



**CITY OF PARRAMATTA COUNCIL**  
**REGISTER OF VOTING ON PLANNING DECISIONS AT COUNCIL & LOCAL PLANNING PANEL MEETINGS IN 2023**  
**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
COUNCIL 13 Feb 2023	12.5	DA/932/2021	Parramatta Light Rail Stage 2 – Environmental Impact Statement (EIS) Submission by Council	(a) That Council notes the submission (Attachment A) provided to the Department of Planning and Environment on the Parramatta Light Rail (PLR) Stage 2 Environmental Impact Statement (EIS), noting that the submission strongly supports the delivery of PLR Stage 2 (the Project) and includes the following key matters for consideration: <ol style="list-style-type: none"> <li>1) Council supports the alternate light rail alignment to the south of the Sekisui site, but only if the light rail stop adjacent the Ferry Wharf is retained, a spur line is constructed along Hill Road to near the Ferry Wharf, and a full width active transport link (ATL) is constructed by the Project enabling works between the bridge ATL and the Ferry Wharf.</li> <li>2) The EIS should rule out bridge construction methods which do not meet the design principles. In accordance with the Secretary's Environmental Assessment Requirements</li> </ol>	Councillors Bradley, Darley, Davis, Esber, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak and Wang	Nil

				<p>(SEARs) for PLR Stage 2 the bridge structures in the Project should be design-led, and not be left solely to the main infrastructure design and construct process.</p> <p>3) Council recommends to TfNSW the provision of green track, permeable paving and wire-free running in green space and business areas as detailed in the submission.</p> <p>4) The Project should place significant design-led emphasis on mitigating the impacts of site cut and fill, to ensure that the community retains convenient pedestrian crossing points over and across the light rail line, for example, in Boronia Street.</p> <p>5) The EIS Chapter 22 waste management strategy has a target of 100% of clean/usable excavation spoil diverted from landfill, and maximising reuse of spoil on site. The EIS impact assessment of not managing spoil appropriately is wholly inadequate, in that it omits the impact on public pathways, roads, parks, and the like from the retention of an estimated 73,000 cubic metres of spoil. Direct construction evidence from Stage 1 of the PLR demonstrates the adverse and unsafe outcomes of this numeric approach.</p>	
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				<p>6) The EIS planning approval must have a condition requiring Secretary approval of a TfNSW detailed cut and fill strategy which justifies on a positive public domain outcome basis, the amount and location of spoil to be retained along the alignment, not as a set percentage of retention on site. This work can be carried out by TfNSW and stakeholders as part of the urban design requirements report or incorporated into pre-main-tender processes to provide reasonable certainty for tenderers.</p> <p>7) The EIS planning approval should incorporate, in accordance with the SEARs, a condition requiring that all spoil retention during the design and construct phase of the Project be based on a design led process with a positive public domain outcome basis.</p> <p>8) TfNSW should create a community reference group which includes representation from residents and businesses in suburbs along the alignment, the purpose of that reference group being in part to advise TfNSW and contractors of construction impacts, and to respond to TfNSW with recommendations to any contractor request for night work and/or noise intensive work.</p>		
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				<p>9) Council recommends that the protection of residential amenity during light rail operation be a strong focus of the EIS, employing world class practices to minimise ground-borne vibration, ground-borne noise and airborne noise from rail operation. This is particularly relevant where the track runs through existing green spaces.</p> <p>10) TfNSW develop within PLR Stage 2 a suitable track insert to assist the Project to provide seamless, coherent, visible, and safe pedestrian and cycle access throughout and adjacent to the PLR corridor.</p> <p>11) The Project not worsen existing flood impacts along the alignment, and stormwater upgrade works be the subject of close engagement between TfNSW and Council, to avoid duplication of work and unnecessary cost.</p> <p>12) The loss of existing street parking during construction, and permanently, particularly in Wentworth Point, with little requirement for effective management of worker vehicles.</p> <p>13) There is no clear strategy to manage residual land, particularly to offset impacts of loss of parking along the route.</p>	
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				<p>14) The EIS canvasses sea level rise across the life of the Project. Wentworth Point is presently significantly impacted by stormwater events at relatively low rainfall levels. The Project should not construct elevated track embankments which may divert storm water or sea level rise into the residential area of the suburb.</p> <p>15) Stage 2 of the PLR proposes to remove over double the number of trees than Stage 1. The EIS Addendum report should outline measures to preserve mature canopy, and provide full justification for tree removal in a tree register along with possible design mitigation measures.</p> <p>16) We call on both Government and Opposition to bring forward the date of completion as 2031 is too late given the projected population increase in the new few years.</p> <p>(b) Further, that TfNSW improve the process of assessment, design and community engagement in respect of Project impact on heritage items and heritage precincts, by completing and publishing heritage assessments before the relevant infrastructure contract is let, and enabling full community consultation on the impact and outcomes for the heritage item(s).</p>		
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LPP 15 Feb 2023	5.1	F2022/01255	Post Exhibition - Finalisation of the Riverside Theatre Planning Proposal following consideration of submissions received during the public exhibition period.	<p>The Parramatta Local Planning Panel supports the following Council Officer recommendation in its advice to Council:</p> <p>(a) That Council note that a total number of 31 submissions were made in response to the public exhibition of the Planning Proposal which are summarised at Attachment 1.</p> <p>(b) That Council approve the Planning Proposal at Attachment 2 for the purposes of it being forwarded to the Department of Planning and Environment (DPE) for finalisation.</p> <p>(c) 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 plan finalisation process, relating to the Planning Proposal.</p>	Mary-Lynne Taylor, (Chairperson), Michael Evesson, Tony Reed and Robert Warry.	Nil
LPP 21 Feb 2023	5.1	DA/158/2017/A	OUTSIDE PUBLIC MEETING: 49 North Rocks Road, NORTH ROCKS, NSW, 2151 (Lot 1 DP 1249815)	<p>(a) That the Parramatta Local Planning Panel, pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979, refuse the requested modification to DA/158/2017/A to temporarily reduce the number of children and allow operation of the centre prior to the construction of a required roundabout.</p> <p>(b) Further, that the submitters be advised.</p> <p>REASONS FOR REFUSAL</p> <p>1. State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 3: Educational Establishments and Child Care Facilities</p>	Mary-Lynne Taylor (Chairperson), Michael Evesson, Robert Hussey and Ian Gilbertson.	Nil

