</p>		
LPP 12 November 2019	5.4	DA/130/2019	65 Boronia Avenue, Epping	That Parramatta Local Planning Panel, exercising the functions of Council as the consent authority pursuant to the provisions of section 4.16 of the Environmental Planning & Assessment Act 1979, refuse DA/130/2019.	David Lloyd QC, Robert Hussey, Deborah Sutherland & Hugh Colless	Nil
LPP 19 November 2019	5.1	DA/722/2018		<p>(a) That the Parramatta Local Planning Panel (PLPP) exercising the functions of Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, refuse DA/722/2018 for the demolition of existing structures and the construction of an 80 place child care facility with associated basement car parking for the following reasons:</p> <p>1. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, the proposal fails to achieve the objectives of the R2 Low</p>	David Lloyd QC, Tony Reed, David Ryan, Kirrily McDermott	Nil

				<p>Density Residential zone of the Parramatta Local Environmental Plan 2011.</p> <ol style="list-style-type: none"> <li>2. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, the proposal fails to satisfy Clause 6.2 Earthworks of the Parramatta Local Environmental Plan 2012.</li> <li>3. In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act, the proposal fails to comply with the Parramatta Development Control Plan 2011 with respect to bulk and scale, façade and articulation, stormwater management, landscaping and deep soil, parking, acoustic privacy, streetscape and character, roof design, and special character area design controls.</li> <li>4. In accordance with Section 4.15(1)(b) of the Environmental Planning and Assessment Act, the proposal would set an undesirable precedent in the immediate locality;</li> <li>5. In accordance with Section 4.15(1)(c) of the Environmental Planning and Assessment Act, the site is not considered suitable for the proposed development;</li> <li>6. In accordance with Section 4.15(1)(d) of the Environmental Planning and Assessment Act, the submission received and the issues raised in the submissions are well founded with respect to acoustic noise and privacy, submitted documentation, cut and fill, parking, building bulk and scale, building façade and articulation, streetscape amenity, and special character area design controls.</li> </ol>		
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				<p>7. In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act, the proposal is not in the public interest.</p> <p>(b) Further, that Council advise objectors of the decision.</p>		
LPP 19 November 2019	5.2	DA/752/2018	17 Tennyson Street, PARRAMATTA NSW 2150	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of the Council as the consent authority pursuant to the provisions of Section 4.16 of the Environmental Planning and Assessment Act 1979, grant development consent to DA/752/2018 subject to the conditions in the assessment report for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination.</p> <p>(b) That all the objectors be advised of the Parramatta Local Planning Panel's decision.</p>	David Lloyd QC, Tony Reed, David Ryan, Kirrily McDermott	Nil
LPP 19 November 2019	5.3	DA/55/2019	19-21 Forest Grove, Epping	<p>a) That Parramatta Local Planning Panel support the Clause 4.6 Variation to the Building Height Development Standard.</p> <p>(b) That Parramatta Local Planning Panel, exercising the functions of Council as the consent authority pursuant to the provisions of section 4.16 of the Environmental Planning &amp; Assessment Act 1979, grant deferred commencement development consent to DA/55/2019 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>(c) That that an additional condition is to be inserted as Condition 77, namely:</p>	David Lloyd QC, Tony Reed, David Ryan, Kirrily McDermott	Nil

				<p>“No part of any crane is to extend, operate or otherwise encroach the airspace of any adjoining properties at any time, including outside construction work hours, unless an agreement to do so has been reached between the developer and any relevant property owner/s, including any Strata body. Such agreement must be in place prior to installation of any component of the crane.”</p> <p>Furthermore, existing conditions be renumbered accordingly.</p> <p>(d) That condition 56 &amp; 57 be amended to include structures opposite the development.</p> <p>(e) That condition 14 be amended to read: “Four street trees are to be planted within the road reserve, species is subject to approval by council’s landscape officer”</p> <p>(f) That condition 6(i) be deleted.</p> <p>(g) That those who made a submission are notified of the Parramatta Local Planning Panel’s decision.</p>		
LPP 19 November 2019	5.4	DA/249/2019	12-14 Collett Parade, Parramatta	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, support the variation to Clause 4.3 – Building Height of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the reasons described below.</p> <p>(b) Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, that the Parramatta Local Planning Panel, exercising the functions of Council grant development consent to DA/249/2019 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to</p>	David Lloyd QC, Tony Reed, David Ryan, Kirrily McDermott	Nil



				<p>conditions of consent. The reasons for the conditions imposed on this application are as follows:</p> <ol style="list-style-type: none"> <li>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 Instruments.</li> <li>2. To ensure that local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.</li> <li>3. To ensure that the development does not hinder the proper and orderly development of the subject land and its surrounds.</li> <li>4. To ensure that the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 are maintained.</li> </ol>		
LPP 19 November 2019	5.5	DA/143/2019	404-406 Church Street, Parramatta	(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act, 1979, grant development consent to DA/143/2019 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. The reasons for the conditions imposed on this application are as follows: <ol style="list-style-type: none"> <li>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.</li> <li>2. To ensure that the local amenity is maintained and is not adversely affected and that</li> </ol>	David Lloyd QC, Tony Reed, David Ryan, Kirrily McDermott	Nil

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.

(b) That conditions 11, 87, 88, 89 be deleted.

