



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

Meeting Date	Item No	DA/Ref No	Address/Subject	Resolution	Voting	
					For	Against
LPP 19 Jan 2021	5.2	DA/613/2019	200 Ray Road, EPPING NSW 2121	<p>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:</p> <p>Flooding</p> <ol style="list-style-type: none"> 1. 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; 2. 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; 3. 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. <p>Public interest</p> <ol style="list-style-type: none"> 4. Having regard to the matters raised above the proposal is not in the public interest. The application has not suitably demonstrated that 	Helen Deegan, Richard Thorp, Anne Smith	David Lloyd QC (Chair)

				the proposed development can be appropriately drained.		
LPP 19 Jan 2021	5.3	DA/754/2019	521 Victoria Road, Ermington	<p>(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.</p> <p>(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:</p> <ul style="list-style-type: none"> - Deletion of Condition No. 12; - Addition of new Condition No. 12 to read: <p style="margin-left: 40px;">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 the existing southern access.</p> <p style="margin-left: 40px;">Reason: To improve the safety, visual quality and</p>	David Lloyd QC (Chair), Helen Deegan, Richard Thorp, Anne Smith	Nil

				<p>amenity of the carpark at the cost of the developer</p> <p>- Amendment to Condition No. 59 to read:</p> <p>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.</p> <p>Reason: To improve the safety, visual quality and amenity of the carpark at the cost of the developer</p> <p>- Deletion of Condition No. 74.</p> <p>The Panel decision was unanimous.</p>		
LPP 19 Jan 2021	5.4	DA/171/1997/A	1 Villiers Street, PARRAMATTA NSW 2150	<p>Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act, 1979:</p> <p>(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:</p> <p>- Deletion of Condition No. PF0029.</p> <p>(b) That submitters are advised of the decision.</p> <p>The Panel decision was unanimous.</p>	David Lloyd QC (Chair), Helen Deegan, Richard Thorp, Anne Smith	Nil

COUNCIL 8 Feb 2021	17.2	F2018/03032	Epping Town Centre	<p>(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:</p> <p>i. Introduces new clauses which:</p> <ul style="list-style-type: none"> • 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 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. 	<p>Councillors Dwyer, Issa, Jefferies, Tyrrell, Wearne, Wilson and Zaiter</p> <p>The Resolution was carried on the casting vote of the Deputy Lord Mayor Cllr Garrad</p>	<p>Councillors Barrak, Bradley, Davis, Esber, Garrard, Pandey and Prociw</p>
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				<ul style="list-style-type: none"> • 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. <p>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.</p> <p>(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.</p> <p>(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:</p> <ul style="list-style-type: none"> i. podium height controls; ii. minimum floorplate dimensions; iii. floor to ceiling heights for non-residential uses; iv. location of services; and v. building and podium setback controls. <p>(d) That Council advises the DPIE that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal</p>		
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				<p>as authorised by Council on 26 November 2012.</p> <p>(e) That Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.</p> <p>(f) That within 5 years of the planning controls being made as an LEP amendment, that a review be undertaken of the effectiveness of the controls relating to the mandatory provision of a minimum level of commercial floorspace in the B2 Local Centre zone within the Epping Town Centre and any associated recommendations and this review be reported to Council.</p> <p>(g) That Council continue to work with the State Government to resolve traffic issues in Epping.</p> <p>(h) Further that, Council note the Local Planning Panel's advice to Council at its meeting of 15 December 2020 is in support of the Planning Proposal, which is consistent with the Council Officer's recommendation in this report.</p>		
COUNCIL 8 Feb 2021	17.3	F2018/03031	Post Exhibition - Planning Proposal to 'Switch Off' Clause 4.6 Variation as it applies to FSR for sites within the Epping Town Centre	<p>(a) That Council receives and notes the summary of submissions made during the public exhibition of the Planning Proposal – Amendments to Clause 4.6 of Epping Town Centre at Attachment 1.</p> <p>(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:</p> <p>i. In Parramatta LEP 2011 - residential accommodation and tourist and</p>	Councillors Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Tyrrell, Wearne and Zaiter	Councillors Barrak, Prociw and Wilson

				<p>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</p> <p>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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>		
LPP 16 Feb 2021	5.1	DA/364/2020	23-25 Balmoral Road, Northmead	<p>(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:</p> <p>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</p>	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

				<p>direction, particularly when car parking spaces are already occupied (critical given level of competition for 15 car spaces provided for 92 childcare places).</p> <p>2. Street parking is generally parked out, thereby limiting availability of kerbside parking for drop off and pickup.</p> <p>(b) Further, that objectors be advised of the Panel's decision.</p>		
LPP 16 Feb 2021	5.2	DA/594/2020	No 65 Boronia Avenue, Epping	<p>(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 dual occupancy with Torrens Title Subdivision on land at 65 Boronia Avenue, Epping NSW 2121 Lot 1 DP 8514, subject to conditions of consent.</p> <p>(b) Further, that objectors be advised of the Panel's decision</p>	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil
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	<p>(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 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.</p> <p>(b) Further, that the objectors be advised of the PLPP's decision.</p>	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil
LPP 16 Feb 2021	5.5	DA/668/2020	5/38-42 Cox Crescent, Dundas Valley	<p>Pursuant to Section 4.17 of the Environmental Planning and Assessment Act, 1979:</p> <p>(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.</p> <p>(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</p>	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

				the rear by way of enclosing the existing rear alfresco.		
LPP 16 Feb 2021	5.6	DA/173/2020	19-21 Thallon Street, Carlingford	<p>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:</p> <ol style="list-style-type: none"> 1. State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development <p>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 the following provisions within SEPP 65 – Design Quality of Residential Apartment Development:</p> <ol style="list-style-type: none"> 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. <ol style="list-style-type: none"> 2. Parramatta (Former The Hills) Local Environmental Plan 2012 	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

				<p>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).</p> <p>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.</p> <p>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.</p> <p>d) The proposal does not comply with Clause 4.4 Floor Space Ratio. No Clause 4.6 Statement was submitted to justify the variation.</p> <p>3. The Hills Development Control Plan 2012</p> <p>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:</p> <p>a) Section 5, Part 3 – Objectives and Building Controls: Unit Mix;</p> <p>b) Section 9, Part 3 – Structure Plan and Master Plan: Future Desired Character;</p> <p>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.</p> <p>4. Environmental Planning and Assessment Act.</p>		
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				<p>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.</p> <p>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.</p>		
LPP 16 Feb 2021	6.1	RZ/2/2020	64 Victoria Road, North Parramatta	<p>The Parramatta Local Planning Panel recommends the following to Council:</p> <p>(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).</p> <p>(b) That the Planning Proposal be forwarded the Department of Planning, Industry and Environment (DPIE) for Gateway Determination.</p> <p>(c) That Council advises the DPIE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.</p> <p>(d) Further, that Council delegates authority to the CEO to correct any minor anomalies of a</p>	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

				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	<p>The Parramatta Local Planning Panel recommends the following to Council:</p> <p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal, draft Development Control Plan (DCP) and draft Planning Agreement at 197 and 207 Church Street and 89 Marsden Street, Parramatta (a summary of submissions is provided at Attachment 1).</p> <p>(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:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Apply an FSR of 10:1; <input type="checkbox"/> Apply a height of part 105m part 12m; <input type="checkbox"/> 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; <input type="checkbox"/> Apply the full range of car parking rates specified in the current draft Parramatta CBD Planning Proposal. <p>(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.</p> <p>(d) That Council finalise the DCP (Attachment 3) with the following amendments:</p>	David Lloyd QC (Chair), Bob Hussey, Alf Lester, Maree Turner	Nil

				<ul style="list-style-type: none"> (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. <p>(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:</p> <ul style="list-style-type: none"> (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. <p>(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.</p> <p>(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</p>		
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				<p>this request is to expedite plan-making processes.)</p> <p>(h) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process, relating to the Planning Proposal, Development Control Plan and Planning Agreement.</p>		
COUNCIL 22 Feb 2021	17.1	RZ/1/2018	Proposed Amendment to the Wentworth Point Precinct DCP 2014 and Draft Planning Agreement for 14 16 Hill Road, Wentworth Point (Sekisui Planning Proposal)	That Council defer this matter to a Councillor Workshop for further information.	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Nil
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")	<p>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.</p> <p>(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:</p> <ol style="list-style-type: none"> 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.		
COUNCIL 22 Feb 2021	17.2	RZ/21/2015	Post-exhibition - Draft Development Control Plan and draft Planning Agreement for 20 Macquarie St, Parramatta	<p>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.</p> <p>(b) That Council finalise the DCP (Attachment 1) with the following amendments:</p> <ul style="list-style-type: none"> (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". <p>(c) That, with regards to b(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:</p> <ul style="list-style-type: none"> (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 	Councillors Davis, Dwyer, Esber, Garrard, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Councillors Barrak, Bradley and Wilson

				<p>Parramatta CBD DCP, or a Development Application at this site, whichever comes first.</p> <p>(d) That Council delegates authority to the CEO to sign the exhibited Planning Agreement (Attachment 2) on Council's behalf.</p> <p>(e) That Council supports finalisation of the previously-endorsed related Planning Proposal once the Planning Agreement has been executed by the Applicant and Council.</p> <p>(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.</p> <p>(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.</p>		
LPP 16 March 2021	5.1	DA/12/2020	544-546 Church Street, North Parramatta	<p>(a) That the Parramatta Local Planning Panel (PLPP) support the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.</p> <p>(b) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, grant development consent to DA/12/2020 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, including the draft deferred commencement condition to be deleted, and reconstituted to be an operational condition prior to the issue of a CC.</p>	Stephen O'Connor (Chair), Lindsay Fletcher, Sue Francis, Kirrily McDermott	Nil

				<p>The reasons for the conditions imposed on this application are as follows:</p> <ol style="list-style-type: none"> 1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant Council Planning instrument. 2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development. 3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds. 4. To ensure the relevant matters for consideration under Section 4.15 of Environmental Planning and Assessment Act 1979 are maintained. <p>(c) Further, that the objectors be advised of the Panel's decision.</p>		
LPP 16 March 2021	5.2	DA/673/2020	13 Carter Street, Lidcombe	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/673/2020 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.	Stephen O'Connor (Chair), Lindsay Fletcher, Sue Francis, Kirrily McDermott	Nil
LPP 16 March 2021	5.3	DA/743/2019	6-8 Moseley Street & 89A Baker Street, Carlingford	(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 8.3 of the Environmental Planning and Assessment Act 1979 grant development consent to DA/743/2019 for Section 8.3 Review of DA/743/2019 for staged construction of four attached two-storey dual occupancy developments with detached garages at 6-8 Moseley Street and 89A Baker Street period of five (5) years within which physical commencement is to occur from the	Stephen O'Connor (Chair), Lindsay Fletcher, Sue Francis, Kirrily McDermott	Nil

				<p>date on the Notice of Determination, subject to conditions of consent and an additional condition as follows:</p> <ol style="list-style-type: none"> 1. The applicant is to submit amended plans to be approved by Council's Manager Development Assessment prior to the issue of a CC, which provide for the following: <ol style="list-style-type: none"> i. Duplex 1, 2, 4 and northern dwelling of Duplex 3: Deletion of study on the ground floor so that an enlarged lounge area is provided. ii. Southern dwelling of Duplex 3: Deletion of fourth bedroom on the ground floor so that an enlarged lounge area is provided. iii. Pedestrian access to be provided between the upper and lower areas of the private open space, located between the dwellings and the eastern boundary. iv. No fencing to be provided in the private open space on the front (western) side of the dwellings. <p>(b) Further, that submitters be advised of the Panel's decision.</p>		
LPP 16 March 2021	5.4	DA/662/2020	92 Crimea St, Parramatta	<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, refuse development consent to DA/662/2020.</p> <p>The reasons for refusal are as follows:</p> <p>Holroyd Local Environmental Plan 2013</p> <ol style="list-style-type: none"> 1. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 	Stephen O'Connor (Chair), Lindsay Fletcher, Sue Francis, Kirrily McDermott	Nil

				<p>1979, the application fails to achieve the objectives of the R2 Low Density Residential zone of the Holroyd Local Environmental Plan 2013;</p> <p>2. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application fails to satisfy clause 4.1 Minimum subdivision lot size and clause 4.4 Floor space ratio of the Holroyd Local Environmental Plan 2013;</p> <p>3. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the submitted Clause 4.6 Statement fails to justify the variation to Clause 4.1 Minimum Subdivision Lot Size of the Holroyd Local Environmental Plan 2013;</p> <p>Holroyd Development Control Plan 2013</p> <p>4. In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the application fails to comply with the Holroyd Development Control Plan 2013 with respect to landscaping, parking, privacy, open space, and inadequate rear set back;</p> <p>Environmental Planning and Assessment Act.</p> <p>5. In accordance with Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the site is not suitable for the proposed development;</p> <p>6. In accordance with Section 1.3(c) of the Environmental Planning and Assessment Act 1979, the proposed development fails to promote the orderly and economic use of the subject site; and</p> <p>7. In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act</p>		
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				1979, the proposal fails to satisfy the relevant considerations in that the adverse impacts by the development due to non-compliances with the applicable planning controls are not beneficial for the local community and as such, is not in public interest.		
COUNCIL 22 March 2021	17.2	RZ/2/2020	Pre Gateway - Planning Proposal for 64 Victoria Road, North Parramatta	<p>(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).</p> <p>(b) That the Planning Proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination.</p> <p>(c) That Council advises the DPIE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.</p> <p>(d) 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.</p>	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Nil
COUNCIL 22 March 2021	17.3	F2021/00521	Post Gateway – Proposed Amendment to the Wentworth Point Precinct DCP 2014 and Draft Planning Agreement for 14-16 Hill Road, Wentworth Point (Sekisui Planning Proposal) (Deferred Item)	<p>(a) That Council note the issues addressed in the 22 February 2021 Council Report in Attachment 1 and those raised at the 3 March 2021 Councillor Workshop.</p> <p>(b) That Council endorse the draft amendments to the Wentworth Point Development Control Plan (DCP) 2014 at Attachment 2 that have been prepared in response to Council's</p>	Councillors Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Councillors Barrak and Bradley

				<p>resolution on 26 August 2019 for the purposes of public exhibition.</p> <p>(c) That Council endorse the drafting of a Planning Agreement to reflect the following items included in the letter of offer at Attachment 3:</p> <p>i) Dedication and embellishment of foreshore reserve;</p> <p>ii) Dedication of future public transit corridor;</p> <p>iii) Burroway Road/Hill Road intersection upgrade works;</p> <p>iv) Community Infrastructure Maintenance agreement (5 years).</p> <p>(d) That Council delegate authority to the Chief Executive Officer to negotiate and determine the specific terms around the delivery of the proposed Planning Agreement items in accordance with Council's Planning Agreements Policy (2018) including, but not limited to, staging, delivery, registration, defect rectification, security and the maintenance schedule prior to the Planning Agreement being placed on public exhibition. In addition, the Applicant be requested to include facilities for a broad age range of children within the proposed foreshore park.</p> <p>(e) That the draft DCP and draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal (including the currently approved concept plan for the site as supporting information and specific consultation with the community on the concept plan and facilities to be provided in the foreshore park) for a period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.</p>		
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				<p>(f) That Council write to the Department of Planning, Industry and Environment seeking to remain the Planning Proposal Authority for the application, in accordance with Resolution 2346 of the 26 August 2019 Council Meeting which endorsed the Planning Proposal for Gateway.</p> <p>(g) Further, that Council delegate authority to the Chief Executive Officer to correct any 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>		
COUNCIL 22 March 2021	17.4	RZ/3/2017	<p>Post Gateway – Draft Development Control Plan and Letter of Offer (Planning Agreement) – 135 George St and 118 Harris St, Parramatta (Albion Hotel site)</p>	<p>(a) That Council endorse the site-specific draft Development Control Plan (DCP) at Attachment 1 for public exhibition.</p> <p>(b) That a draft Planning Agreement document be prepared to reflect the terms outlined at Attachment 2 and that the Chief Executive Officer be delegated authority to negotiate and finalise the legal drafting of the Planning Agreement on behalf of Council for the purposes of public exhibition.</p> <p>(c) That the draft DCP and draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal for 135 George Street and 118 Harris Street previously endorsed by Council on 23 March 2020.</p> <p>(d) That the applicant update the reference design for the purpose of public exhibition so as to reflect the controls in the endorsed Planning Proposal and the draft DCP.</p> <p>(e) That Council requests the Department of Planning, Industry and Environment amend the Gateway determination for the related Planning Proposal to remove the requirement to include a satisfactory arrangements clause.</p>	<p>Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Tyrrell, Wearne and Zaiter</p>	<p>Councillors Barrak, Bradley, Davis, Prociv and Wilson</p>

