

CITY OF PARRAMATTA COUNCIL REGISTER OF VOTING ON PLANNING DECISIONS AT COUNCIL & LOCAL PLANNING PANEL MEETINGS IN 2021 SECTION 375A LOCAL GOVERNMENT ACT 1993

COUNCIL – COUNCIL MEETING **LPP** – LOCAL PLANNING PANEL

					Vo	oting
Meeting Date	Item No	DA/Ref No	Address/Subject	Resolution	For	Against
LPP 19 Jan 2021	5.2	DA/613/2019	200 Ray Road, EPPING NSW 2121	Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, that the Parramatta Local Planning Panel refuse development consent to DA/613/2019 for the following reasons: Flooding	Helen Deegan, Richard Thorp, Anne Smith	David Lloyd QC (Chair)
				 In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal does not satisfy Clause 6.3 Flood planning of the Hornsby Local Environmental Plan 2013; In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal fails to comply with Section 1C.3.2 – Flooding under the Hornsby DCP 2013; 		
				In accordance with Section 4.15(1)(a)(c) of the Environmental Planning and Assessment Act 1979 the proposal fails to comply with the City of Parramatta Local Floodplain Risk Management Policy and NSW Floodplain Development Manual. Public interest		
				4. Having regard to the matters raised above the proposal is not in the public interest.		

					The application has not suitably demonstrated that the proposed development can be appropriately drained.		
LPP 19 Jan 2021	5.3	DA/754/2019	521 Victoria Road, Ermington	(a)	That Parramatta Local Planning Panel support the variation to Clause 4.3 of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the reasons set out in paragraph 2 of the reasons for decision.	David Lloyd QC (Chair), Helen Deegan, Richard Thorp, Anne Smith	Nil
				(b)	Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979, that Parramatta Local Planning Panel grant development consent to DA/754/2019 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 amended as follows:		
					- Deletion of Condition No. 12;		
					- Addition of new Condition No. 12 to read:		
					12. Prior to the issue of the Construction Certificate, the applicant is to enter into discussion with Council's Civil Assets Team and Council's Open Space & Natural Area Team to determine the details required for upgrade of the adjoining Council Carpark. Upgrades shall incorporate additional landscaping and tree planting, the closure of the northern car park access at River Road and the		
					construction of a combined entry and exit driveway at		

			T		T	,
				the existing southern access.		
				Reason: To improve the safety, visual quality and amenity of the carpark at the cost of the developer		
				- Amendment to Condition No. 59 to read:		
				59. Prior to the issue of the Occupation Certificate, the upgrade works discussed between the developer and Council to the adjoining Council carpark are to be completed to the satisfaction of Council's Civil Assets Team and Council's Open Space & Natural Area Team. Reason: To improve the safety, visual quality and amenity of the carpark at the cost of the developer		
				- Deletion of Condition No. 74.		
				The Panel decision was unanimous.		
LPP 19 Jan 2021	5.4	DA/171/1997/A	1 Villiers Street, PARRAMATTA NSW 2150	Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act, 1979: (a) That the Parramatta Local Planning Panel (PLPP), excising the functions of Council as consent authority approve development consent to DA/171/1997/A for an increase to the floor area of the rear building and building identification signage pertaining to the rear office premise, subject to an amendment to the conditions of consent as follows: - Deletion of Condition No. PF0029.	David Lloyd QC (Chair), Helen Deegan, Richard Thorp, Anne Smith	Nil

				(b) That submitters are advised of the decision. The Panel decision was unanimous.		
COUNCIL 8 Feb 2021	17.2	F2018/03032	Epping Town Centre	(a) That Council delegates authority to the Chief Executive Officer to prepare a planning proposal which seeks the following amendments to Parramatta Local Environmental Plan 2011 and Hornsby Local Environmental Plan 2013 applying to all land in the B2 Local Centre zone in the Epping Town Centre, with the exception of 6-14 and 18A Bridge Street and 24-30 High Street, relating to Option 3 detailed in this report that: i. Introduces new clauses which: • Mandate a minimum amount of non-residential uses to be provided on the ground, first and second floors of any building facing a street of up to a maximum of 1:1 floor space ratio (FSR) of non-residential floorspace in addition to the mapped maximum floor space ratio. The clause shall also indicate that the FSR of residential development permitted on the site should not increase as a result of this requirement. • Allow for an increase in maximum height of buildings from 48 metres in some parts of Epping and 72 metres in some parts of Epping up to 80 metres (approx. 24 storeys) where sites have a mapped FSR of 4.5:1 and from 72 metres up	Councillors Dwyer, Issa, Jefferies, Tyrrell, Wearne, Wilson and Zaiter The Resolution was carried on the casting vote of the Deputy Lord Mayor Clr Garrad	Councillors Barrak, Bradley, Davis, Esber, Garrard, Pandey and Prociv