				<p>a) The modified proposal is inconsistent with following Design Quality Principles prescribed under the Child Care Planning Guidelines 2021:</p> <ul style="list-style-type: none"> <li>• Principle 7 – Safety.</li> </ul> <p>b) The modified proposal is inconsistent with the following Matters for Consideration prescribed under the Child Care Planning Guidelines 2021:</p> <ul style="list-style-type: none"> <li>• Part 3.1 – Site Selection and Location</li> </ul> <p>2. Environmental Planning and Assessment Act 1979</p> <p>a) The modified proposal is not of minimal environmental impact, and therefore does not satisfy the criteria prescribed under s4.55(1A)(a).</p> <p>b) The modified proposal also has non-compliances with SEPP (Transport and Infrastructure) 2021. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(a)(i).</p> <p>c) It is acknowledged that this intersection has a poor accident record and the Panel accepts the advice of Council’s traffic engineers that any additional traffic generated by</p>		
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				<p>the development without the roundabout is likely to make the existing situation worse and add to the risk of crashes at this intersection.</p> <p>The modified proposal is therefore not considered to be in the public interest and also fails to satisfy s4.15(1)(b), (d), and (e) of the Environmental Planning &amp; Assessment Act 1979.</p>		
LPP 21 Feb 2023 (Special)	2.1	DA/61/2022	ELECTRONIC DETERMINATION: 2-4 Boundary Street and 85 Railway Street, PARRAMATTA NSW 2150 (LOT 2 DP 202700, LOT 6 DP 16496, LOT 1 DP 202700)	<p>(a) That, the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, grant deferred commencement consent to DA/61/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in Attachment 1.</p> <p>(b) Further, that objectors be advised of the Panel's decision.</p> <p>Reasons for Approval</p> <p>It has been recommended for approval for the following reasons:</p> <p>1. The Panel is satisfied with the applicant's clause 4.6 written request to vary the building height standard in clause 4.3 (Height of Buildings) of Parramatta LEP 2011 as:</p> <p>a. The written request adequately addresses the matters required to be addressed under clause 4.6(3) of the LEP; and</p>	Julie Walsh (Chairperson), Ian Armstrong, Sue Francis and Peter Haliburn.	Nil