				(f) Further that Council authorises 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.		
COUNCIL 22 March 2021	17.5	F2021/00521	Post Gateway - Amended Melrose Park North Planning Proposal and Draft Site-Specific Development Control Plan and Planning Agreement	<p>(a) That Council endorse the following amendments to the Melrose Park North Planning Proposal:</p> <ol style="list-style-type: none"> 1) Amend the site area to include 27 Hughes Avenue, Ermington 2) Rezone 27 Hughes Avenue from R2 Low Density Residential to R4 High Density Residential 3) Amend the applicable floor space ratio on 27 Hughes Avenue from 0.5:1 to 1.85:1 4) Amend the maximum building height from 9m to 0m on 27 Hughes Avenue 5) Include 'Residential Flat Buildings' as an additional permitted use within the B2 Local Centre zone 6) Amend the existing Design Excellence provision to apply to Lots E, EA and G as identified by a blue outline in Figure 4 without the provision of floor space and height bonuses 7) Appoint a Design Excellence Panel to provide design advice for all development applications within the northern precinct. Floor space and height bonuses are not to be awarded on any development lot 	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell and Zaiter	Councillors Wearne and Wilson

				<p>8) Add an additional 1,523m² of residential floor space be permitted within the land area under Payce ownership and that the residential floor space across the entire planning proposal site area not exceed 508,768m².</p> <p>(b) That Council endorse the draft Melrose Park North Site-Specific Development Control Plan (DCP) provided in Attachment 1 for the purposes of public exhibition.</p> <p>(c) That Council endorse the draft Planning Agreement based on the Letter of Offer provided in Attachment 2 for the purposes of public exhibition</p> <p>(d) That Council grant the CEO delegation to negotiate the terms of planning agreements with the landowners of 8 Wharf Road and 15-19 Hughes Avenue & 655 Victoria Road to an equivalent per unit contribution rate to that proposed for the Payce development and that these planning agreements be publicly exhibited and reported back to Council post-exhibition along with the planning proposal, draft DCP and Payce planning agreement.</p> <p>(e) That Council endorse the updated Melrose Park North Planning Proposal provided at Attachment 3 as detailed in the report for forwarding to the Department of Planning, industry and Environment for approval to be placed on public exhibition.</p> <p>(f) That the draft DCP and Planning Agreement be placed on public exhibition concurrently for a period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.</p>		
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				(g) Further, that Council delegate authority to the Chief Executive Officer to correct any anomalies of a minor non-policy nature that may arise during the review and public exhibition processes.		
COUNCIL 12 April 2021	17.1	F2021/00521	Site-specific Development Control Plan for land at 89-91 George Street, Parramatta	<p>(a) That Council endorse the draft Development Control Plan (DCP) at Attachment 1 for public exhibition, including insertion of controls reflecting the setbacks in "Option A" as outlined in this report.</p> <p>(b) That the draft DCP at Attachment 1 be amended to address the potential requirement for footpath construction within the frontage of the site as a result of the proposed road widening under the Parramatta CBD Planning Proposal.</p> <p>(c) That the following public authorities are consulted during public exhibition:</p> <ul style="list-style-type: none"> i. NSW Department of Education; ii. Transport for NSW; iii. Department of Planning, Industry and Environment – (both Planning and Environment, Energy and Science Branches); iv. Heritage NSW – Department of Premier and Cabinet; v. Aerospace agencies; Civil Aviation Safety Authority (CASA), Department of Infrastructure, Transport, Regional Development and Communications and Regional Development (DIRD); and vi. Utility providers – Endeavour Energy and Sydney Water. <p>(d) That Heritage NSW is consulted during the public exhibition, and that Council notifies Heritage NSW as part of that consultation about the potential heritage significance of the olive tree in the front setback area of Perth House as it may warrant inclusion within the existing State Heritage Register</p>	Councillors Barrak, Bradley, Davis, Esber, Prociv, Wearne and Wilson	Councillors Dwyer, Garrard, Jefferies, Tyrrell and Zaiter

				<p>listing for Perth House and the Moreton Bay Fig Tree.</p> <p>(e) That the results of the public exhibition be reported to Council.</p> <p>(f) Further, that the Chief Executive Officer be authorised to make amendments of an administrative, minor, or non-policy nature to the DCP during the drafting and exhibition process.</p>		
LPP 20 April 2021	5.1	DA/366/2016/A	123 Ray Road, Epping (Lot 13 DP 17916)	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <p>(a) That the majority of the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979, approves the modification of development consent DA/366/2016/A for demolition and construction of a boarding house containing 15 boarding rooms for 30 lodgers and a manager's room, on land at 123 Ray Road, Epping for a period of five (5) years from the date on the original Notice of Determination subject to the modifications outlined in the Section 4.56 Assessment Report, and subject to an additional condition of consent as follows:</p> <ol style="list-style-type: none"> 1. Remove balcony from UG04, to improve compromised light and amenity to the unit LG03 below. <p>(b) Further, that submitters are advised of the decision.</p> <p>The reasons for approval are:</p> <ol style="list-style-type: none"> 1. The proposed development is substantially the same as the development which has been approved. 2. The development is permissible in the R2 Low Density Residential zone and satisfies the 	Mary-Lynne Taylor (Chair), Paul Berkemeier, Deb Sutherland	Darryn Capes-Davis

				<p>requirements of all the applicable planning controls.</p> <p>3. The development will be compatible with the emerging and planned future character of the area.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p>		
LPP 20 April 2021	5.2	DA/465/2020	56 Caroline Chisolm Drive, Winston Hills	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, grants development consent to DA/465/2020 for the demolition of existing structures and the construction of a 36-place child care centre with basement car parking at 56 Caroline Chisolm Drive, Winston Hills 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>(b) Further, that submitters be advised of the decision.</p> <p>The reasons for approval are:</p> <p>1. The development is permissible in the R2 zone pursuant to State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and satisfies the requirements of all applicable planning standards controls.</p> <p>2. The development will be compatible with the emerging and planned future character of the area, in that the proposal has a similar bulk and scale and building materials to adjoining development.</p> <p>3. The proposed development is not expected to have a significant traffic impact on the</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Darryn Capes-Davis, Deb Sutherland	Nil

				<p>surrounding road network or on street parking as the proposal complies with the parking controls applicable to Childcare facilities.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p>		
LPP 20 April 2021	5.3	DA/19/2020	25 Ray Road, Epping	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 8.3 of the Environmental Planning and Assessment Act 1979, grants development consent to DA/19/2020 for tree removal, alterations and lower ground floor additions to convert an existing heritage listed item of local significance ('Woodlands') into a 50 place centre-based child care facility with new at-grade parking for 8 vehicles on land at 25, Ray Road Epping (Lot 2 DP 1180988) for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the attached conditions of consent and two additional conditions as follows:</p> <p>Condition 14:</p> <p>1. The applicant is to submit a separate application for the proposed 15-minute parking restriction along Ray Road outside the development within the frontage of the subject site, as nominated in the letter of compliance and parking advice by Mc Laren Traffic Engineering dated 21 August 2020, to Council's Traffic and Transport Services for consideration by the Parramatta Traffic Committee under Delegated Authority and Council's approval. The construction of the approved treatment is to be carried out</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Darryn Capes-Davis, Deb Sutherland	Nil

				<p>by the applicant and all costs associated with the supply and construction of the traffic facility and appropriate signage are to be paid for by the applicant at no cost to Council. Reason: To comply with Roads Act 1993.</p> <p>Condition 27</p> <p>27. Prior to the issue of the Construction Certificate, amended plans are to be provided to the satisfaction of the PCA, showing the proposed privacy screen servicing the deck on the northern elevation be raised from 1.5m to 1.8m in height. Reason: To protect the amenity of the adjoining neighbour.</p> <p>(b) Further, that submitters are advised of the decision.</p> <p>The reasons for approval are:</p> <ol style="list-style-type: none"> 1. The development is permissible in the R4 zone and satisfies the requirements of all the applicable planning controls. 2. The proposed works are considered to reasonably integrate with the existing heritage item without compromising the visual integrity and heritage significance of the structure when viewed from Ray Road and therefore satisfies the objectives of Clause 5.10 of the HLEP 2013. 3. The majority of works to the heritage item are internal or to the side and rear boundaries and whilst car parking is located within the front setback, a 6.5m wide landscaped area is proposed within the front setback, to screen the proposed car parking area from the public street and grasscrete is used to provide additional permeable landscape to the site. 		
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				<p>4. The development is an appropriate adaptive reuse of the heritage property and does not detract from the valued qualities of the item on the site.</p> <p>5. For the reasons given above, approval of the application is in the public interest.</p>		
LPP 20 APRIL 2021	5.4	DA/547/2020	59-59A Belmore Street, Oatlands	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, grants development consent to DA/547/2020 for Tree removal and construction of a 2 storey mixed use development comprising a medical centre, 24hr gym, health service facility, indoor recreation facility, swim school and neighbourhood shop over basement parking for 49 vehicles. The proposal also seeks consent for fit out and associated signage on land at 59-59A Belmore Street, Oatlands for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the attached conditions of consent including amendments to the following conditions:</p> <ol style="list-style-type: none"> 1. Condition 20, 21 and 22 – include a requirement for regular consultation with the Oatlands Public School during remediation action works. 2. Condition 49 - add under a) "Including but not limited to the Oatlands Public School, and any other site likely to be most affected". <p>(b) Further, that submitters are advised of the decision.</p> <p>The reasons for approval are:</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Darryn Capes-Davis, Deb Sutherland	Nil

				<ol style="list-style-type: none"> 1. The proposed development is a suitable and appropriate land use and built form for the site, and has responded to numerous site constraints including the irregular shape of the allotment, the site's proximity with James Ruse Drive, potential for contamination, and the location of the underground high-pressure pipeline to the rear. 2. The uses proposed within this development are all permissible within the R2 zone and satisfy the requirements of all the applicable planning controls, with the permissibility of the health services facility relying upon the Infrastructure SEPP. 3. The subject site does not share any boundaries with a residential use and is uniquely located in a way that minimises impacts on the amenity of the surrounding low-density residential environment. Where potential for impacts were identified, they have been mitigated by way of conditions of consent. 4. For the reasons given above, the development is considered to allow for the suitable remediation and utilisation of an otherwise vacant contaminated site, and approval of the application is in the public interest. 		
LPP 20 April 2021	5.5	DA/5/2021	128 Marsden Street, Parramatta NSW 2150	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <ol style="list-style-type: none"> (a) That the Parramatta Local Planning Panel (PLPP) supports the variation to Clause 7.14 Car parking for certain land in Parramatta City Centre of the Parramatta LEP 2011 under the provisions of Clause 4.6. (b) Further, 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, grants development consent to 	Mary-Lynne Taylor (Chair), Paul Berkemeier, Darryn Capes-Davis, Deb Sutherland	Nil

				<p>DA/5/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent within Attachment 1.</p> <p>The reasons for approval are:</p> <ol style="list-style-type: none"> 1. The development is permissible in the B3 zone and satisfies the requirements of all the applicable planning controls with one exception being Clause 7.14 Car parking for certain land in Parramatta City Centre under Parramatta LEP 2011. 2. A written request to vary the number of car parking spaces has been received, and the Panel finds there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. The Panel is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be the public interest because it is consistent with the objectives for development within the B3 zone in which the development is proposed. 3. The development will be compatible with the emerging and planned future character of the area. 		
LPP 20 April 2021	5.6	DA/336/2020	127-129 Wentworth Avenue & 15 Fyall Avenue, Wentworthville (Lot X DP 414866 & Lot 47 DP 35693)	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <p>(a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, supports the variation to Clause 40(3) Site Frontage of State Environmental Planning Policy (Housing for Senior or Persons with a</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Darryn Capes-Davis, Deb Sutherland	Nil

				<p>Disability) 2004 under the provisions of Clause 4.6.</p> <p>(b) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, grants development consent to DA/336/2020 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) Further, that objectors be advised of PLPP's decision.</p> <p>The reasons for approval are:</p> <ol style="list-style-type: none"> 1. The development is permissible in the R2 zone and satisfies the requirements of all the applicable planning controls, with one exception being the site frontage development standard in Seniors Housing SEPP. 2. A written request to vary the site frontage has been received. The Panel finds that compliance with the standard is unnecessary, the variation sought will not have any adverse impacts and the Panel believes that there are sufficient environmental planning grounds to justify the variation and therefore finds that the application satisfactory. The Panel is satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be in the public interest because it is consistent with the objectives for development within the R2 zone in which the development is proposed. 3. The development provides an appropriate adaptive reuse of an important heritage item to ensure its long-term conservation and contribution to the public realm. 		
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				4. For the reasons given above, approval of the application is in the public interest.		
LPP 20 April 2021	5.7	DA/672/2019	23 Kent Street Epping	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report, and supports the conditions proposed in that report.</p> <p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 8.3 of the Environmental Planning and Assessment Act 1979, grants development consent to DA/679/2019 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>The reasons for approval are:</p> <ol style="list-style-type: none"> 1. The development is permissible in the R2 Low Density Residential zone and satisfies the requirements of all the applicable planning controls. 2. The development will be compatible with the emerging and planned future character of the area. 3. The development does not detract from any nearby heritage items and the Epping/Eastwood Heritage Conservation Area. 4. For the reasons given above, approval of the application is in the public interest. 	Mary-Lynne Taylor (Chair), Paul Berkemeier, Darryn Capes-Davis, Deb Sutherland	Nil
LPP 20 April 2021	5.8	DA/362/2020	46 Lamonerie Street, Toongabbie (Lot 1 DP 863805)	<p>The Panel supports the findings in the assessment report and endorses the reasons for refusal contained in that report.</p> <p>(a) That the Parramatta Local Planning Panel (PLPP) exercising the functions of Council, pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979, refuses development consent to DA/362/2020 for the following reasons:</p> <p>Biodiversity Conservation Act 2016</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Darryn Capes-Davis, Deb Sutherland	Nil

				<p>1. The application fails to satisfy requirements of Clause 7.13 Development other than State significant development or infrastructure of the Biodiversity Conservation Act 2016;</p> <p>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</p> <p>2. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application fails to satisfy requirements of clause 11 Miscellaneous provisions relating to permits of the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 because of the likely impact of construction of stormwater lines on existing vegetation;</p> <p>Parramatta Local Environmental Plan 2011</p> <p>3. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application fails to achieve the aims of the Parramatta Local Environmental Plan 2011.</p> <p>4. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application fails to achieve the objectives of the R2 Low Density Residential zone of the Parramatta Local Environmental Plan 2011.</p> <p>5. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979,</p>		
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				<p>the application fails to satisfy requirements of clause 6.3 Flood Planning of the Parramatta Local Environmental Plan 2011, in particular, insufficient information was submitted with respect to any works that may affect the free and unimpeded flow of water through the site.</p> <p>6. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application fails to satisfy requirements of clause 6.4 Biodiversity protection of the Parramatta Local Environmental Plan 2011, in particular, insufficient information was submitted with respect to any tree protection required within the Cumberland Shale Plains Woodland.</p> <p>Parramatta Development Control Plan 2011</p> <p>7. In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the application fails to comply with the Parramatta Development Control Plan 2011 with respect to, biodiversity, building form and massing, building façade and articulation, streetscape, parking and vehicular access, water sensitive urban design and design outcome;</p> <p>Environmental Planning and Assessment Act</p> <p>8. The application fails to supply sufficient information for a proper assessment, incorporates unsatisfactory site planning and demonstrates poor building design, and unacceptable internal amenity.</p>		
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				<p>10. In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposal fails to satisfy the relevant considerations in that the adverse impacts of the development due to non-compliances with the applicable planning controls are not beneficial for the local community and as such, is not in public interest.</p>		
COUNCIL 26 APRIL 2021	17.1	RZ/4/2015	<p>Post Exhibition - Planning Proposal, Development Control Plan and Planning Agreement - 197 and 207 Church Street and 89 Marsden Street, Parramatta</p>	<p>(a) That Council receives and notes the submissions made during the public exhibition of the Planning Proposal, draft Development Control Plan (DCP) and draft Planning Agreement at 197 and 207 Church Street and 89 Marsden Street, Parramatta (a summary of submissions is provided at Attachment 1).</p> <p>(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:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Apply an FSR of 10:1; <input type="checkbox"/> Apply a height of part 105m part 12m; <input type="checkbox"/> 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; <input type="checkbox"/> Apply the full range of car parking rates specified in the current draft Parramatta CBD Planning Proposal. <p>(c) That Council submit the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for finalisation once the</p>	<p>Councillors Barrak, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Tyrrell and Zaiter</p>	<p>Councillors Bradley, Davis, Prociv, Wearne and Wilson</p>