to 90 metres (approx. 28
storeys) where sites have a
mapped FSR of 6:1, only
where developments provide
a minimum amount of non-
residential uses of ground,
first and second floors of any
building facing a street.
Ensure any change of use
proposed on the first three
levels would not allow
residential uses.
Apply an exception to that
part of a building that faces
a service lane or is required for entrances and lobbies,
access for fire services or
vehicular access associated
or servicing residential
accommodation above.
ii. Introduces a requirement that the
proposed controls of the Planning
Proposal apply to development
applications determined once a
Gateway Determination has been
issued for this Planning Proposal.
(b) That the Chief Executive Officer forwards
(b) That the Chief Executive Officer forwards the Planning Proposal to the Department
of Planning, Industry and Environment
(DPIE) to request the issuing of a Gateway
Determination on behalf of Council.
Determination on Denail of Council.
(c) That Council delegate authority to the
Chief Executive Officer to prepare
amendments to the relevant sections of
the Parramatta Development Control Plan
2011 and Hornsby Development Control
Plan 2013 to support the Planning
Proposal relating to the following design
controls, and place these on public
exhibition with the Planning Proposal:
i. podium height controls;
i. podium neigrit controls,

r							
				ii.	minimum floorplate dimensions;		
				iii.	floor to ceiling heights for non-		
					residential uses;		
				iv.	location of services; and		
				V.	building and podium setback		
					controls.		
				(-I) T I	- Committee the DDE that the		
					at Council advises the DPIE that the ief Executive Officer will be exercising		
					plan-making delegations for this		
					nning Proposal as authorised by		
					uncil on 26 November 2012.		
				CO	undi on 20 November 2012.		
				(e) Tha	at Council delegate authority to the		
					ief Executive Officer to correct any		
					nor anomalies of a non-policy and		
					ministrative nature that may arise during		
					plan-making process.		
					at within 5 years of the planning controls		
					ng made as an LEP amendment, that a		
					iew be undertaken of the effectiveness		
					he controls relating to the mandatory		
					vision of a minimum level of		
					nmercial floorspace in the B2 Local		
					ntre zone within the Epping Town		
					ntre and any associated		
					ommendations and this review be		
				rep	orted to Council.		
				(a) Th	at Council continue to work with the		
					ite Government to resolve traffic issues		
					Epping.		
				111 L	-kha.		
				(h) F	urther that, Council note the Local		
					Panel's advice to Council at its meeting		
					ember 2020 is in support of the Planning		
					which is consistent with the Council		
				Officer's re	ecommendation in this report.		
COUNCIL	17.3	F2018/03031	Post Exhibition - Planning Proposal to		at Council receives and notes the	Councillors Bradley, Davis,	Councillors Barrak, Prociv and
8 Feb 2021			'Switch Off' Clause 4.6 Variation as it		mmary of submissions made during the	Dwyer, Esber, Garrard, Issa,	Wilson
			applies to FSR for sites within the	puk	olic exhibition of the Planning Proposal	Jefferies, Pandey, Tyrrell,	
			Epping Town Centre			Wearne and Zaiter	

- Amendments to Clause 4.6 of Epping
Town Centre at Attachment 1.
(b) That Council endorse for finalisation the
Planning Proposal (at Attachment 2) to
amend Clause 4.6 in the Parramatta Local
Environmental Plan 2011 and Hornsby
Local Environmental Plan 2013 by
disabling the use of Clause 4.6 variations
in relation to floor space ratio controls for
the following types of development in the
Epping Town Centre:
i. In Parramatta LEP 2011 -
residential accommodation and
tourist and visitor
accommodation, or a mixed use
development that includes these
uses within Zone B2 Local
Centre, or residential
accommodation in Zone R4 High
Density Residential; and
ii. In Hornsby LEP 2013 - residential
accommodation and tourist and
visitor accommodation, or a
mixed use development that
includes these uses within Zone
B2 Local Centre.
B2 Eddar Gerrine.
(c) That Council submit the Planning Proposal
to the Department of Planning, Industry
and Environment (DPIE) requesting its
finalisation, noting that Council does not
have plan-making delegation for this
Planning Proposal.
(d) That Council outhorizes the CEO to correct
(d) That Council authorises the CEO to correct
any minor policy inconsistencies and any
anomalies that are of an administrative
nature relating to the Planning Proposal
that may arise during the finalisation
process.