(c) That condition 9 be replaced with the following:  
"PANSC Non-standard - General Matters  
- hours of operation

1. The days and hours of operation of the Royal Oak Hotel 'pub' premise are restricted to:

(a)

Day	Time
Monday	10:00am to 12:00am (midnight)
Tuesday	10:00am to 12:00am (midnight)
Wednesday	10:00am to 12:00am (midnight)
Thursday	10:00am to 12:00am (midnight)
Friday	10:00am to 3:00am (the

	following day)
Saturday	10:00am to 3:00am (the following day)
Sunday	10:00am to 12:00am (midnight)
Public Holidays	10:00am to 12:00am (midnight)

Subject to paragraph (b) of this condition, the period during which the extended hours of operation of up to 3:00am on Fridays and Saturdays may be carried out in accordance with this consent is limited to a period expiring on 19 November 2020.

(b) Prior to the expiration of the 1 year period set out in paragraph (a) of this condition, if the applicant wishes to continue the use beyond that period of 1 year, a development application or an application to modify this condition to continue the hours prescribed for Fridays and Saturdays up to 3:00am must be lodged with Council no later than 3 months before the end of the limited period set out in paragraph (a). The applicant must pursue any such application (and any appeal to the Court) expeditiously and without undue delay.

(c) Where an application is lodged and pursued in accordance with paragraph (b), the extended hours of operation authorised by this consent continues until the determination of the application by Council or the final determination

				<p>by a Court of any appeal lodged by the applicant relating to the determination of Council.”</p> <p>(d) Further, that the objectors be advised of the PLPP's decision.</p>		
<p>COUNCIL EXTRA-ORDINARY MEETING 20 November 2019</p>	9.1	F2018/03742	<p>Parramatta CBD Planning Proposal Response to Gateway Determination Conditions</p>	<p>That the resolution of the Council Meeting held on 11 November 2019 in relation to Item 12.1 regarding the Parramatta CBD Planning Proposal – Response to Gateway Determination Conditions, namely:</p> <p>(a) That Council endorse the updated draft Parramatta CBD Planning Proposal (“Proposal”) informed by technical studies contained at Attachment 2 (of Item 15.1 of the Council meeting held on 28 October 2019 – being the Draft Consolidated Parramatta CBD Planning Proposal – Response to Gateway Determination) for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:</p> <p>(i) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.</p> <p>(ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.</p> <p>(iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.</p> <p>(iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the</p>	<p>Cirs Bradley, Davis, Pandey, Wearne and Wilson</p>	<p>Cirs Dwyer, Issa, Jefferies and Tyrrell</p>

				<p>rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John's Church from Church Street (looking south) can be maintained.</p> <p>(v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.</p> <p>(b) That the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.</p> <p>(c) That subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.</p> <p>(d) That Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:</p> <ol style="list-style-type: none"> <li>i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.</li> <li>ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.</li> </ol> <p>(e) That following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.</p> <p>(f) That the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.</p>		
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				<p>(g) That Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.</p> <p>(h) That Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.</p> <p>(i) Further, that draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.</p> <p>be and is hereby rescinded.</p>		
<p><u>COUNCIL EXTRA ORDINARY MEETING 20 November 2019</u></p>	<p><u>9.1</u></p>	<p><u>F2018/03742</u></p>	<p><u>Parramatta CBD Planning Proposal Response to Gateway Determination Conditions</u></p>	<p>Motion following rescission motion</p> <p>(a) That Council endorse the updated draft Parramatta CBD Planning Proposal ("Proposal") informed by technical studies contained at Attachment 2 (of Item 15.1 of the Council meeting held on 28 October 2019 – being the Draft Consolidated Parramatta CBD Planning Proposal – Response to Gateway Determination) for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:</p> <p>(i) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.</p>	<p>Clrs Bradley, Davis, Pandey, Prociv, Wearne and Wilson</p>	<p>Clr Dwyer, Issa, Jefferies and Tyrrell</p>

				<ul style="list-style-type: none"> <li>(ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.</li> <li>(iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.</li> <li>(iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John's Church from Church Street (looking south) can be maintained.</li> <li>(v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.</li> <li>(vi) Amend the Proposal so as to remove the three areas zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) and that these areas be included in the future work on the 'Planning Investigation Areas' as per the Parramatta CBD Planning Strategy.</li> </ul> <p>(b) That the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.</p>		
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				<p>(c) That subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.</p> <p>(d) That Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:</p> <ul style="list-style-type: none"> <li>i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.</li> <li>ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.</li> </ul> <p>(e) That following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.</p> <p>(f) That the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.</p> <p>(g) That Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.</p> <p>(h) That Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.</p> <p>(i) Further, that draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.</p>		
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COUNCIL 25 November 2019	18.3	F2008/03205	Parramatta CBD Development Contributions Plan 2007 Amendment	<p>(a) That Council endorse the draft Parramatta CBD Development Contributions Plan 2007 (Amendment No. 5), at Attachment 1 for public exhibition for a minimum period of 28 days and note that a report on the outcome of the exhibition will be provided to Council.</p> <p>(b) That Council authorise the Chief Executive Officer to make non-policy and/or administrative changes to the draft Parramatta CBD Development Contributions Plan 2007 (Amendment No. 5), if needed prior to the Plan being placed on public exhibition.</p> <p>(c) Further, that a report come back to Council on the financial implications of projects that Council is a partner to, including the Aquatic Centre.</p>	Cllrs Barrak, Bradley, Davis, Dwyer, Esber, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Nil
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