				<p>Planning Agreement has been executed by the Applicant and Council.</p> <p>(d1) That Council finalise the DCP (Attachment 3) with the following amendments:</p> <ul style="list-style-type: none"> (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; (ii) strengthening archaeology controls; (iii) resolving inconsistencies in the exhibited DCP relating to basement retail use and parking due to flood considerations by removing any references to habitable floor space below the flood planning level not being permitted (iv) protection of awning on Murray Bros building. <p>(d2) That prior to Council considering the Draft CBD DCP for approval that Council seek advice from the following stakeholders on whether a prohibition of habitable floor space in basements is appropriate in the Parramatta CBD context:</p> <ul style="list-style-type: none"> • Office of Environment and Heritage • State Emergency Service (SES) • Council Flood Plain Management Committee • Consultants who prepared Council Flood Study that supports the CBD LEP. <p>(e) That, with regards to d1(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:</p> <ul style="list-style-type: none"> (i) This position should form the basis of assessment of this matter for any 		
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				<p>Design Competition or Development Application at this site.</p> <p>(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.</p> <p>(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.</p> <p>(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.)</p> <p>(h) That Council note the Local Planning Panel's advice (refer to Attachment 5) is consistent with the Council Officer's recommendation in the report.</p> <p>(i) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process, relating to the Planning Proposal, site-specific Development Control Plan and Planning Agreement.</p>		
COUNCIL 10 May 2021	17.1	F2021/00521	Draft Development Control Plan and Draft Planning Agreement for 23-25 Windsor Road, Northmead	(a) That Council endorse the draft site-specific Development Control Plan for the land at 23-25 Windsor Road, Northmead, as provided at Attachment 1, for the purpose of public exhibition.	Councillors Barrak, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell and Zaiter	Councillors Bradley and Wilson

				<p>(b) That Council authorise the Chief Executive Officer to commence the legal drafting of a Planning Agreement in accordance with the Letter of Offer as provided in Attachment 2, and terms outlined in this report on behalf of Council for the purpose of public exhibition.</p> <p>(c) That the draft site-specific Development Control Plan and draft Planning Agreement be placed on public exhibition concurrently with the updated Planning Proposal in Attachment 3, for a period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.</p> <p>(d) Further, that Council delegate authority to the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft site-specific Development Control Plan and draft Planning Agreement documentation that may arise during the drafting and exhibition process.</p>		
COUNCIL 10 May 2021	17.2	F2020/00521	Draft Development Control Plan for the Telopea Precinct for Public Exhibition	<p>(a) That Council endorse the Telopea Precinct draft Development Control Plan (DCP) provided at Attachment 1 and the repeal of existing controls relating to Telopea in Section 4.1.11 of the Parramatta DCP 2011 for public exhibition purposes.</p> <p>(b) That the draft DCP be placed on public exhibition for a minimum period of 28 days and that Council undertakes the following engagement:</p> <ol style="list-style-type: none"> i. Letters to property owners/occupiers and key stakeholders notifying them of the public exhibition; ii. Exhibition of the draft DCP on Council's Participate Parramatta website; iii. Notification of Draft DCP public exhibition in the local paper; 	Councillors Barrak, Davis, Dwyer, Garrard, Issa, Jefferies, Pandey, Tyrrell, Wilson and Zaiter	Councillors Bradley, Esber and Prociv

				<ul style="list-style-type: none"> iv. Hard copies of the draft DCP available at Council's Customer Service Centre and Dundas, Epping and Parramatta Libraries; and v. A series of four out of hours phone 'book a planner' sessions during the exhibition period. <p>(c) That a report be prepared to Council on the outcome of the public exhibition period prior to the finalisation of the draft DCP.</p> <p>(d) Further, that Council authorise the Chief Executive Officer (CEO) to correct any minor anomalies of a non-policy and administrative nature relating to the draft DCP that may arise.</p>		
LPP 11 May 2021	5.1	F2020/02047	Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period	<p>The Local Planning Panel recommend to Council:</p> <ul style="list-style-type: none"> (a) That Council note the submissions made in response to the public exhibition of the Parramatta CBD Planning Proposal (CBD PP), as summarised at Attachments 12 to 15, including the Council officer responses. (b) That Council approve the revised CBD PP (in Attachments 1 to 9) and note the CBD PP seeks to amend Parramatta Local Environmental Plan 2011 (PLEP 2011). (c) That Council approve forwarding the CBP PP to the Department of Planning, Industry and Environment (DPIE) for finalisation, with a request that the PLEP 2011 amendment be made in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979. (d) That Council: <ul style="list-style-type: none"> (i) Approve the requested changes to the CBD PP set out in Table 1 of Attachment 16 (identified as 'Changes 	David Lloyd QC (Chair), Robert Hussey, Richard Thorp, Anne Smith	Nil

				<p>that are supported (via Decision Pathway 1 - Green)');</p> <p>(ii) Note the requested changes to the CBD PP summarised in Table 2 of Attachment 16, which are recommended not to be supported (identified as 'Changes that are not supported (via Decision Pathway 2 - Red)');</p> <p>(iii) Approve further investigation of the requested changes to the CBD PP set out in Table 3 of Attachment 16 (identified as 'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)').</p> <p>(iv) Give consideration to an additional subclause which should be included in Clause 7.3 (parking), requiring the provision of parking spaces for car share vehicles in each new development (via Decision Pathway 3 - Orange).</p> <p>(e) That Council note that on 27 April 2015 when endorsing the Parramatta CBD Planning Strategy (and as amended on 25 November 2019) Council approved further investigation on a number of "Planning Investigation Areas" (PIAs) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3) located outside of the CBD PP area and that no change is required to this in response to requested changes to these areas at this stage.</p> <p>(f) That Council writes to the Secretary of DPIE seeking an exemption from the State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021 in the B3 Commercial Core zone as this is inconsistent with the employment objectives of the</p>		
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				<p>commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.</p> <p>(g) That Council approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD to be approved by Council within 12 months, including a new contributions levy rate set higher than the current 3% rate, to be determined after completion of feasibility testing as part of preparation of the plan.</p> <p>(h) Further, that Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.</p>		
LPP 18 May 2021	5.1	DA/368/2020	10 Valley Road, Eastwood (Lot 8 DP 7004)	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 refuse development consent to DA/368/2020 for Demolition of existing structures, tree removal and construction of a two storey 48-place child care Centre with basement parking at 10 Valley Road, Eastwood for the following reasons:</p> <p>Site Suitability</p> <p>1. The proposal fails to satisfy the relevant considerations under Section 4.15(c) under the Environmental Planning and Assessment Act 1979 for built environment, visual and</p>	David Lloyd QC (Chair), Tony Reed, David Ryan, Warrick McLean	Nil

				<p>acoustic privacy, suitability of the site and public interest.</p> <p>2. The proposed development is inconsistent with the provisions of the Child Care Planning Guideline 2017, Part 3, Section 3.1 – Site Selection and Location and Section 3.8 Traffic, parking, and pedestrian circulation as follows:</p> <ul style="list-style-type: none"> i. The proposal does not meet the controls in Section 3.1, C1 as the subject site is located in a low-density residential zone and the proposal will result in unacceptable acoustic impacts to adjoining owners; ii. The proposal does not meet the controls in Section 3.1, C1 as the subject site is located on a site which shares a number of boundaries with residential properties and the proposal requires unacceptable acoustic measures to mitigate acoustic impacts; and iii. The proposal does not meet the controls under Section 3.8 (C33, C36, C37, and C38) Traffic and Safety with non-compliant access ramp to the proposed basement car parking and safe pedestrian access within the basement car parking. <p>Amenity</p> <p>3. The proposed development is unsatisfactory because the location of the outdoor play areas is in close proximity to residential properties and the methods to alleviate these impacts are unsatisfactory. The proposed development is inconsistent with the provisions of the Child Care Planning Guideline 2017, Part 3.5 Visual and acoustic privacy for the following reasons:</p> <ul style="list-style-type: none"> i. The proposal is non-complaint with the required side setback control of 2m along the northern boundary of the site 		
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				<p>which will further exacerbate the adverse acoustic impacts on the adjoining properties;</p> <p>ii. The proposal relies on restricting numbers of children during outdoor play in addition to installation of the acoustic fence to manage noise emissions. The Acoustic Report submitted with that application recommends that a maximum of 23 children out of 48 will be allowed to play outside at any one time and restricts accessibility to the complete outdoor space according to the age group.</p> <p>iii. The proposed methods are not appropriate for the management of noise emissions and compromises the amenity and usability of the centre by children.</p> <p>Insufficient Information</p> <p>4. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal does not meet the objectives of Section 3.3.6.1 Stormwater Drainage Control under the Parramatta Development Control Plan 2011 as the proposal fails to address the additional information requested by Council's Development Engineer to provide amended stormwater plans demonstrating a revised drainage layout plan showing the OSD tank outside the children's play area, as requested. No changes have been made to the location of the OSD tank, except minor changes at the front yard grated drainage system.</p> <p>5. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal does not meet the design principles (P3, P7, P9 P14 and P15) of</p>		
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				<p>Section 3.6.2 Parking and Vehicular Access as the proposal fails to address the additional information requested by Council's Traffic Engineer to submit amended architectural plans demonstrating a compliant access ramp to the proposed basement car park, sufficient width of the roller shutter door to the car park in accordance with the requirement of the AS2890.1 -2004 and provision of a separate pedestrian pathway from car parking spaces to the lift and stairs and marked on the ground to provide a safe pedestrian environment within the basement car park.</p> <p>Public Interest</p> <p>6. The proposal fails to satisfy the relevant considerations under Section 4.15(c) under the Environmental Planning and Assessment Act 1979 for built environment, visual and acoustic privacy, suitability of the site and public interest.</p> <p>(b) Further, that the submitters be advised of the Panel's decision.</p>		
LPP 18 May 2021	6.1	F2020/01810	Post-exhibition: Outcome of public exhibition of two planning proposals and three DCP amendments for various matters in Epping.	<p>The Parramatta Local Planning Panel recommends the following to Council:</p> <p>(a) That Council receives and notes the submissions made during the public exhibition of the East Epping and Rosebank Avenue Planning Proposals and the draft amendments to the Hornsby Development Control Plan 2013 which are summarised at Attachment 1.</p> <p>(b) That Council endorse for finalisation the planning proposal relating to the following various properties in East Epping (provided at Attachment 2) which seeks to amend <i>Hornsby Local Environmental Plan 2013</i> as follows:</p>	David Lloyd QC (Chair), Tony Reed, David Ryan, Warrick McLean	Nil

				<p>i. For sites 2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex Street:</p> <ul style="list-style-type: none"> • Amend the zoning from R4 High Density Residential to R3 Medium Density Residential. • Amend the maximum building height from 17.5 metres to 11 metres. • Apply a maximum Floor Space Ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites. <p>ii. For sites at 1 to 31 Rockleigh Way:</p> <ul style="list-style-type: none"> • Amend the maximum building height from 12 metres to 11 metres. • Apply an FSR of 0.6:1, noting there is no existing FSR control for the sites. <p>iii. For sites at 21-29 Essex Street:</p> <ul style="list-style-type: none"> • Amend the maximum building height from 17.5 metres to 11 metres. • Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. <p>iv. For sites at 23 to 23A Pembroke Street:</p> <ul style="list-style-type: none"> • Amend the zoning from R3 Medium Density Residential to R4 High Density Residential. • Amend the maximum building height from 12 metres to 11 metres. • Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. <p>(c) That Council endorse for finalisation the planning proposal for 1-7 and 2-8 Rosebank Avenue, Epping (provided at Attachment 3)</p>		
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				<p>which seeks to amend <i>Hornsby Local Environmental Plan 2013</i> as follows:</p> <ol style="list-style-type: none"> i. Remove the Heritage Conservation Area notation (as it applies to these properties). ii. Amend the zone from R2 Low Density Residential to R4 High Density Residential. iii. Amend the maximum building height from 8.5m to 11m. iv. Apply a maximum FSR to 0.8:1, noting there is no existing FSR control for the sites. <p>(d) That Council forward the East Epping and Rosebank Avenue Planning Proposals to the Department of Planning, Industry and Environment for finalisation.</p> <p>(e) That Council endorse for finalisation the exhibited amendments to the Hornsby Development Control Plan 2013 which sought to :</p> <ol style="list-style-type: none"> i. To introduce a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment (provided at Attachment 4). ii. That Council endorse for finalisation the amendment to the Development Control Plan 2013 to make minor corrections to the Epping Town Centre car parking provisions (provided at Attachment 5). iii. Introduce design controls to support the Rosebank Avenue planning proposal to encourage an improved heritage interface with associated setbacks and planting (provided at Attachment 6), subject to the inclusion of the following amendments:- <ul style="list-style-type: none"> • introducing an additional control relating to location of balconies 		
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				<p>on, and requiring screening of, upper level balconies for new development on 5 and 7 Rosebank Avenue;</p> <ul style="list-style-type: none"> • introducing an additional control limiting balcony intrusions into setbacks Rosebank Avenue; and • introducing an additional control that require the protection of existing street trees in Rosebank Avenue. <p>(f) Further, that Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal.</p>		
COUNCIL 24 May 2021	17.2	F2020/02047	Outcomes of the exhibition of the Parramatta CBD Planning Proposal – Advice of the Local Planning Panel	<p>(a) That Council note the advice of the Local Planning Panel received in relation to the report on the outcomes of the exhibition of the Parramatta CBD Planning Proposal (as provided in the minutes to their meeting at Attachment 1).</p> <p>(b) That Council approve consideration of the additional recommendation of the Local Planning Panel (LPP) with respect to car share controls, that:</p> <p>“an additional subclause be included in Clause 7.3 (parking), requiring the provision of parking spaces for car share vehicles in each new development (via Decision Pathway 3 – Orange) in Table 3 of Attachment 16 of the LPP Report (‘Changes that have merit for further investigation (via Decision Pathway 3 – Orange)’).”</p>	Councillors Bradley, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell and Zaiter	Councillors Barrak, Davis, Wearne and Wilson