				(e)	Further, that Council note that the Parramatta Local Planning Panel's advice to Council (Attachment 3) is consistent with the recommendations of this report.		
LPP 16 Feb 2021	5.1	DA/364/2020	23-25 Balmoral Road, Northmead	(a)	That pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979, that the Parramatta Local Planning Panel, exercising the functions of Council, refuse the application DA/364/2020 for tree removal, lot consolidation, demolition and construction of a 92 place centre-based child care facility with basement parking on land at 23-25 Balmoral Road, Northmead, for the following reasons: 1. Basement car parking plans are unsatisfactory as there is insufficient capacity to allow cars entering and to be able to turn around in a 3-point-turn so that vehicles can leave in a forward direction, particularly when car parking spaces are already occupied (critical given level of competition for 15 car spaces provided for 92 childcare places). 2. Street parking is generally parked out, thereby limiting availability of kerbside parking for drop off and pickup. Further, that objectors be advised of the Panel's decision.	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil
LPP 16 Feb 2021	5.2	DA/594/2020	No 65 Boronia Avenue, Epping	(a)	That pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, the Parramatta Local Planning Panel, exercising the functions of Council, issue a deferred commencement consent to DA/594/2020 for demolition of existing structures and construction of a detached	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

				dual occupancy with Torrens Title Subdivision on land at 65 Boronia Avenue, Epping NSW 2121 Lot 1 DP 8514, subject to conditions of consent. (b) Further, that objectors be advised of the Panel's decision		
LPP 16 Feb 2021	5.3	DA/652/2020	10 Darcy Street, 180 Church Street & Civic Place, Parramatta	That the Parramatta Local Planning Panel, exercising the functions of Council, grant development consent to DA/562/2020 for stratum subdivision of nine lots comprising Lot 100 DP 1262317, Lots 13-16 DP 1255419, Lot 11 DP 1250075, Lots 6 & 7 DP 1252009 and Lot 1 DP 1185643 to create four development lots (Lots 81, 82, 83 & 84) and one residue lot (Lot 80) 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 (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil
LPP 16 Feb 2021	5.4	DA/513/2009/A	19 Brodie Street, Rydalmere NSW 2116	(a) That pursuant to Section 8.4 of the Environmental Planning and Assessment Act 1979, the Parramatta Local Planning Panel, exercising the functions of Council, grant development consent to Section 8.2 review of determination of approved Section 4.56 modification DA/513/2009/A for alterations and additions to a commercial building which contains a brothel (sex services premises) and take away shop to modify Condition No.10 (Plan of Management) to allow 6 sex workers between 9:00am and 5:30pm weekdays and Condition No.14a (Staff numbers) to allow maximum 4 work rooms, 6 sex workers and 1 receptionist between 9:00am and 5:30pm weekdays) for a	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

				period of five (5) years within which physical commencement is to occur from		
				the date on the Notice of Determination, subject to conditions of consent in Appendix 1.		
				(b) Further, that the objectors be advised of the PLPP's decision.		
LPP 16 Feb 2021	5.5	DA/668/2020	5/38-42 Cox Crescent, Dundas Valley	Pursuant to Section 4.17 of the Environmental Planning and Assessment Act, 1979: (a) That Parramatta Local Planning Panel (PLPP) support the variation to the Floor Space Ratio pursuant to Clause 4.4 Floor Space Ratio under the Parramatta Local Environmental Plan 2011. (b) Further, that the Parramatta Local Planning Panel (PLPP), exercising the functions of Council approve development consent to DA/668/2020 for an increase of floor area to the rear by way of enclosing the existing rear alfresco.	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil
LPP 16 Feb 2021	5.6	DA/173/2020	19-21 Thallon Street, Carlingford	That pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979 the Parramatta Local Planning Panel exercising the functions of Council, refuse development consent to DA/549/2018, for the following reasons: 1. State Environmental Planning Policy No. 65 — Design Quality of Residential Apartment Development The proposed development, in its current form, is unsuitable for the site and does not exhibit a building form and massing that it is consistent with	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