				<p>b. The development is in the public interest because it is consistent with the objectives of clause 4.3 (Height of Buildings) of the LEP and the objectives for development in the R4 High Density Residential zone.</p> <p>2. The building will present as a 4 storey residential flat building that is consistent with the other residential flat buildings in the locality and the emerging character of the area;</p> <p>3. The building is appropriately articulated and modulated. Façade treatment , material variation and private open spaces have been provided in order to minimize the external bulk and scale;</p> <p>4. The development is permissible in the R4 zone pursuant to the LEP and generally satisfies the requirements of the applicable planning framework;</p> <p>5. The proposed density is reasonable for the site , having regard to the context and zoning;</p> <p>6. Amenity impacts on neighbouring properties and the public domain are reasonable;</p> <p>7. The design of the development is considered satisfactory having regard to the comments from Council's Design Excellence Advisory Panel;</p> <p>8. The matters raised in the decision of the Panel on 15 November 2022 to</p>		
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				defer the application have been adequately addressed; and		
				9. Approval is in the public interest.		
COUNCIL 27 Feb 2023	13.2	F2022/00105	Post Exhibition: Planning Proposal and Draft Planning Agreement for 263-273 & 279R Pennant Hills Road and 18 Shirley Street, Carlingford	<p>(a) That Council receives and notes submissions (Table 4 of LPP report at Attachment 3) made during the public exhibition of the Planning Proposal and draft Planning Agreement for 263-273 &amp; 279R Pennant Hills Road and 18 Shirley Street, Carlingford.</p> <p>(b) That Council approve the Planning Proposal (Attachment 1) for land at 263 - 273 &amp; 279R Pennant Hills Road and 18 Shirley Street, Carlingford for finalisation that seeks to amend the Parramatta (former The Hills) Local Environmental Plan 2012 to facilitate retail floor space, neighbourhood supermarket along with specialty retail, business and recreational uses in the R4 High Density Residential zoned part of the site through the following measures:</p> <p>i. Addition of shops, food and drink premises, business premises and recreational facility (indoor) as additional permitted uses (limited to a maximum of 2,000sqm) to Schedule 1; and</p> <p>ii. Addition of 263-273 &amp; 279R Pennant Hills Road and 18 Shirley Street, Carlingford to</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Nil

				<p>the Additional Permitted Uses Map to facilitate retail floor space, neighbourhood supermarket along with specialty retail, business, and recreational uses.</p> <p>(c) That Council approve the Planning Agreement at Attachment 2 amended as referred to in this report and the Chief Executive Officer be authorised to sign/execute the Planning Agreement on behalf of Council which proposes:</p> <ul style="list-style-type: none"> <li>i. A shared walking/cycling pathway through Council owned Shirley Street Reserve which forms part of the connection to the Carlingford Light Rail stop; and</li> <li>ii. A raised pedestrian crossing accommodating cyclists and pedestrians on Shirley Street.</li> </ul> <p>(d) That Council authorise the Chief Executive Officer to exercise the plan making delegations as granted by the Gateway Determination for this Planning Proposal.</p> <p>(e) Further, that Council delegates authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process</p>		
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				relating to the Planning Proposal and finalisation of the Planning Agreement.		
COUNCIL 27 Feb 2023	13.3A	F2022/00105	Post Exhibition - Finalisation of the Riverside Theatre Planning Proposal following consideration of submissions received during the Public Exhibition Period	<p>The Local Planning Panel (LPP) advice is consistent with Council Officers' recommendation within Item 13.3 of the 27 February 2023 Council Business Paper relating to the outcome of the public exhibition of the Riverside Theatre Planning Proposal.</p> <p>Recommendation (c) from Item 13.3 has been updated to reflect the LPP's advice:</p> <p>a) That Council note that a total number of 31 submissions were made in response to the public exhibition of the Planning Proposal which are summarised at Attachment 1.</p> <p>b) That Council approve the Planning Proposal at Attachment 2 for the purposes of it being forwarded to the Department of Planning and Environment (DPE) for finalisation.</p> <p>c) That Council note the LPP advice relating to the outcome of the public exhibition of the Planning Proposal from its meeting of 15 February 2023 that supported Council Officers' recommendation contained in (a), (b) and (d).</p> <p>d) Further, that Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan finalisation process, relating to the Planning Proposal.</p>	Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne	Nil