COUNCIL 24 May 2021	17.1	F2020/02047	Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period	That Council defer consideration of this matter to the next Council Meeting.	Councillors Barrak, Bradley, Davis, Esber, Pandey, Prociv, Wearne and Wilson	Councillors Dwyer, Garrard, Issa, Jefferies, Tyrrell and Zaiter
LPP 1 Jun 2021	5.1	DA/275/2021	353D Church Street, Parramatta (Lot 1 DP 724837)	<p>That the Parramatta Local Planning Panel, exercising the functions of the consent authority, grant development consent to Development Application No. 275/2021 for the erection of temporary structures and the use of Prince Alfred Park for a temporary event for the "Winter Festival" between 7 June and 10 September 2021 (inclusive of setup and dismantling of structures), at 353D Church Street, Parramatta subject to the conditions in Attachment 3 amended to reference the "Parramatta Local Planning Panel" on page 27 of the assessment report, for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed temporary use is permissible under the RE1 Public Recreation zone and the relevant planning controls, and in particular satisfies the requirements of the NSW Office of Heritage and the Environment, and of Transport for NSW, subject to the recommended conditions of consent. 2. The application is similar to previous applications for the use of Prince Alfred Square on a temporary basis which this panel has approved, and the proposed conditions are also similar to those previously imposed by the panel. 3. Approval of the application would accord with the principle of consistency in decision making. 4. Accordingly, the Panel supports the findings contained in the assessment report and endorse the reasons for approval contained in that report. 	David Lloyd QC (Chair), David Johnson, Helen Deegan, Maree Turner	Nil
LPP 1 Jun 2021	5.2	DA/191/2021	10 Pembroke Street, Epping (Lot 5 DP 249822)	That the Parramatta Local Planning Panel, exercising the functions of Council pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 grant consent to Development Application No.	David Lloyd QC (Chair), David Johnson, Helen Deegan, Maree Turner	Nil

				<p>191/2021 for the alterations and additions to an existing community facility (Epping Library, Leisure and Learning Centre) at 10 Pembroke Street, 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 the conditions in Attachment 2 for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed development is permissible in the B2 Local Centre zone and complies with the aims, objectives and controls under that zone and the Hornsby Development Control Plan 2013. 2. Accordingly, the Panel supports the findings contained in the assessment report and endorse the reasons for approval contained in that report. 		
COUNCIL 15 June 2021	17.3	RZ/11/2016	Post Gateway - Draft Development Control Plan and Draft Planning Agreement for 85-91 Thomas Street, Parramatta	<p>(a) That Council endorse the draft amendments to Part 4.1.9 Morton Street Precinct, Parramatta DCP 2011, introducing new site-specific controls for the land at 85-91 Thomas Street, Parramatta, as provided at Attachment 1, for the purpose of public exhibition.</p> <p>(b) That Council authorise the Chief Executive Officer to commence the legal drafting of a Planning Agreement in accordance with the Letter of Offer as provided in Attachment 2, and terms outlined in this report on behalf of Council for the purpose of public exhibition.</p> <p>(c) That the draft amendment to Part 4.1.9, Parramatta DCP 2011 and draft Planning Agreement be placed on public exhibition concurrently with the updated Planning Proposal in Attachment 3, for a period of 28 days as required by the Gateway Determination in Attachment 4 and that a report be provided to Council on the outcomes of the public exhibition.</p>	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter	Councillor Wilson

				(d) Further, that Council delegate authority to the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft site-specific Development Control Plan and draft Planning Agreement documentation that may arise during the drafting and exhibition process.		
COUNCIL 15 June 2021	17.4	F2021/00521	Post Exhibition - Outcomes of two Planning Proposals and three DCP amendments for various matters in Epping	<p>(a) That Council receives and notes the submissions received during the public exhibition of the East Epping and Rosebank Avenue Planning Proposals and the draft amendments to the Hornsby Development Control Plan 2013 which are summarised at Attachment 2.</p> <p>(b) That Council endorse for finalisation the planning proposal relating to the following various properties in East Epping (provided at Attachment 3) which seeks to amend Hornsby Local Environmental Plan 2013 as follows:</p> <p>i. For sites 2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex Street:</p> <ul style="list-style-type: none"> • Amend the zoning from R4 High Density Residential to R3 Medium Density Residential. • Amend the maximum building height from 17.5 metres to 11 metres. • Apply a maximum Floor Space Ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites. <p>ii. For sites at 1 to 31 Rockleigh Way:</p> <ul style="list-style-type: none"> • Amend the maximum building height from 12 metres to 11 metres. • Apply an FSR of 0.6:1, noting there is no existing FSR control for the sites. <p>iii. For sites at 21-29 Essex Street:</p> <ul style="list-style-type: none"> • Amend the maximum building height from 17.5 metres to 11 metres. • Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. <p>iv. For sites at 23 to 23A Pembroke Street:</p>	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociw, Tyrrell, Wearne, Wilson and Zaiter	Nil

				<ul style="list-style-type: none"> Amend the zoning from R3 Medium Density Residential to R4 High Density Residential. Amend the maximum building height from 12 metres to 11 metres. Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. <p>(c) That Council endorse for finalisation the planning proposal for 1-7 and 2-8 Rosebank Avenue, Epping (provided at Attachment 4) which seeks to amend Hornsby Local Environmental Plan 2013 as follows:</p> <ul style="list-style-type: none"> i. Remove the Heritage Conservation Area notation (as it applies to these properties). ii. Amend the zone from R2 Low Density Residential to R4 High Density Residential. iii. Amend the maximum building height from 8.5m to 11m. iv. Apply a maximum FSR to 0.8:1, noting there is no existing FSR control for the sites. <p>(d) That Council forward the East Epping and Rosebank Avenue Planning Proposals to the Department of Planning, Industry and Environment for finalisation.</p> <p>(e) That Council endorse for finalisation the exhibited amendments to the Hornsby Development Control Plan 2013 which seek to introduce a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment (provided at Attachment 5) and that the amendments come into effect 6 weeks from the date of the public notice of Council's decision to allow sufficient time to liaise with Hornsby Council.</p> <p>(f) That Council endorse for finalisation amendments to the Hornsby Development Control Plan 2013 which seek to introduce minor</p>		
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				<p>corrections to the Epping Town Centre car parking provisions, subject to the amendment which clarifies that the controls apply to the City of Parramatta local government area (provided at Attachment 6) and that the amendments come into effect 6 weeks from the date of the public notice of Council's decision to allow sufficient time to liaise with Hornsby Council.</p> <p>(g) That Council introduce design controls to support the Rosebank Avenue Planning Proposal to encourage an improved heritage interface with associated setbacks and planting (provided at Attachment 7), subject to the inclusion of the following amendments:-</p> <ul style="list-style-type: none"> i. introducing an additional control relating to location of balconies on, and requiring screening of, upper level balconies for new development on 5 and 7 Rosebank Avenue; ii. introducing an additional control limiting balcony intrusions into setbacks Rosebank Avenue; and iii. introducing an additional control that require the protection of existing street trees in Rosebank Avenue; <p>with the controls to come into effect upon finalisation of the Rosebank Avenue Planning Proposal.</p> <p>(h) That Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposals and the Hornsby Development Control Plan 2013, including minor amendments which differentiate the controls that apply to the City of Parramatta Council and Hornsby Council local government areas.</p> <p>(i) Further, that Council note the advice of the Local Planning Panel (provided at Attachment 1) is consistent with the Council officer's recommendation.</p>		
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COUNCIL 15 June 2021	17.5	F2020/020247	Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period (Deferred Item)	<p>(a) That Council note:</p> <p>(i) The submissions made in response to the public exhibition of the Parramatta CBD Planning Proposal (CBD PP), summarised at Attachments 12 to 15 of the Local Planning Panel (LPP) Report;</p> <p>(ii) The LPP Report at Attachment 2 to this report.</p> <p>(b) That Council:</p> <p>(i) Approve the requested changes to the CBD PP set out in Table 1 of Attachment 1 ('Changes that are supported (via Decision Pathway 1 - Green)');</p> <p>(ii) Note not making any of the requested changes to the CBD PP summarised in Table 2 of Attachment 1 ('Changes that are not supported (via Decision Pathway 2 - Red)');</p> <p>(iii) Approve further investigation of the requested changes to the CBD PP set out in Table 3 of Attachment 1 ('Changes that have merit for further investigation (via Decision Pathway 3 - Orange)').</p> <p>(b1) That Council approve the inclusion in Table 3 of Attachment 1 ('Changes that have merit for further investigation (via Decision Pathway 3 - Orange)') consideration of an additional subclause in Clause 7.3 (parking) requiring the provision of parking spaces for car share vehicles in each new development.</p> <p>(b2) That despite parts (b) and (d) of this resolution, that Council approve the following amendments to Tables 1, 2 and 3 to Attachment 1 and changes to the CBD PP to be submitted to DPIE accordingly:</p> <p>(i) Not progress with the proposed "Phillip Street Block Street Study" and instead reinstate the draft controls for this block as per the exhibition version of</p>	Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Tyrrell, Wearne and Zaiter	Councillors Bradley, Davis, Pandey, Prociw and Wilson
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				<p>the CBD PP when sending to the DPIE for finalisation (and make necessary updates to the CBD PP documentation accordingly).</p> <p>(ii) For 60 Phillip Street, undertake further urban design investigations under Decision Pathway 3 – Orange to determine if additional bonus FSR (under the high performing buildings, unlimited commercial floor space and Opportunity Sites clauses) can potentially be achieved within the height established under the exhibition version of the CBD PP, despite its size of approximately 1,580sqm (i.e. less than the 1,800sqm normally required to meet these FSR bonuses), given this site's unique circumstances as an isolated site bound by three public roads and the river foreshore.</p> <p>(iii) That as part of the preparation of the Draft Parramatta CBD Development Control Plan that controls be investigated to ensure that there are separations between buildings for the Phillips Street block (referred to in (i) above) from ground level upwards and including the tower elements to maintain visual and physical connectivity between the river and the broader CBD to the south.</p> <p>(iv) Reinstate the exhibited draft height control for the Roxy Theatre (69 George Street) of 18m when sending the CBD PP to DPIE for finalisation and undertake further investigations at a later stage (under Decision Pathway 3 – Orange), including heritage investigations, to determine if this height could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, and also to allow possible transition of the</p>		
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				<p>building to a larger, modern theatre venue.</p> <p>(c) That Council note that on 27 April 2015 and on 25 November 2019, Council approved further investigation on a number of "Planning Investigation Areas" (PIAs) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3 in paragraph 33 of this report) and that no change is required to the PIAs in response to submissions received on the CBP PP.</p> <p>(d) That Council approve:</p> <ul style="list-style-type: none"> (i) The revised CBD PP (in Attachments 1 to 9 of the LPP Report); and (ii) Forwarding the CBD PP to the Department of Planning, Industry and Environment (DPIE) for finalisation. <p>(e) That Council note the application to DPIE, will also request the CBD PP amend Parramatta Local Environmental Plan 2011 (PLEP 2011), in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979.</p> <p>(f) That Council writes to the Secretary of DPIE seeking an exemption from the State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021 in the B3 Commercial Core zone as this is inconsistent with the employment objectives of the commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.</p> <p>(g) That Council:</p>		
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				<ul style="list-style-type: none"> (i) Approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD within 12 months; and (ii) Note the plan will include a new contributions levy rate set higher than the current 3% rate, subject to feasibility testing of the levy rate. <p>(h) That Council request DPIE not finalise the amendments to PLEP 2011 until:</p> <ul style="list-style-type: none"> (i) Council has exhibited and endorsed a new Section 7.12 development contributions plan for the Parramatta CBD; and (ii) DPIE has amended clause 25K of the Environmental Planning and Assessment Regulation 2000 to allow the higher Section 7.12 development contributions rate. <p>(i) 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 Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.</p>		
LPP 16 June 2021	5.1	DA/180/2021	73 Kent Street, Epping (Lot 31 DP 31307)	<p>(a) That the Parramatta Local Planning Panel supports the findings in the assessment report for DA/180/2021 and endorses the reasons for refusal contained in that report:</p> <p>State Environmental Planning Policy (Affordable Rental Housing) 2009</p> <p>1. The proposed development has not adequately shown compliance with the following provisions of State Environmental</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Richard Thorp, Ian Gilbertson	Nil

				<p>Planning Policy (Affordable Rental Housing) 2009:</p> <p>i. Clause 29(2)(e)(iia) – in the case of development not carried out by or on behalf of a social housing provider – at least 0.5 parking spaces are provided for each boarding room.</p> <ul style="list-style-type: none"> Although compliant with the numerical requirement of parking spaces, additional information is required to ensure that the driveway and parking layout complies with Australian Standards. <p>Hornsby Development Control Plan 2013</p> <p>2. The proposed development is inconsistent with the following provisions of Hornsby Development Control Plan 2013:</p> <p>i. Part 1C.1.2 – Stormwater Management</p> <ul style="list-style-type: none"> Final stormwater plans were not provided in accordance with Council's request for additional information. In that regard, a complete assessment was unable to be undertaken. <p>ii. Part 3.1 – Dwelling Houses - Floor Area – Maximum 380m2</p> <ul style="list-style-type: none"> Final amended architectural plans were not provided in accordance with Council's request for additional information. In that regard, a complete assessment was unable to be undertaken. <p>Environmental Planning and Assessment Act 1979</p> <p>3. As highlighted above, the proposal has not adequately shown compliance with the State Environmental Planning Policy (Affordable Rental Housing) 2009. Accordingly, the</p>		
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				<p>proposal fails to satisfy the matters of consideration prescribed under Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979.</p> <p>4. As highlighted above, the proposal has non-compliances with Hornsby Development Control Plan 2013. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979.</p> <p>5. As the proposed development is not consistent with the above, the proposal is not considered to be in the public interest and also fails to satisfy Section 4.15(1)(b) and (e) of the Environmental Planning and Assessment Act 1979.</p> <p>(b) Further, that submitters are advised of the Panel's decision.</p>		
LPP 16 June 2021	5.2	DA/100/2021	5 Buller Street, North Parramatta (Lot 1 DP 178742)	<p>The Panel supports the findings in the assessment report and endorses the reasons for refusal contained in that report.</p> <p>(a) That the Parramatta Local Planning Panel, exercising the functions of the Council as the consent authority, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979, refuses development consent to DA/100/2021 for demolition of existing structures, removal of six (6) trees and construction of a three-storey boarding house with 18 single occupancy rooms pursuant to the SEPP (Affordable Rental Housing) 2009 with modified at-grade car parking for eight (8) vehicles and associated earthworks and landscaping on land at Lot 1 in DP 178742, 5 Buller Street, NORTH PARRAMATTA NSW 2151 for the following reasons:</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Richard Thorp, Ian Gilbertson	Nil