the following provisions within SEPP 65 – Design
Quality of Residential Apartment Development:
a) Clause 28 – The development does not
achieve the objectives or design criteria of
the Apartment Design guide with respect
to overshadow impacts on the
neighbouring property to the south,
inconsistent with Objective 3B-2
Orientation, and non-compliances with
Objective 4D Apartment Size and Layout.
b) Clause 28 – The development does not
demonstrate adequate regard for the
design quality principles in Schedule 1 of
the SEPP.
c) The application has been reviewed by
Council's Design Excellence Advisory
Panel on 3 separate occasions, and
remains unsatisfactory to warrant an
approval, in particular, design issues
remain and non-compliances were
identified in relation to context, built form,
open space, internal space, facades,
landscape, and residential amenity.
2. Parramatta (Former The Hills) Local
Environmental Plan 2012
a) Council is not satisfied that the design of
the proposed development achieves the
requirements of Clause 4.1A Minimum Lot
Size for dual occupancy, multi dwelling
housing and residential flat buildings,
subclause (3).
b) The proposal does not comply with Clause
4.3 'Height of buildings' as it will result in a
building height that contravenes the
maximum building height and fails to
reinforce and respect the existing
character and scale of the immediate
locality.
c) The proposal fails to demonstrate
compliance with the height of buildings
development standard is unreasonable or

unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard as required by clause 4.6(3) of the Parramatta (Former The Hills) Local Environmental Plan 2012. d) The proposal does not comply with Clause 4.4 Floor Space Ratio. No Clause 4.6 Statement was submitted to justify the variation.
3. The Hills Development Control Plan 2012
The proposed development does not exhibit a satisfactory building form and massing and is inconsistent with the following provisions of The Hills Development Control Plan 2012: a) Section 5, Part 3 – Objectives and Building Controls: Unit Mix; b) Section 9, Part 3 – Structure Plan and Master Plan: Future Desired Character; c) Section 9, Part 4 – Precinct Wide [Carlingford Precinct] Building Form Controls: Floor Space Ratio, Building Height, Landscape Design, Building Entry, Flexibility, Site Facilities, Facades and Access, Safety and Security. 4. Environmental Planning and Assessment
 Act. a) The proposed development in its current form is inconsistent with Section 1.3(c) of the EP&A Act 1979, as it fails to promote the orderly and economic use of the subject site. b) The proposed development is not considered to be in the public interest and fails to satisfy section 4.15(1)(a), (b), (c), and (d) of the Environmental Planning and Assessment Act 1979.

LPP 16 Feb 2021	6.1	RZ/2/2020	64 Victoria Road, North Parramatta	The Parramatta Local Planning Panel recommends the following to Council:	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil
				 (a) That Council endorse for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment (DPIE), the Planning Proposal (at Attachment 1) for land at 64 Victoria Road, North Parramatta which seeks to amend Schedule 1 of the Parramatta Local Environmental Plan 2011 (PLEP 2011) to allow 'take away food and drink premises' as an additional permitted use (limited to a maximum gross floor area of 100m2). (b) That the Planning Proposal be forwarded the Department of Planning, Industry and Environment (DPIE) for Gateway Determination. 		
				 (c) That Council advises the DPIE that the CEO will be seeking to exercise its planmaking delegations for this Planning Proposal, as authorised by Council on 26 November 2012. (d) Further, that Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process. 		
LPP 16 Feb 2021	6.2	RZ/4/2015	197 and 207 Church St and 89 Marsden St, Parramatta	The Parramatta Local Planning Panel recommends the following to Council: (a) That Council receives and notes the submissions made during the public	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

and the title and the Discourse December 1 that
exhibition of the Planning Proposal, draft Development Control Plan (DCP) and draft Planning Agreement at 197 and 207 Church Street and 89 Marsden Street, Parramatta (a summary of submissions is
provided at Attachment 1).
(b) That (subject to the clarification outlined in this report relating to removing any references to existing PLEP 2011 Clause 7.14) Council endorse for finalisation the Planning Proposal for land at 197 and 207 Church Street and 89 Marsden Street, Parramatta (provided at Attachment 2) which seeks to amend Parramatta Local Environmental Plan 2011 as follows: Apply an FSR of 10:1; Apply a height of part 105m part 12m; Include provisions that require a minimum 1:1 commercial floor space be provided in any redevelopment and allow for unlimited commercial floor space to be provided; Apply the full range of car parking rates specified in the current draft Parramatta CBD Planning
Proposal. (c) That Council submit the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for finalisation
once the Planning Agreement has been executed by the Applicant and Council.
(d) That Council finalise the DCP (Attachment 3) with the following amendments: (i) removal of controls relating to vehicular access (refer to part (e) of this resolution below for further detail);