				<p>Environmental Impacts Under Parramatta Local Environmental Plan 2011 (PLEP 2011)</p> <ol style="list-style-type: none"> 1. The proposal is inconsistent with the stated objectives (1)(a), (b) and (c) of Clause 6.3 'Flood Planning' of the PLEP 2011 in that the proposed intensification of a flood-affected site that is affected by a medium hazard flooding as a result of a 1% and 5% AEP flood event unnecessarily elevates the risk to life within the site. Furthermore, the proposed development will increase flooding risk on the adjoining properties by proposing fill and a proposed building footprint that will block and divert floodwater elsewhere within the catchment. The locality surrounding the site will become isolated to some extent and the duration of the isolation is unknown. 2. The proposal is inconsistent with the stated objective (1)(a) of Clause 6.2 'Earthworks' of PLEP 2011 in that the proposal is likely to have a detrimental impact on the existing drainage patterns of the locality. <p>Accordingly, the proposal fails to satisfy Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.</p> <p>Incompatibility with State Environmental Planning Policy (Affordable Rental Housing) 2009</p> <ol style="list-style-type: none"> 3. 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 		
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				<p>Planning Policy (Affordable Rental Housing) 2009):</p> <ul style="list-style-type: none"> i. Clause 29(1)(a) – the proposal will result in a Floor Space Ratio of 0.65:1 in which exceeds the maximum FSR on site of 0.6:1; ii. Clause 29(2)(c) – the proposal will result in the first-floor communal area space and second floor balcony area not receiving a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter; iii. Clause 29(2)(f) – All eighteen (18) boarding rooms do not comply with the minimum 12m2 gross floor accommodation sizes (excluding areas used for the purposes of private kitchen and bathroom facilities) resulting in poor internal amenity for the occupants of the boarding rooms. iv. Clause 30(1)(d) – Although all rooms have access to private ensuite-style bathroom and kitchenette facilities (2-burner stovetop, fridge/freezer space, single-sink with dish drainer space, under bench cabinetry and food preparation space), the proposed kitchenettes appear to be inadequate for use as they lack appropriate facilities. No dishwashers or ovens are provided and there is no communal kitchen where full kitchen facilities are available for use to each lodger. v. Clause 30A – The design is not compatible with the character of the local area. The proposed 3-storey form and density is akin to a residential flat 		
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				<p>building style of development, which is a prohibited land use in the medium density zone.</p> <p>Accordingly, the proposal fails to satisfy Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979.</p> <p>Inconsistency with the Aims of the Parramatta Local Environmental Plan 2011</p> <p>4. The proposal is inconsistent with Parramatta Local Environmental Plan 2011, Clauses 1.2(2)(e) and (h) 'Aims of Plan' as it does not contribute towards the orderly and sustainable development of Parramatta and the increase in density does not minimise risk to the community in areas subject to environmental hazards (i.e. flooding), by restricting development in sensitive areas.</p> <p>Inconsistency with the R3 Zone objectives of Parramatta Local Environmental Plan 2011</p> <p>5. The proposal is inconsistent with the stated objectives of the R3 Zone of PLEP 2011 in that the proposed built form appears more like a residential flat building and that the anticipated number of occupants would results in unsympathetic intensification of the use of the flood-affected land when compared with the average occupancy rate for a typical multi dwelling housing development. In this regard, the proposal is considered an overdevelopment of the site and is inconsistent with the objectives (bullet points 2</p>		
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				<p>& 4) of the R3 Medium Density Residential zone.</p> <p>Excessive Floor Space</p> <p>6. The proposal does not comply with Clause 4.4 'Floor Space Ratio' of PLEP 2011 as the proposal will result in a gross floor area of 431m², resulting in a FSR of 0.65:1, which exceeds the maximum GFA by approximately 35.4m² (or 9%).</p> <p>Inconsistency with the Parramatta Development Control Plan 2011</p> <p>7. The proposed development does not exhibit a satisfactory building form and massing, in that it is inconsistent with the following provisions prescribed within Parramatta Development Control Plan 2011:</p> <ul style="list-style-type: none"> • Section 2.12.2 – Water Management – The site is identified in Council's database as being flood prone and the application proposes significant fill across the building footprint to accommodate modified at-grade car park for the boarding house • Section 2.12.6 – Development on Sloping Land – The proposal does not respond sensitively to natural topography and adversely disturbs the natural landform. The ground floor level seeks fill of approximately up to 550mm above the existing natural ground level and therefore not acceptable, as this will create opportunities for overlooking and 		
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				<p>adverse visual and acoustic impacts upon the adjoining properties.</p> <ul style="list-style-type: none"> • Section 3.1.3 – Preliminary Building Envelopes – excessive floor space ratio, insufficient site frontage, inadequate front and side setbacks, insufficient deep soil zones and inadequate landscaped areas. • Section 3.2.1 – Building Form and Massing • Section 3.2.2 – Building Facades and Articulation • Section 3.2.3 – Roof Design • Section 3.2.5 – Streetscape • Section 3.3.1 – Landscaping • Section 3.3.2 – Privacy and Communal Open Space • Section 3.3.3 – Visual and Acoustic Privacy • Section 3.3.5 – Solar Access and Cross Ventilation • Section 3.3.6 – Water Sensitive Urban Design • Section 3.4.2 – Access for persons with Disabilities • Section 5.1 – Boarding Houses <p>Accordingly, the proposal fails to satisfy Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979.</p> <p>8. Insufficient Information</p> <p>a) Clause 4.6 'Exceptions to Development Standards' of PLEP 2011 in the absence of a written request seeking justification of the floor space ratio development standard.</p>		
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				<p>b) The public domain details provided by the applicant do not provide adequate street tree planting and footpath details as required under Section 2.12.8 of the PDGP 2011.</p> <p>9. 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 surrounding land. Accordingly, the proposal fails to satisfy Section 4.15(1)(a)(i), (b), (c), (d) and (e) of the Environmental Planning and Assessment Act 1979.</p> <p>10. The development fails to ensure the privacy and amenity of the adjoining neighbouring properties, and therefore fails to satisfy Section 4.15(a)(iii), (b), (d) and (e) of the Environmental Planning and Assessment Act 1979.</p> <p>(b) Further, that the objectors are advised on PLPP's decision.</p>		
LPP 16 June 2021	5.3	DA/125/2020	28 Norfolk Road, Epping (Lot 3 DP 20649)	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <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, grants development consent to DA/125/2020 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>The reasons for approval are:</p> <p>1. The development is acceptable in the East Epping Heritage Conservation Area and</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Richard Thorp, Ian Gilbertson	Nil

				<p>satisfies the requirements of all the applicable planning controls.</p> <p>2. The Proposed Subdivision in the East Epping Heritage Conservation Area is acceptable due to the existing subdivision pattern in the local area.</p> <p>3. The development will be compatible with the emerging and planned future character of the area.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p>		
LPP 16 June 2021	5.4	DA/412/2020	27-29 Tennyson Street, Parramatta (Lot 20 & 21 DP 7941)	<p>The Panel supports the findings found in the assessment report and endorses the reasons for approval contained in that report.</p> <p>(a) That the Parramatta Local Planning Panel (PLPP) supports the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.</p> <p>(b) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, grants development consent to DA/412/2020 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the attached conditions of consent and three amendments to the conditions as follows:</p> <p>Condition 1(b): To be replaced with, "A Stage 1 – Preliminary Site Investigation (PSI) for the site shall be submitted and approved by Council. The PSI must include soil sampling as per Regulation 25 of the Education and Care Services Regulation (2011)."</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Richard Thorp, Ian Gilbertson	Nil

				<p>Condition 13: New condition added being, "All conditions issued by WaterNSW (reference: IDAS1136900 dated 10 June 2021) shall be complied with."</p> <p>Condition 42(d): Addition of new clause being, "All foundations of the OSD / WSUD tank at the front property boundary and the side boundary shall be kept within the property, without encroaching over the boundary. In this regard a 200 mm setback shall be provided between the outer edge of the tank foundation and the true property boundary. The final drainage plans prepared for approval with the Construction Certificate application shall reflect the requested details."</p>		
LPP 16 June 2021	6.1	RZ/5/2016	Gateway Request: Planning Proposal for land at 24 Parkes Street, 26 – 30 Parkes Street and 114 – 116 Harris Street, Harris Park	<p>The Parramatta Local Planning Panel recommends the following to Council:</p> <p>(a) That Council endorse for the purposes of seeking a Gateway Determination under the Environmental Planning and Assessment Act 1979 from the Department of Planning, Industry and Environment (DPIE), a Planning Proposal for land at 24 Parkes Street, 26 – 30 Parkes Street and 114 – 116 Harris Street, Harris Park which seeks an exemption from the FSR sliding scale requirements of Parramatta Local Environmental Plan 2011 in relation to the subject sites.</p> <p>(b) That the Planning Proposal at Attachment 1 be forwarded to the DPIE to request the issuing of a Gateway Determination, after being amended as follows:</p> <p>i. Remove references pertaining to an exemption from the site size requirements for High Performing Buildings.</p> <p>ii. Reformat and re-edit to reflect Council's assessment into Council's Planning Proposal template.</p>	Mary-Lynne Taylor (Chair), Paul Berkemeier, Richard Thorp, Ian Gilbertson	Nil

				<p>(c) That a draft site-specific Development Control Plan (DCP) for the subject sites be prepared and reported back to Council prior to its public exhibition. The draft DCP should address, at a minimum:</p> <ul style="list-style-type: none"> i. Built form and massing; ii. Building setbacks; iii. Flooding; iv. Traffic and parking issues; and v. Road widening. <p>(e) That the Planning Proposal and DCP are concurrently exhibited.</p> <p>(f) That Council advises the DPIE that the Chief Executive Officer (CEO) will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>(g) That Council write to DPIE to advise that Council no longer supports the progression of the existing site-specific Planning Proposal for 114-118 Harris Street (which has already received a Gateway determination).</p> <p>(h) Further, that Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the Planning Proposal and/or DCP processes.</p>		
LPP 29 June 2021	5.1	F2020/02092	Post Exhibition - Harmonisation Planning Proposal - Consolidated City of Parramatta Council Local Environmental Plan	<p>The Local Planning Panel recommend to Council:</p> <p>(a) That Council note the submissions made in response to the public exhibition of the Parramatta Harmonisation Planning Proposal (Harmonisation PP) as summarised at 9 to 12 including the Council officer responses.</p> <p>(b) That Council endorse for the purpose of finalisation the content of the exhibited</p>	David Lloyd QC (Chair), Lindsay Fletcher, David Johnson and Kirrily McDermott	Nil

				<p>Harmonisation PP subject to the amendments described in this report which are detailed in Attachment 13 (identified as 'Changes that are supported (via Decision Pathway 1 - Green)').</p> <p>(b1) That Council consider the area outlined in yellow and identified with a star on Figure 3, page 15 of the report, to be included in a future study under the Orange Pathway.</p> <p>(b2) That Council consider the permissibility of places of public worship within residential zones in a future study under the Orange Pathway.</p> <p>(c) That Council forward the Harmonisation PP to the Department of Planning, Industry and Environment (DPIE) for finalisation, with a request that the amendment be made in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979.</p> <p>(d) That Council:</p> <ol style="list-style-type: none"> i. Note the requested changes to the Harmonisation PP summarised in Attachment 13, which are recommended not to be supported (identified as 'Changes that are not supported (via Decision Pathway 2 - Red)'); ii. Support further investigation of the matters set out in Attachment 13 (identified as 'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)'). <p>(e) 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 Harmonisation PP (and supporting documentation), Draft PLEP 2021 Amendment</p>		
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				<p>Instrument and Draft PLEP 2021 Amendment Maps. This includes the updating of property information for existing Heritage Items and existing Heritage Conservation Areas in Schedule 5 of the DPLEP.</p> <p>(f) Further, that all submitters be notified of Council's decision to endorse the amended Parramatta Harmonisation Planning Proposal (Harmonisation PP).</p>		
COUNCIL 12 July 2021	17.1	F2021/00521	Post Gateway - Draft Planning Agreement for 22 Noller Parade, Parramatta	<p>a) That Council endorse the legal drafting of a Planning Agreement in accordance with the Letter of Offer provided in Attachment 1 to facilitate a monetary contribution of \$225,000 to Council for the purposes of contributing towards the delivery of public domain works associated with, or new connections to, the Alfred Street Bridge.</p> <p>(b) That the draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal for a minimum period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.</p> <p>(c) Further, that Council delegate authority to the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft Planning Agreement documentation that may arise during the drafting and exhibition process.</p>	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Nil
COUNCIL 12 July 2021	17.2	F2019/00796	Post Exhibition - Draft City of Parramatta (Outside CBD) Development Contributions Plan 2021	<p>(a) That Council receives and notes the submissions made during the public exhibition of the "Draft City of Parramatta (Outside CBD) Development Contributions Plan 2021" – a summary of submissions is provided at Attachment 1.</p> <p>(b) That Council endorses the Draft City of Parramatta (Outside CBD) Development</p>	Councillors Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell and Zaiter	Councillors Bradley, Wearne and Wilson

				<p>Contributions Plan 2021 Attachment 2 for finalisation with the following amendments:</p> <p>(i) The addition of “affordable housing or social housing by a social housing provider. If the development is mixed use, only the affordable housing/social housing component will be excluded” as development which is exempted from this Plan, and associated amendments to Section 1.3 of the Plan to support this addition.</p> <p>(ii) Amend works program item C02 (new local community facility, Epping) to remove reference to location of Chambers Court to not have a specified location consistent with Council’s resolution of 9 July 2018.</p> <p>(iii) Amend works program item C01 (new hub, Epping) to change the timing for the new hub from 0 to 5 years to 0 to 10 years to align with the Civic Plaza timing and better reflect the project’s complexity.</p> <p>(iv) Various other administrative or minor changes as outlined in Table 5 of this report.</p> <p>(c) That Council endorse the Plan to come into effect within 8 weeks from the date of the public notice of Council’s decision to allow sufficient time to incorporate the final Plan in Council’s systems and processes.</p> <p>(d) That Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the Draft City of Parramatta (Outside CBD) Development Contributions Plan 2021 finalisation process.</p> <p>(e) Further, that Council authorise the Chief Executive Officer, on behalf of Council, to</p>		
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				<p>amend the following Council-endorsed planning agreements for the purposes of public re-exhibition (if required), in order to include provisions which require any future development approvals granted on the associated land to contribute the equivalent to what they would have paid under current development contributions plans in lieu of any other development contribution requirement that may be in place at the time the approval is granted, as follows:</p> <p>(i) Amendment of the planning agreement for 14-16 Hill Road, Sydney Olympic Park with Sekisui House Australia Pty Ltd and SH Hill Road Development Pty Ltd to include the application of equivalent rates contained within the Auburn Development Contributions Plan 2007 (Amendment No. 1); and</p> <p>(ii) Amendment of the planning agreement for 38-42, 44 and 44A Wharf Road, Melrose Park, 657 Victoria Road, Melrose Park and 27-29 Hughes Avenue, Ermington with Payce MP2 Pty Ltd and associated parties to include the application of equivalent rates contained within Parramatta Section 94A Development Contributions Plan (Amendment No. 5) 2017,</p> <p>and that the outcomes of the re-exhibition will be reported to Council.</p>		
COUNCIL 12 July 2021	17.3	F2021/00521	Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period	<p>(a) That Council:</p> <p>(i) Note the Local Planning Panel (LPP) Report at Attachment 15 to this report and the LPP Minutes of that meeting at Attachment 16.</p> <p>(ii) Note the submissions made in response to the public exhibition of the Parramatta Harmonisation Planning Proposal (Harmonisation PP) as summarised at Attachments 3 to</p>	Councillors Bradley, Davis, Dwyer, Garrard, Issa, Jefferies, Prociv, Tyrrell and Wilson	Nil

				<p>5 including the Council officer responses.</p> <p>(iii) Endorse for the purpose of finalisation the content of the exhibited Harmonisation PP subject to the amendments described in this report which are summarised in Attachment 1 (identified as 'Changes that are supported (via Decision Pathway 1 - Green)').</p> <p>(iv) Note the requested changes to the Harmonisation PP summarised in Attachment 1, which are recommended not to be supported (identified as 'Changes that are not supported (via Decision Pathway 2 - Red)');</p> <p>(v) Support further investigation of the matters set out in Attachment 1 (identified as 'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)').</p> <p>(vi) Council prepare a separate Planning Proposal seeking to prohibit dual occupancy in Simpson Street, Lois Street and Naomi Street South, Winston Hills (by adding the properties in these streets to the areas on the Dual Occupancy Prohibition Map) and this separate Planning Proposal is pursued as a matter of urgency to minimise the amount of time when dual occupancy remains permitted in Simpson Street, Lois Street and Naomi Street South and that the CEO be delegated responsibility for endorsing the final form of the Planning Proposal documents.</p> <p>(vii) That should any development application for dual occupancy in Simpson Street, Lois Street and Naomi Street South be lodged during the period whilst the use remains</p>		
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				<p>permitted, that Council not support that development application.</p> <p>(viii) That the following be added to the table in Attachment 1 identified as "Changes that have merit for further investigation - via Decision Pathway 3 – Orange) – that Council re-examine the approach to permitting Places of Public Worship in the R2 Residential Low Density zone.</p> <p>(b) That Council approve forwarding the amended Harmonisation PP to the Department of Planning, Industry and Environment (DPIE) for finalisation.</p> <p>(c) That Council note the application to DPIE, will also request the Harmonisation PP amend Parramatta Local Environmental Plan 2011 (PLEP 2011), in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979.</p> <p>(d) 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 Harmonisation PP (and supporting documentation), Draft PLEP 2021 Amendment Instrument and Draft PLEP 2021 Amendment Maps. This includes the updating of property information for existing Heritage Items and existing Heritage Conservation Areas in Schedule 5 of the DPLEP.</p> <p>(e) Further, that all submitters be notified of Council's decision to endorse the amended Parramatta Harmonisation Planning Proposal (Harmonisation PP).</p>		
LPP 20 July 2021	5.1	DA/364/2020	23-25 Balmoral Road, NORTHMEAD (Lot 13 DP 13906 & Lot 10 DP 20868)	(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 8.3 of the Environmental Planning	Stephen O'Connor (Chair), Deb Sutherland, Simone Lotz, Peter Haliburn	Nil

				<p>and Assessment Act 1979 grant consent to DA364/2020 for at 23-25 Balmoral Road, Northmead 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 listed in Attachment 1 (with Condition 14 and Conditions 29 and 35 altered according to the amended plans).</p> <p>(b) Further, that submitters be advised of the decision.</p>		
LPP 20 July 2021	5.2	DA/719/2020	34 MacArthur Street, PARRAMATTA (Lot 6 DP 11014)	<p>a) That the Parramatta Local Planning Panel (PLPP) support the variation to Clause 4.3 Height of Building of the 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, exercising the functions of Council grant deferred commencement development consent to DA/719/2020 subject to conditions of consent listed in Attachment 1, and an additional condition requiring the submission of a revised rooftop landscape plan that incorporates the addition of privacy screens around the inner perimeter of the proposed landscaping on the rooftop to be approved by Council prior to the issue of any construction certificate, and an amendment to Condition 32 to specify one (1) adaptable dwelling being required.</p> <p>(c) Further, that objectors be advised of the Panel's decision.</p>	Stephen O'Connor (Chair), Deb Sutherland, Simone Lotz, Peter Haliburn	Nil
LPP 20 July 2021	5.3	DA/320/2020	64 Hughes Avenue, ERMINGTON (Lot 1 DP 128574)	<p>(a) That the Parramatta Local Planning Panel (PLPP) exercising the functions of Council pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979, grant</p>	Stephen O'Connor (Chair), Deb Sutherland, Simone Lotz, Peter Haliburn	Nil

				<p>deferred commencement development consent to DA/320/2020 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 within Attachment 1 when the consent becomes operational. The deferred commencement requirement which must be satisfied before the consent can become operational is as follows "Submission to Council of a recent site contamination report which confirms to Council's satisfaction that further remediation of the site is not necessary for the intended use".</p> <p>(b) Further, that the objector be advised of the Panel's decision.</p>		
LPP 20 July 2021	5.4	DA/671/2020	12-12A Grand Avenue, ROSEHILL (Lot 5 DP 549358, Lot 3 DP 542208 & Lot 1 DP 845322)	That pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979, the Parramatta Local Planning Panel, exercising the functions of Council, grant development consent to DA/671/2020 on land at Nos. 12-12A Grand Avenue, Rosehill, subject to conditions of consent specified in Attachment 1.	Stephen O'Connor (Chair), Deb Sutherland, Simone Lotz, Peter Haliburn	Nil
LPP 20 July 2021	5.5	DA/727/2020	47 Sorrell Street, PARRAMATTA (SP 92241)	That the Parramatta Local Planning Panel defer consideration of this matter to be determined via electronic means subject to receipt of legal advice.	Stephen O'Connor (Chair), Deb Sutherland, Simone Lotz, Peter Haliburn	Nil
COUNCIL 26 July 2021	17.2	F2021/00521	Gateway Request: Planning Proposal for land at 24 and 26 to 30 Parkes Street, Harris Park	(a) That Council endorse for the purposes of seeking a Gateway Determination under the Environmental Planning and Assessment Act 1979 from the Department of Planning, Industry and Environment (DPIE), a Planning Proposal for land at 24 Parkes Street, 26 – 30 Parkes Street and 114 – 116 Harris Street, Harris Park which seeks an exemption from the FSR sliding scale requirements of Parramatta Local Environmental Plan 2011 in relation to the subject sites.	Councillors Dwyer, Garrard, Issa, Jefferies, Tyrrell, Wearne and Zaiter	Councillors Barrak, Bradley, Davis, Esber, Pandey, Prociv and Wilson

				<p>(b) That the Planning Proposal at Attachment 1 be forwarded to the DPIE to request the issuing of a Gateway Determination, after being amended as follows:</p> <ul style="list-style-type: none"> i. Remove references pertaining to an exemption from the site size requirements for High Performing Buildings. ii. Reformat and re-edit to reflect Council's assessment into Council's Planning Proposal template. <p>(c) That a draft site-specific Development Control Plan (DCP) for the subject sites be prepared and reported back to Council prior to its public exhibition. The draft DCP should address, at a minimum:</p> <ul style="list-style-type: none"> i. Built form and massing; ii. Building setbacks; iii. Flooding; iv. Traffic and parking issues; and v. Road widening. <p>(d) That the Planning Proposal and DCP are concurrently exhibited.</p> <p>(e) That Council advises the DPIE that the Chief Executive Officer (CEO) will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.</p> <p>(f) That Council write to DPIE to advise that Council no longer supports the progression of the existing site-specific Planning Proposal for 114-118 Harris Street (which has already received a Gateway determination).</p> <p>(g) That Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the Planning Proposal and/or DCP processes.</p>		
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				(h) Further, that Council note that the Parramatta Local Planning Panel's advice to Council (Attachment 2) is consistent with the recommendations of this report.		
COUNCIL 26 July 2021	17.3	F2019/04041	Public exhibition – Draft Parramatta CBD Local Infrastructure Contributions Plan 2021	<p>(a) That Council approve the “Draft Parramatta CBD Local Infrastructure Contributions Plan 2021” (Draft Plan) at Attachment 1 for the purposes of public exhibition for a minimum period of 42 days.</p> <p>(b) That a report on the outcomes of the public exhibition be provided to Council prior to finalisation of the Draft Plan.</p> <p>(c) Further, that Council authorise the Chief Executive Officer to make minor non-policy and/or administrative changes to the Draft Plan, if needed, prior to it being placed on public exhibition.</p>	Councillors Barrak, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Councillor Bradley
LPP 27 July 2021	5.1	DA/727/2020	47 Sorrell Street, PARRAMATTA (SP 92241)	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of the consent authority, support the variation to Clause 4.4 of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.</p> <p>(b) Pursuant to Section 4.17 of the Environmental Planning and Assessment Act, 1979, that the Parramatta Local Planning Panel, exercising the functions of the consent authority, grant development consent to DA/727/2020 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 6 for the following reasons:</p> <ol style="list-style-type: none"> 1. The development is permissible in the R3 zone and satisfies the requirements of all of the applicable planning controls, with the exception of the FSR control. 2. A written request to vary the FSR has been received. The variation sought is 	Stephen O'Connor (Chair), Deb Sutherland, Simone Lotz, Peter Haliburn	Nil

				<p>minor and it will not have any adverse impacts. As such, compliance with the standard is unnecessary. Accordingly, Council believes that there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. Council is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be the public interest because it is consistent with the objectives of the FSR control and the objectives for development within the R3 zone in which the development is proposed to be carried out.</p> <p>3. The development will be compatible with the emerging and planned future character of the area.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p>		
COUNCIL 9 Aug 2021	17.3	F2020/00521	Public Exhibition – Draft Planning Agreement for land at 1 Windsor Road, North Rocks	<p>(a) That Council authorise the Chief Executive Officer to finalise the draft Planning Agreement in accordance with the Letter of Offer as provided in Attachment 1 and terms outlined in this report on behalf of Council, and place the draft Planning Agreement on public exhibition.</p> <p>(b) Further, that Council delegate authority to the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft Planning Agreement documentation that may arise during the drafting and exhibition process.</p>	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Nil

LPP 17 Aug 2021	5.1	DA/63/2021	32 Honiton Avenue, Carlingford	<p>a) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979, refuse development consent to DA/63/2021 for the demolition, tree removal and construction of a centre-based child care facility to accommodate 93 children with ground and basement level parking for 25 cars at Lot 5 DP 205980, 32 Honiton Avenue, Carlingford 2118 as it is considered an overdevelopment of the site, for the reasons outlined in the assessment report.</p> <p>(b) Further, that the submitters are advised of the Panel's decision.</p>	Stephen O'Connor (Chair), Ian Armstrong, Ian Gilbertson and Bob Hussey	Nil
LPP 17 Aug 2021	5.2	DA/145/2021	131 Kirby Street, Rydalmere	<p>(a) That the Parramatta Local Planning Panel (PLPP), support the variation to Clause 4.3 of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.</p> <p>(b) Further, 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/145/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent within Attachment 1.</p>	Stephen O'Connor (Chair), Ian Armstrong, Ian Gilbertson and Bob Hussey	Nil
LPP 17 Aug 2021	5.3	DA/391/2020	49-51 Albion St, Harris Park	That the Parramatta Local Planning Panel (PLPP) exercising the functions of Council pursuant to Section 8.4 of the Environmental Planning and Assessment Act, 1979, grant development consent to DA/391/2020 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 within Attachment 1.	Stephen O'Connor (Chair), Ian Armstrong, Ian Gilbertson and Bob Hussey	Nil

LPP 17 Aug 2021	6.1	RZ/1/2016	Exhibition Outcomes - Amended Melrose Park North Planning Proposal and Draft Site-Specific Development Control Plan	<p>That the Parramatta Local Planning Panel defer consideration of this matter to be determined at a subsequent meeting subject to receipt of further planning information, including:</p> <ul style="list-style-type: none"> - Responses to questions raised by the Panel; - Urban Design and Landscape Report (being Appendix 1 from the Planning Proposal); - More information in relation to the Draft Planning Agreement; and - More information in relation to the Design Excellence provisions in the Draft DCP. 	Stephen O'Connor (Chair), Ian Armstrong, Ian Gilbertson and Bob Hussey	Nil
LPP 24 Aug 2021	5.1	RZ/1/2016	Exhibition Outcomes - Amended Melrose Park North Planning Proposal and Draft Site-Specific Development Control Plan	<p>ADVICE TO COUNCIL</p> <p>Summary</p> <p>The Panel has considered the extensive information provided for the Planning Proposal (PP) and draft Development Control Plan (DCP) for the Melrose Park North Precinct. Some of the supporting information that was exhibited has been amended for various reasons, including addressing issues raised in submissions and it is noted that further amendments are proposed and will be presented for Council's final determination.</p> <p>Given the importance of both the PP and DCP for guiding this significant development in both a coordinated and orderly and economic manner and so that the public interest considerations are adequately addressed, the following matters have been identified by the Panel as requiring further clarification before Council's consideration of the PP and DCP:</p> <p>Planning Proposal</p> <ol style="list-style-type: none"> 1. Appropriate provisions need to be drafted and incorporated into the PP that make it clear that development applications (DA) cannot be lodged in relation to land within the precinct unless a Planning Agreement is registered on title of the land the subject of the DA, that 	Stephen O'Connor (Chair), Ian Armstrong, Ian Gilbertson and Bob Hussey	Nil

				<p>commits to the provision of funding for the infrastructure required within the precinct.</p> <ol style="list-style-type: none"> 2. The maximum residential gross floor space that cannot be exceeded should be 478,764 sqm. 3. Appropriate provisions need to be drafted and incorporated into the PP that guarantee that residential flat buildings are only permissible in the B2 zone where the minimum 30,000 sqm of retail/ commercial floor space is achieved. 4. Appropriate provisions need to be drafted and incorporated into the PP that require that a Design Excellence Panel provide design advice for all DAs within the precinct. Floor space and height bonuses should not be awarded to any development lot. 5. Appropriate provisions need to be drafted and incorporated into the PP that place a limit on the amount of floor space that can be developed within the precinct prior to the construction of essential infrastructure such as a bridge over the Parramatta River. <p>Draft Development Control Plan</p> <ol style="list-style-type: none"> 1. Appropriate provisions need to be drafted and incorporated into the draft DCP that reference the Master Plan and Public Domain Plan and clearly identify key requirements of these plans including where direct access to the frontage roads is restricted. 2. Appropriate provisions need to be drafted and incorporated into the draft DCP to demonstrate the adequacy and purpose of public open space areas to provide both active and passive recreational opportunities within the precinct. 3. The framework for the water management strategy needs to be incorporated into the draft DCP to provide adequate guidance for detailed design of the stormwater infrastructure to be provided within the precinct. 		
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				<p>4. Appropriate provisions need to be drafted and incorporated into the draft DCP to provide clarity around setting podium heights and associated setbacks to ensure consistency across the precinct.</p> <p>5. Appropriate provisions need to be drafted and incorporated into the DCP to reflect the proposed staging of development as provided for within the relevant Voluntary Planning Agreements.</p> <p>Conclusion</p> <p>The Panel notes the amendments undertaken to both the PP and draft DCP together with the Planning Officers' advice that further amendments are to be made to these documents before they are presented to Council. In these circumstances, the Panel's recommendation and advice is that the aforementioned matters also be reviewed.</p>		
LPP 21 Sep 2021	5.1	DA/513/2021	180 George Street, Parramatta (Lot 302 DP 1250440)	<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/513/2021 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1 and for the following reasons:</p> <p>REASONS FOR APPROVAL:</p> <p>1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant Council Planning instrument.</p> <p>2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.</p>	Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson	Nil

				<p>3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds.</p> <p>4. To ensure the relevant matters for consideration under section 4.15 of Environmental Planning and Assessment Act 1979 are maintained.</p>		
LPP 21 Sep 2021	5.2	DA/513/2021	3 Burnham Place, North Parramatta (Lot 5 DP 531741)	<p>That, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979 that the Parramatta Local Planning Panel (PLPP) as the consent authority refuse development consent to DA/143/2020 for the subdivision of an existing lot, retention of the existing dwelling and construction of a dual occupancy development at the rear of the lot at No. 3 Burnham Place, North Parramatta for the following reasons:</p> <p>REASONS FOR REFUSAL:</p> <p>1. Parramatta Local Environmental Plan 2011</p> <p>The proposed building envelope and earthworks required for the development would impact upon flood waters traversing the subject site and is inconsistent with the following provisions of Parramatta Local Environmental Plan 2011:</p> <p>a. Clause 5.21 – Flood Planning</p> <p>b. Clause 6.2 – Earthworks</p> <p>2. Parramatta Development Control Plan 2011</p> <p>The proposed building envelope and earthworks required for the development would impact upon flood waters traversing the subject site and is inconsistent with the following provisions of Parramatta DCP 2011:</p> <p>a. Part 2.4.2.1 – Flooding</p> <p>b. Part 3.3.5 – Water Sensitive Urban Design</p>	Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson	Nil

				<p>3. Environmental Planning and Assessment Act 1979</p> <p>a. The proposal has inconsistencies with Parramatta Local Environmental Plan 2011. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(a)(i) of the EP&A Act 1979.</p> <p>b. The proposal has inconsistencies with Parramatta Development Control Plan 2011. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(a)(iii) of the EP&A Act 1979.</p> <p>c. As the proposed development is not consistent with critical provisions of earthworks and flooding required to ensure amenity for future occupants, and the surrounding locality, the proposal is not considered to be in the public interest and also fails to satisfy s4.15(1)(b), (c), and (e) of the EP&A Act 1979.</p> <p>4. Public Interest</p> <p>Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the development would not be in the public interest as the proposal is contrary to the local planning controls.</p>		
LPP 21 Sep 2021	5.3	DA/925/2016/D	128A Alfred Street and 40-46 Alice Street, HARRIS PARK (Lot 2 DP 209226 and Lot 212 DP 1117339)	(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/925/2016 to include modifications to the approved demolition of the existing building and construction of a four and five storey aged care centre comprising 90 residential care	Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson	Nil

				<p>places and basement parking at 128A Alfred Street and 40-46 Alice Street, Harris Park, as shown on the plans submitted with the modification application, for a period of five (5) years from the date on the original Notice of Determination, subject to the following amendments:</p> <ol style="list-style-type: none"> 1. Amend Condition No. 1 to reflect the updated plans and documents. 2. All other conditions of DA/925/2016 (as amended by previous modifications) remain unchanged. <p>(b) Further, that Parramatta Local Planning Panel approve a variation to the building height control prescribed in Clause 4.3 – Building Height in Parramatta Local Environmental Plan 2011, as it satisfies the objectives of the control and the R4 High Density Residential zone, and there are sufficient environmental planning grounds to justify the variation.</p> <p>REASONS FOR APPROVAL:</p> <ol style="list-style-type: none"> 1. The proposed development is substantially the same as the development which has been approved. 2. The proposed development is permissible within the R4 High Density Residential zone and results in a development which is suitable within the context of the future desired character of this locality. 3. The proposed development results in reasonable impacts to adjoining properties and the locality and is suitable for the site and is in the public interest. 		
LPP 21 Sep 2021	5.4	DA/410/2021	21 Bellevue St, North Parramatta (Lot 16 DP 5211)	That, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979 the Parramatta Local Planning Panel (PLPP) as the consent authority refuse development consent to	Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson	Nil