(ii) ensuring servicing, loading and set down/pick up activities take place on site; (iii) strengthening archaeology controls; (iv) resolving inconsistencies in the exhibited DCP relating to basement retail use and parking due to flood considerations; (v) protection of awning on Murray Bros building. (e) That, with regards to d(i) above, Council's current policy position on this matter is to support vehicle access
arrangements whereby vehicles enter from Macquarie St and exit onto Marsden St, noting the following: (i) This position should form the basis of assessment of this matter for any Design Competition or Development Application at this site. (ii) The matter of vehicle access at this site will be re-exhibited as part of the draft Parramatta CBD DCP, or a Development Application at this site, whichever comes first.
(f) That Council delegate authority to the Chief Executive Officer to finalise the draft Planning Agreement at Attachment 4, and to sign the Planning Agreement on Council's behalf.
(g) That Council officers write to DPIE to advise them of Council's resolution on this matter and to request that DPIE considers commencing finalisation processes (such as legal drafting and map-making) prior to the formal submission of the Planning Proposal referred to in (c) above. (Note: The reason for making this request is to expedite plan-making processes.)

COUNCIL 22 Feb 2021	17.1	RZ/1/2018	Proposed Amendment to the Wentworth Point Precinct DCP 2014 and Draft Planning Agreement for 14	(h) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process, relating to the Planning Proposal, Development Control Plan and Planning Agreement. That Council defer this matter to a Councillor Workshop for further information.	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Prociv, Tyrrell,	Nil
2021			16 Hill Road, Wentworth Point (Sekisui Planning Proposal)		Wearne, Wilson and Zaiter	
COUNCIL 22 Feb 2021	17.3	RZ/8/2019	Post Exhibition - Planning Proposal at 12 Phillip Street, 105 Marsden Street, 333 and 339 Church Street, Parramatta ("The Lennox")	a) That Council notes there were no submissions received during the public exhibition of the Planning Proposal at 12 Phillip Street, 105 Marsden Street, 333 and 339 Church Street, Parramatta. (b) That Council endorse the Planning Proposal for land at 12 Phillip Street, 105 Marsden Street, 333 and 339 Church Street, Parramatta (provided at Attachment 1) which seeks to amend the Parramatta Local Environmental Plan 2011 by way of: i. Reconfiguring the boundary between the RE1 Public Recreation Zone and B4 Mixed Use zone on the site; ii. Rezoning part of the site zoned RE1 Public Recreation to RE2 Private Recreation to resolve a zoning inconsistency; and iii. Adjusting the mapped floor space ratio (FSR) controls to reflect the zoning changes above in a manner that does not increase the development potential of the site.	Councillors Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Councillors Barrak, Bradley and Wilson

			(c) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal.
COUNCI 22 Feb 2021	RZ/21/2015	Post-exhibition - Draft Development Control Plan and draft Planning Agreement for 20 Macquarie St, Parramatta	That Council receives and notes the submissions received to the exhibition of the amended Development Control Plan (DCP) and amended Planning Agreement for 20 Macquarie St, Parramatta. (b) That Council finalise the DCP (Attachment 1) with the following amendments: (i) removal of controls relating to vehicular access (refer to part (e) of this resolution below for further detail) (ii) ensuring servicing, loading and set down/pick up activities take place on site (iii) a minor amendment relating to ensuring that roof terraces are vegetated. (iv) Council endorse an amendment to the table on page 827 of the Council Business Papers to provide that the minimum setback for all boundaries except Marsden Street be amended, to state "0 meters for first 3 storeys or any building up to 14 meters in height". (c) That, with regards to b(i) above, Council's current policy position on this matter is to support vehicles enter from Macquarie St and exit onto Marsden St, noting the following: (i) This position should form the basis of assessment of this matter for any

	Design Competition or Development Application at this site. (ii) The matter of vehicle access at this site will be re-exhibited as part of the draft Parramatta CBD DCP, or a Development Application at this site, whichever comes first.
	(d) That Council delegates authority to the CEO to sign the exhibited Planning Agreement (Attachment 2) on Council's behalf.
	(e) That Council supports finalisation of the previously-endorsed related Planning Proposal once the Planning Agreement has been executed by the Applicant and Council.
	(f) That Council notify the Department of Planning, Industry and Environment of Council's resolution on this matter to facilitate preparation for finalisation of the related Planning Proposal.
	(g) That Council delegates authority to the CEO to make amendments of a minor and non-policy nature to the Planning Proposal, DCP, and Planning Agreement during the respective finalisation processes.