			<p>DA/410/2021 for Demolition of existing structures, tree removal and construction of a two storey 46-place child care centre with basement parking at 21 Bellevue Street, Parramatta for the following reasons:</p> <p>REASONS FOR REFUSAL:</p> <p>Insufficient Information</p> <ol style="list-style-type: none"> 1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal fails to comply with Clause 23 of State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 and the Child Care Planning Guideline 2017 as the proposal is contrary to the Part 3 considerations of the guideline with respect to: <ol style="list-style-type: none"> a. Part 3.1 (C1) – Visual and Acoustic Privacy with regards to the timber deck located along the western boundary of the subject site. b. Part 3.3 (C17) – Accessibility; c. Part 3.3 (C31, C33, C36, and C38) – Traffic and Safety; and d. Part 3.4 (C18) – Landscape. 2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal does not meet the objectives of Section 3.3.1 Landscaping Control under the Parramatta Development Control Plan 2011 as the proposal fails to address the additional information requested by Council's Landscape Officer to provide an amended landscape plan and an addendum to the Arborist Report demonstrating the retention or protection of trees located on the adjoining properties impacted by the proposed drainage easement required for the proposal; 3. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 		
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				<p>1979 the proposal does not meet the objectives of Section 3.3.6.1 Stormwater Drainage Control under the Parramatta Development Control Plan 2011 as the proposal fails to address the additional information requested by Council's Development Engineer to provide amended stormwater plans;</p> <p>4. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal does not meet the objectives of Section 3.6.2 Parking and Vehicular Access under the Parramatta Development Control Plan 2011 as the proposal fails to address the additional information requested by Council's Traffic Engineer to address the parking shortfall within the subject site for the number of children proposed.</p> <p>Public Interest</p> <p>5. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the development would not be in the public interest as the proposal is contrary to the local planning controls.</p>		
LPP 21 Sep 2021	6.1	RZ/11/2019	Planning Proposal at 12-12A, 14 & 14B Mons Road, WESTMEAD	<p>(a) That Council approve, for the purposes of seeking a Gateway Determination, the Planning Proposal at Attachment 1 for land at 12-12A, 14 & 14B Mons Road, Westmead, which seeks to amend the Parramatta Local Environmental Plan 2011 to:</p> <ul style="list-style-type: none"> • Increase the floor space ratio (FSR) from 1.5:1 to 2:1; and • Increase the height of building (HOB) from 12m to 68m for the south eastern portion of the site and 18m for the remainder of the site. 	Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson	Nil

				<p>(b) That Council forward the Planning Proposal at Attachment 1 to the Department of Planning, Industry and Environment with a request for a Gateway Determination.</p> <p>(c) That a site-specific Development Control Plan (DCP) be prepared and reported to Council separately prior to public exhibition with the Planning Proposal. The site-specific DCP should address, at a minimum, the following:</p> <ul style="list-style-type: none"> i. Built form and massing; ii. Building setbacks; iii. Flooding; and iv. Other design controls to inform the future detailed design of the Westmead Private Hospital redevelopment. <p>(d) That the Chief Executive Officer be delegated authority to negotiate a Planning Agreement on behalf of Council 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 and DCP.</p> <p>(e) That Council delegate authority to the Chief Executive Officer to endorse the Westmead Private Hospital Flood Study (following completion) for the purposes of submission to the Department of Planning, Industry and Environment to be considered as part of the Gateway Determination process.</p> <p>(f) That Council advise 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.</p> <p>(g) Further, that Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative</p>		
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				nature that may arise during the plan-making process.		
LPP 21 Sep 2021	6.2	RZ/3/2018	163-165 George Street and 1 Purchase Street, Parramatta	<p>(a) That Council notes the submissions made to the public exhibition of the Planning Proposal at 163-165 George Street and 1 Purchase Street, Parramatta, namely:</p> <ul style="list-style-type: none"> i. One community submission in support of the proposal ii. One agency submission and supplementary responses objecting to the proposal (Transport for NSW) iii. One agency submission which did not object to the proposal, but did request additional work (Heritage NSW). <p>(b) That Council endorse for finalisation the Planning Proposal for land at 163-165 George Street and 1 Purchase Street (provided at Attachment 1) which amends Parramatta LEP 2011 as follows:</p> <ul style="list-style-type: none"> i. amend the Height of Buildings Map from RL14m to RL21m only on the part of the site at which the proposed Cathedral is to be built, and insert provisions such that the Height of Buildings control for the part of the site with a mapped height of RL 21 can be exceeded for the purposes of a steeple or similar, but only subject to certain conditions; and ii. amend Schedule 1 subclause 10 of the Parramatta LEP 2011 to permit an additional permitted use for public car parking subject to ensuring that there is no vehicular access to this car park from George Street. <p>(c) That, in the event the Department of Planning Industry and Environment (DPIE) advises Council that the proposed requirement for the public carpark to only be accessed from Purchase Street cannot be included in the</p>	Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson	Nil

				<p>amendment without re-exhibition of the Planning Proposal, Council shall:-</p> <ul style="list-style-type: none"> i. Advise DPIE that the amendment should proceed to be finalised without the Purchase Street access requirement being included; and ii. Delegate responsibility to the Chief Executive Officer to immediately prepare and endorse for exhibition a Draft Development Control Plan that mandates that all access for the public carpark to be from Purchase Street. The exhibition outcomes should be reported to Council to allow Council to endorse the finalisation of the Draft Development Control Plan. <p>(d) That, Council submit the Planning Proposal to the Department of Planning, Industry and Environment for finalisation.</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.</p>		
LPP 21 Sep 2021	6.3	F2016/02347	14-16 Hill Road, SYDNEY OLYMPIC PARK (Sekisui Site)	<p>(a) That Council endorse the Sekisui Planning Proposal for land at 14-16 Hill Road, Sydney Olympic Park finalisation (provided at Attachment 2 and referred to in this report as the Sekisui Planning Proposal) for finalisation that seeks to amend Auburn Local Environmental Plan (LEP) 2010 (or the Harmonised Parramatta LEP 2021 if notified) as follows:</p> <ul style="list-style-type: none"> i. Increasing the RE1 Public Recreation zone with a corresponding reduction of the R4 High Density Residential zone and introducing the B4 Mixed Use zone at the north-eastern corner of the site. ii. Amending the Height of Buildings Map to provide a range of heights across 	Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson	Nil

				<p>the site from 44m to 134m (up to 40 storeys).</p> <p>iii. Amending the FSR map to provide individual FSRs for the development parcels to reflect the previously approved gross floor area (GFA) of 188,800sqm.</p> <p>iv. Amending the Land Reservation Acquisition Map to reflect the larger RE1 Public Recreation area and exclude the foreshore wharf from public acquisition to facilitate its refurbishment and operation as a café under the existing community title.</p> <p>v. Introducing an additional local provision under Part 6 of the LEP to cap the overall floor space to a maximum of 188,800sqm and limit the amount of retail floor space to a maximum of 2,000sqm.</p> <p>vi. Introducing an additional permitted use (APU) under Schedule 1 of the LEP to permit 'food and drink premises' as a permissible use in the RE1 Public Recreation zone where the café is located within the site.</p> <p>(b) That Council approve for finalisation the amendments to the Wentworth Point Development Control Plan 2014 as exhibited and included at Attachment 3.</p> <p>(c) That Council note that the Draft Planning Agreement at Attachment 4 requires execution by both parties and registration on the title of the land prior to the determination of Development Applications reflecting the proposed planning controls in the Planning Proposal and DCP Amendment.</p> <p>(d) Further, that Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy</p>		
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				and administrative nature that may arise during the plan amendment process relating to the Planning Proposal and DCP.		
COUNCIL 27 Sep 2021	17.1	F2019/00327	Post exhibition Draft Development Control Plan for the Telopea Precinct	That Council defer consideration of this matter for two (2) weeks to allow for senior planning staff to meet with the community.	Councillors Barrak, Bradley, Davis, Esber, Garrard, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Councillors Dwyer and Issa
COUNCIL 27 Sep 2021	17.2	RZ/10/2018	355 & 375 Church St, Parramatta	That Council defer consideration of this matter to a Councillor Workshop to seek clarity on parking rates, the drive through and the traffic study.	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter	Nil
LPP 30 Sep 2021	2.1	F2021/01746	33 Thomas St Parramatta	<p>(a) That having regard to the legal opinion given by Marsdens Law Group that the appeal has poor prospects of success given the further amendments made to the proposal, and due to the lack of any expert evidence to support a refusal based on the further amended plans (and risk of an adverse costs order) it is recommended that the Council resolve the Class 1 appeal by way of a section 34 conciliated Agreement.</p> <p>(b) Further that delegation be granted to the Group Manager of Legal Services of the City of Parramatta Council who in turn may sub-delegate to Council Officers nominated by the Manager, to negotiate and enter into an Agreement, with the Applicant pursuant to section 34 of the Land and Environment Court Act, on the basis of the set of without prejudice amended plans and attached proposed conditions of consent, which do not authorise any intensification of the use of the proposed development and which may be approved by the court.</p> <p>REASONS FOR THE DECISION</p> <p>1. The amendments made to the proposed development were such that the reasons for</p>	Stephen O'Connor (Chair), Lindsay Fletcher, Alf Lester, Kirrily McDermott	Nil

				<p>refusal of the development application were no longer valid.</p> <p>2. To continue with the appeal given that the issues of concern had been adequately addressed would not have been in the public interest.</p> <p>3. The proposed conditions of consent aim to ensure that the proposed development operates in a way that does not cause any significant adverse impact on the amenity of neighbours.</p> <p>4. The proposed development complies with all relevant environmental planning instruments.</p>		
COUNCIL 11 Oct 2021	17.4	F2016/01165	Parramatta CBD Development Control Plan seeking commencement of exhibition	<p>(a) That Council approve the draft Parramatta City Centre Development Control Plan at Attachment 1 and consequential amendments at Attachment 5 for the purposes of public exhibition for a 28 day period consistent with the Environmental Planning and Assessment Act 1979, and incorporating the following modifications:</p> <p>1. For 90-96 Phillip Street, Parramatta within the City East Block Special Area, noting the lot configuration and land commitments for public purposes, an amended tower setback control be applied that addresses wind, solar access and design objectives and is not less than 3 metres along the Phillip Street, Charles St and River foreshore elevations.</p> <p>(b) That the following public authorities are consulted during the public exhibition:</p> <p>i. NSW Department of Education;</p> <p>ii. Transport for NSW;</p> <p>iii. Sydney Metro West;</p> <p>iv. Department of Planning, Industry and Environment – (both Planning and Environment, Energy and Science Branches);</p>	Councillors Bradley, Davis, Dwyer, Garrard, Issa, Jefferies, Pandey, Prociw, Tyrrell, Wearne and Zaiter	Councillor Esber and Wilson

				<p>v. Heritage NSW – Department of Premier and Cabinet;</p> <p>vi. Aerospace agencies; Civil Aviation Safety Authority (CASA), Department of Infrastructure, Transport, Regional Development and Communication and Regional Development (DIRD);</p> <p>vii. Utility providers – Endeavour Energy and Sydney Water; and</p> <p>viii. State Emergency Service (SES).</p> <p>(c) That the results of the public exhibition be reported back to Council for its consideration.</p> <p>Further, that Council delegates authority to the Chief Executive Officer to make any changes of a minor, administrative and/or non-policy nature to the DCP during the drafting exhibition process.</p>		
COUNCIL 11 Oct 2021	17.5	F2021/00521	Post-exhibition - Amended Melrose Park North Planning Proposal, Draft Site Specific Development Control Plan and Draft Planning Agreement	<p>(a) That Council receives and notes the submissions (summarised in Attachment 2) made during the concurrent public exhibition of:</p> <ul style="list-style-type: none"> the amended Melrose Park North Planning Proposal. the draft objectives and controls to be included the Parramatta Development Control Plan 2011, the Draft Planning Agreement. <p>(b) That Council approve the Melrose Park North Planning Proposal for finalisation (provided at Attachment 4) that seeks to amend Parramatta Local Environmental Plan 2011 as follows:</p> <p>1) Rezone 38-42, 44 & 44a Wharf Road, Melrose Park from IN1 General Industrial to part R4 High Density Residential, part B2 Local Centre, part RE1 Public Recreation and part SP2 Infrastructure (Educational Establishment).</p>	Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Tyrrell and Zaiter	Councillors Barrak, Bradley, Davis, Pandey, Prociv, Wearne and Wilson

				<p>2) Rezone 27-29 Hughes Avenue, Ermington from R2 Low Density Residential to R4 High Density Residential.</p> <p>3) Rezone 15-19 Hughes Avenue and 655 Victoria Road from part R2 Low Density Residential and part SP1 Special Activities (Place of Public Worship) to part R4 High Density Residential and part RE1 Public Recreation.</p> <p>4) Rezone 8 Wharf Road, Melrose Park from IN1 General Industrial to part R4 High Density Residential and part RE1 Public Recreation.</p> <p>5) Amend the height of buildings map to increase the maximum building heights from part 9m and part 12m to multiple heights ranging from 36m to 95m (approx. 6-8 storeys to approx. 26 storeys).</p> <p>6) Amend the floor space ratio (FSR) from part 0.5:1 and part 1:1 to 1.85:1.</p> <p>7) Amend the Land Reservation Acquisition Map to reflect areas of public open space to be dedicated to Council and land for the new school site to the State Government.</p> <p>8) Amend Schedule 1- Additional Permitted Uses to permit 'Residential flat buildings' in the B2 Local Centre zone where the minimum 30,000m2 of retail/commercial floorspace is achieved.</p> <p>9) Amend the Additional Local Provisions map to include the site and insert a site-specific provision in Part 6 Additional local provisions – generally of PLEP 2011 to ensure:</p> <p>9.1) That Design Excellence Competition provisions be inserted applicable to development lots E, EA and G</p>		
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				<p>(identified in Figure 8 of Attachment 1) without the provision of floor space and height bonuses.</p> <p>9.2) That a Design Excellence Panel be appointed to provide design advice for all development applications within the Planning Proposal area of the northern precinct. Floor space and height bonuses are not to be awarded on any development lot.</p> <p>9.3) The total residential gross floor area within the planning proposal site does not exceed 481,340m².</p> <p>9.4) A minimum of 30,000m² of non-residential floor space is provided within the site to serve the retail and commercial needs of the incoming population.</p> <p>10) Include a provision that prevents the planning proposal sites from utilising the amended planning controls until such time that a planning agreement has been executed and registered on the respective Title.</p> <p>(c) That Council forward the Melrose Park North Planning Proposal to the Department of Planning, Industry and Environment for finalisation.</p> <p>(d) That Council approve for finalisation the amendments to the Parramatta Development Control Plan 2011 that are included at Attachment 5.</p> <p>(e) That Council endorse the Planning Agreement associated with the Payce landholding included at Attachment 6.</p>		
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				<p>(f) That Council resolves to consider the Planning Agreements associated with The Ermington Gospel Trust site at 15-19 Hughes Avenue & 655 Victoria Road, Ermington and Jae My Holdings site at 8 Wharf Road, Melrose Park separately.</p> <p>(g) That Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal, Development Control Plan and Planning Agreement.</p> <p>(h) Further, that Council note the Local Planning Panel considered the Planning Proposal and draft DCP at its meeting of 17 August 2021 and recommended that the following additional matters be considered by Council:</p> <ul style="list-style-type: none"> i. Appropriate provisions need to be drafted and incorporated into the draft DCP that reference the Master Plan and Public Domain Plan and clearly identify key requirements of these plans including where direct access to the frontage roads is restricted. ii. Appropriate provisions need to be drafted and incorporated into the draft DCP to demonstrate the adequacy and purpose of public open space areas to provide both active and passive recreational opportunities within the precinct. iii. The framework for the water management strategy needs to be incorporated into the draft DCP to provide adequate guidance for detailed design of the stormwater infrastructure to be provided within the precinct. iv. Appropriate provisions need to be drafted and incorporated into the draft DCP to provide clarity around setting 		
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				<p>podium heights and associated setbacks to ensure consistency across the precinct.</p> <p>v. Appropriate provisions need to be drafted and incorporated into the DCP to reflect the proposed staging of development as provided for within the relevant Voluntary Planning Agreements.</p> <p>The motion moved by Councillor Esber and seconded by Councillor Tyrrell on being put as declared CARRIED on the Lord Mayor's casting vote.</p>		
COUNCIL 11 Oct 2021	17.6	F2020/02876	Post-exhibition - Site-specific Development Control Plan for land at 89-91 George Street, Parramatta	<p>(a) That Council receives and notes the submissions made to the exhibition of the draft Development Control Plan (DCP) for 89-91 George Street, Parramatta.</p> <p>(b) That Council finalise the draft DCP as amended at Attachment 1.</p> <p>(c) Further, that Council delegates authority to the CEO to make amendments of a minor and non-policy nature to the draft DCP during the finalisation process.</p>	Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Tyrrell and Zaiter	Councillors Barrak, Bradley, Davis, Prociv, Wearne and Wilson
COUNCIL 11 Oct 2021	17.7	F2021/00521	355 & 375 Church St, Parramatta	<p>(a) That Council note the correspondence from the Department of Planning, Infrastructure and Environment (DPIE) summarised in this report regarding this Planning Proposal.</p> <p>(b) That the existing Planning Proposal for 355 – 375 Church Street, Parramatta, be amended to remove provisions consistent with the CBD Planning Proposal, while retaining the provision pertaining to a bespoke parking rate for takeaway food and drink premises at this site but that the proposed takeaway food and drink premises drive through facility be removed from the Planning Proposal.</p>	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Issa, Pandey, Prociv, Wearne and Wilson	Councillors Garrard, Jefferies, Tyrrell and Zaiter

				<p>(c) That the amended Planning Proposal (as at Attachment 1) be resubmitted to the DPIE as a new Planning Proposal seeking a new Gateway determination.</p> <p>(d) That, pending a new Gateway determination from DPIE in line with the amendments outlined in (b) above, Council:</p> <ol style="list-style-type: none"> 1 advise DPIE that it no longer wishes to pursue the existing Planning Proposal process, as the amended Planning Proposal described above will replace it as a new Planning Proposal, and 2 exhibit the Planning Proposal. <p>(e) That negotiation of a Planning Agreement at this site cease, recognising that infrastructure contributions for this site will instead be made as part of a future Development Application (DA) in line with the relevant Contributions Plan in place for the CBD at that time.</p> <p>(f) That Council officers prepare a draft Development Control Plan (DCP) and it be endorsed under delegation by the Chief Executive Officer for the purpose of public exhibition in accordance with the following principles:</p> <ol style="list-style-type: none"> 1 Further defining the preferred two-tower scheme, including podium heights and tower setbacks, with a view to minimising any non-compliances with relevant Apartment Design Guide requirements but acknowledging that some non-compliances will remain; 2 Establishing an appropriate relationship to, and mitigating impacts on, proximate heritage items; 3. Resolving traffic issues (including sightlines, vehicle queueing, pedestrian safety and minimising any impact of the development on Parramatta Light Rail and the surrounding road network, including restricting turning right from Victoria Road into the site); 4. Requiring that no drive-through facility is provided at the site; 		
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				<p>5. Establishing an appropriate relationship to the 385 Church Street isolated site (including built form controls for an unamalgamated scenario, and a direction for an amalgamated scenario that maintains the two towers while seeking to increase inter-building separation and tower setbacks);</p> <p>6 Appropriately managing the environmental quality impacts of the proposed podium uses (particularly noise, air pollution and odour);</p> <p>7 Ensuring that footpath widening and the “notch” in the centre of the site are marked appropriately in the DCP to support future public access;</p> <p>8 Ensuring the building appropriately addresses the potential future through-block link;</p> <p>9 Require a comprehensive Crime Prevention through Environmental Design (CPTED) report at Development Application stage and ensure that building design implements CPTED principles; and</p> <p>10 Ensuring that podium landscaping makes a positive contribution to public and private domain.</p> <p>(g) That, prior to exhibition of the draft DCP, Council consult with the landowners of 385 Church Street on the draft DCP about the controls pertaining to their land.</p> <p>(h) That the exhibition of the Planning Proposal and DCP need not occur concurrently.</p> <p>(i) Further, that Council delegates to the Chief Executive Officer to make any changes of a minor, administrative and/or non-policy nature that may arise during progression of the relevant Planning Proposal.</p>		
COUNCIL 11 Oct 2021	17.8	F2021/00521	Post exhibition Draft Development Control Plan for the Telopea Precinct	<p>(a) That Council receives and notes the submissions received during the public exhibition of the Draft Development Control Plan for the Telopea Precinct which are summarised at Attachments 2 and 3.</p> <p>(b) That Council approves finalisation of the Development Control Plan (DCP) for the Telopea Precinct at Attachment 5 including the</p>	Councillors Barrak, Dwyer, Garrard, Issa, Jefferies, Tyrrell, Wearne and Zaiter	Councillors Bradley, Davis, Esber, Pandey, Prociv and Wilson

				<p>minor amendments, which will repeal the existing controls relating to the Telopea Precinct in Section 4.1.11 of the Parramatta DCP 2011 and that the amendments come into effect from the date of the public notice of Council's decision.</p> <p>(c) Further, that Council authorise the Chief Executive Officer (CEO) to correct any minor anomalies of a non-policy and administrative nature relating to the finalisation of the DCP that may arise.</p>		
COUNCIL 11 Oct 2021	17.6		Item 17.6 Post-exhibition – Site-specific Development Control Plan for land at 89 91 George Street, Parramatta	<p>a) That Council receives and notes the submissions made to the exhibition of the draft Development Control Plan (DCP) for 89-91 George Street, Parramatta.</p> <p>(b) That Council finalise the draft DCP as amended at Attachment 1.</p> <p>(c) Further, that Council delegates authority to the CEO to make amendments of a minor and non-policy nature to the draft DCP during the finalisation process.</p>	Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Jefferies, Proxiv, Tyrrell and Zaiter	Councillors Wearne and Wilson
LPP 19 Oct 2021	5.1	DA/563/2020	311 Kissing Point Road, DUNDAS NSW 2117 (Lot B DP 364011)	<p>(a) That pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, the Parramatta Local Planning Panel, exercising the functions of Council grant deferred commencement development consent to DA/563/2020 subject to conditions of consent.</p> <p>(b) Further, that objectors be advised of the Panel's decision.</p> <p>REASONS FOR APPROVAL</p> <p>1. The development is permissible in the R2 zone pursuant to Parramatta Local Environmental Plan 2011 and satisfies the requirements of all of the applicable planning controls.</p>	Mary-Lynne Taylor (Chair), Michael Evesson, Sue Francis and Darren Capes-Davis	Nil

				<p>2. The development will be compatible with the emerging and planned future character of the area, in that the proposal has a similar bulk and scale and building materials to adjoining development.</p> <p>3. The development enables the provision of residential development to suit the wider population within a low density setting with access to public transport and services.</p> <p>4. The development allows for the conservation and use of the heritage item that is compatible with heritage values of the item.</p> <p>5. The Panel was addressed by two residential objectors with serious concerns about stormwater management. The Panel notes that this aspect of the application was addressed at pages 25 and 26 of the Council's assessment report where the Council engineer provided comments as follows:</p> <p>a. New stormwater drainage systems are required for the site to be provided in stage one of the development before the initial subdivision into 2 lots can occur. The Council requires the applicant to drain the site to an existing stormwater drainage pit at the lower end of the development site and notes that the owner is responsible for the maintenance of that pit. From that pit the water then drains to an existing council pit before eventually draining to the Silverwater Road drainage system.</p> <p>b. Legal advice to Council has confirmed that the easement at the rear of the property is in favour of the Council and permission is given for use of that easement.</p> <p>c. To ensure that the stormwater arrangements have been carried out satisfactorily, Council has proposed, and the Panel accepts, that the stormwater conditions are to be Deferred</p>		
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				<p>Commencement Conditions, therefore must be agreed by Council to be properly completed before any further work on this consent can occur. During this stage, further work is required from the applicant's engineers to satisfy Council that the existing system can accommodate the stormwater from this site.</p> <p>Accordingly the Panel finds that stormwater conditions for this consent have been appropriately specified.</p> <p>6. For the reasons given above, approval of the application is in the public interest.</p>		
LPP 19 Oct 2021	5.2	DA/449/2021	74 Oxford Street, EPPING (Lot 12 Sec 7 DP 758390)	<p>(a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, refuse development for DA/449/2021 for demolition, Torrens title subdivision into two lots and construction of a two storey residential dwelling on each lot at 74 Oxford Street, Epping, subject to the following reasons for refusal as outlined within this report and below:</p> <p>1. That the submitted written clause 4.6 variation seeking a reduced lot size for Lot B does not provide sufficient environmental planning reasons to justify that variation, nor does it satisfy the objectives of the standard.</p> <p>(b) That the objectors be advised of the Panel's decision.</p> <p>(c) That the Panel acknowledges that the applicant submitted amended plans to Council but that they were received after the preparation of the report to this Panel. The applicant stated that the amended plans did address concerns raised by the Council but as the Panel did not have those plans before</p>	Mary-Lynne Taylor (Chair), Michael Evesson, Sue Francis and Darren Capes-Davis	Nil

				<p>them, they could not be taken into consideration.</p> <p>(d) Further, that the Panel agrees with the concerns raised by the Epping Civic Trust and residents with the unsatisfactory impact on the East Epping Heritage Conservation Area.</p> <p>REASONS FOR REFUSAL</p> <ol style="list-style-type: none"> 1. The development fails to satisfy the requirements of Clause 4.1 Minimum Subdivision Lot Size of the Hornsby Local Environmental Plan 2013, is not sympathetic with the established subdivision pattern, and as proposed results in an overdevelopment of the site. 2. The Clause 4.6 request for variation of the minimum lot size is not supported because it fails to provide sufficient environmental planning grounds for non-compliance with the development standard. 3. The development fails to achieve the objectives of the Hornsby Local Environmental Plan 2013 because it fails to protect and enhance the historical significance of the Heritage Conservation Area. 4. The development fails to satisfy the requirements of Clause 5.10 Heritage Conservation of the Hornsby Local Environmental Plan 2013 due to not being sympathetic with the established subdivision pattern, the two storey street presentation within the single storey neighbourhood character, inappropriate allocation of the landscaped area and reduced building line on Surrey Street. 5. The development has an unsatisfactory impact on its residential amenity including 		
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				<p>reduced rear setbacks and open space, reduced solar access of Unit 2 and inadequate stormwater drainage.</p> <p>6. The development fails to comply with the Hornsby Development Control Plan 2013 due to inappropriate stormwater drainage management, the two storey bulk and scale being unsympathetic to the prevailing single storey historic streetscape, reduced front setback on Surrey Street, reduced rear setbacks on both lots, reduced sunlight access to Unit 2, contemporary design of both the dwellings being unsympathetic with the historic streetscape, the reduced lot size is not in sympathy with neighbourhood lot sizes, integrated garages do not form separate identities and share the street presentation with the dwellings, not being compliant with the subdivision pattern and cumulative negative impacts on the Heritage Conservation Area.</p> <p>7. The development fails to satisfy relevant considerations in that the adverse impacts of the development due to non-compliances with the applicable planning controls are not beneficial for the local community and as such, is not in the public interest.</p>		
LPP 19 Oct 2021	5.3	DA/725/2020	45 Mobbs Lane, CARLINGFORD (Lot 14 in DP 30791)	<p>That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, finds that the amended design has improved the streetscape appearance and reduced bulk and scale but remains concerned about traffic issues and will defer the application for the following additional information:</p> <p>(a) The applicant to provide clarification within 21 days on the functionality and operation of the basement carpark specifically to understand vehicle movement when entering and exiting the carpark if all carparking spaces were full, assuming that the operation of the childcare</p>	Mary-Lynne Taylor, Sue Francis, Michael Evesson	Darry Capes-Davis

				<p>centre would require all drop offs and picks up to occur in the basement;</p> <p>(b) The Council Officers to provide details of the operation of the “no parking” area in front of the site in terms of its length and times;</p> <p>(c) The applicant to provide a report within 21 days on vehicular movements at peak childcare times to understand the likely number of vehicles entering and leaving during that period to understand any likely conflict.</p>		
LPP 19 Oct 2021	5.4	DA/38/2020	1 Holmes Avenue, OATLANDS NSW 2117 (Lot 272 DP 1224590)	<p>a) That the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 8.3 of the Environmental Planning and Assessment Act 1979 grant consent to DA/38/2020 for at 1 Holmes Avenue, Oatlands 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>(b) Further, that submitters be advised of the decision.</p> <p>REASONS FOR APPROVAL</p> <ol style="list-style-type: none"> 1. The development is permissible in the R2 zone pursuant to Parramatta Local Environmental Plan 2011 and satisfies the requirements of all of the applicable planning controls. 2. The development will be compatible with the emerging and planned future character of the area, in that the proposal has a similar bulk and scale and building materials to adjoining development. 3. For the reasons given above, approval of the application is in the public interest. 	Mary-Lynne Taylor (Chair), Michael Evesson, Sue Francis and Darren Capes-Davis	Nil

LPP 19 Oct 2021	5.5	DA/120/2021	1 Woodville Road, Granville	<p>(a) That the Parramatta Local Planning Panel grant deferred commencement development consent to DA/120/2021 for demolition of existing structures, tree removal, and staged construction of a self-storage facility comprising two buildings (one 2-storey and one 4-storey) and 36 at-grade parking spaces at 1 Woodville Road, Granville 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 for the reasons outlined in this report.</p> <p>(b) Further, that the Parramatta Local Planning Panel support a variation to Clause 4.4 – Floor Space Ratio of the Holroyd Local Environmental Plan 2013 for the following reasons:</p> <ol style="list-style-type: none"> 1. A written request to vary the floor space ratio has been received and is well drafted and has provided sufficient environmental planning grounds to warrant departure of the building height control in the circumstances of this case. <p>REASONS FOR APPROVAL:</p> <ol style="list-style-type: none"> 1. The development is permissible in the B5 zone and satisfies the requirements of all of the applicable planning controls with one exception being non-compliance with Clause 4.4 – Floor Space Ratio of the Holroyd Local Environmental Plan 2013. 2. A written request to vary the floor space ratio has been received. The variation sought is minor, will not have any significant adverse impacts and satisfies the objective of the standard. The written request demonstrates that there are sufficient environmental planning grounds to justify the variation and 	Mary-Lynne Taylor (Chair), Michael Evesson, Sue Francis and Darren Capes-Davis	Nil
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				<p>the applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Holroyd LEP 2013 and that the proposed development will be in the public interest because it is consistent with the objectives of the B5 zone.</p> <p>3. The development will be compatible with the emerging and planned future character of the area.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p>		
LPP 19 Oct 2021	5.6	DA/789/2020	3-3A Elonera Street and 17 Burbang Crescent, RYDALMERE NSW 2116	<p>a) That the Parramatta Local Planning Panel (PLPP) support the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.</p> <p>(b) That the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, grant deferred commencement consent to DA/789/2020 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) Further, that the objectors be advised of PLPP.</p> <p>REASONS FOR APPROVAL</p> <p>1. The development is permissible in the R4 zone and satisfies the requirements of all of the applicable planning controls with one exception being Clause 4.3 Height of Building under Parramatta LEP 2011.</p> <p>2. A written request to vary the building height has been received. The variation sought is minor, will not have any significant adverse impacts and in providing equitable access to the roof satisfies the objective of the standard. The written request demonstrates that</p>	Mary-Lynne Taylor (Chair), Michael Evesson, Sue Francis and Darren Capes-Davis	Nil

			<p>there are sufficient environmental planning grounds to justify the variation and the applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be in the public interest because it is consistent with the objectives of the R4 zone.</p> <p>3. The development will be compatible with the emerging and planned future character of the area.</p> <p>4. For the reasons given above, approval of the application is in the public interest.</p>		
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