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CITY OF PARRAMATTA COUNCIL

LOCAL PLANNING PANEL

RECORD OF COUNCIL MEETING

PANEL MEMBERS: **MARY-LYNNE TAYLOR**
 DAVID JOHNSON
 PAUL BERKEMEIER

DATE: **3.30 PM, TUESDAY, 17 DECEMBER 2019**

MS M. TAYLOR: Good afternoon, ladies and gentlemen, and welcome to this meeting of the Parramatta – City of Parramatta Local Planning Panel. We are a panel of three today. We have a quorum. On my left is expert member David Johnson, and on my right is expert member Paul Berkemeier, and my name is Mary-
5 Lynne Taylor. I'm a lawyer, and I'm the chair here today. The panel pays its respects and acknowledges the Burramattagal clan of the Darug, the traditional landowners of Parramatta, and we pay our respects to elders both past, present and emerging. I remind you that this is a public meeting and it'll be recorded, and the recording is archived and available on the – the council's website. So if you just
10 remember that it's going to be recorded, so try not to – to abuse anybody, particularly us. We don't have our local member here today, and – and we're not quite sure why. There must have been a mistake, and I'm – we're very sorry not to have that person. And the panel has – is going to advise us now, verbally, that they have no interest in – conflict of interest in any matter today.

15

MR D. JOHNSON: I have no conflict of interest.

MR P. BERKEMEIER: No.

20 MR JOHNSON: No.

MS TAYLOR: No. And I don't either. And we will all be signing our usual declaration form. So we're going to do the matters in the order in which they appear. And the first one is 404 to 406 Church Street, Parramatta, then Burbang Crescent,
25 Rydalmere, and then Dudley Street, Rydalmere, and then we will ask you all to go out and we will have the next lot in, because we haven't got enough chairs. So I'm being – I'm told that I have Georgia Sedgmen and Aras Labutis speaking on behalf of the applicant for the 404 to 406 Church Street, Parramatta. Are you here?

30 MS G. SEDGMEN: Yes.

MS TAYLOR: Fine. Is there anybody here to object to that particular application? Thank you. Then we will hear from you. Thank you.

35 MS SEDGMEN: Good afternoon, Chair and panel. My name's Georgia Sedgmen from Mecone Planning. I'm here to speak on behalf of the applicant. As you're aware, this proposal is for a modification to an approved mixed-use building with ground floor retail, proposing one additional storey to that building. We were
40 advised at the end of November that council would be recommending a refusal on this matter due to exceedance within the CBD of more than five per cent, and that's in relation to clause 4.6(8) of the Parramatta LEP. Subsequent to that advice, we actually provided some feedback to council and an – a legal opinion in relation to the application of clause 4.6 to modifications and the fact that 4.6 does not apply to
45 modification, only a development application. The legal advice provided that section 4.55(4) of the EP&A Act actually cites:

The modification of a development consent in accordance with this section is taken not to be granting of development consent –

5 and this is something that's been supported by the courts on many occasions, including in North Sydney Council v Michael Standley & Associates, where the court found section 96 to be a freestanding provision, meaning:

10 *A modification application may be approved notwithstanding the development would be in breach of an applicable development standard where it is the subject of an original development application.*

Notwithstanding this advice, when we refer to council's development assessment, there are several elements where justification for not supporting the additional height and floor space ratio is justified by clause 4.6(8), which I think we've been quite clear and our legal opinion has been quite clear is not applicable in this instance. Therefore, we'd look to rely on merit assessment of those elements, existing character and future character, obviously, under that merit assessment. This matter was referred to the DEAP on the 22nd of August and they supported the modification of an additional storey, stating no perceivable negative impacts on the adjoining sites or on the proposal's proportion. The building envelope, whilst the investment report cites a 10 per cent noncompliance – I just want to give to the panel, if I can, a couple of elevations – excuse me – which provide - - -

25 MS TAYLOR: So it's only the tree.

30 MS SEDGMEN: So it's – it is the tree. It's also the pergola on the roof structure, and it's also the lift overrun. And I'll note that the pergola was included in response to the DEAPs comments in the original application, where they asked for there to be a pergola on the roof for better use by any of those visitors to the serviced apartments and the inclusion of a barbecue area up there. So the building does maintain compliance at its envelope with the 24-metre height limit, and you can see that that's quite in proportion with the buildings to either side. We've got Entrada to the south, which is seven storeys reaching up to nine storeys at the corner, and we've got 410 Church Street, which also is seven storeys, sitting to our north, just on the northern side of Ross Street.

40 So you can see there that our parapet is about 1.39 metres below the 24-metre height of building control, and it's just the lift overrun and the pergola that exceed that. Which then talks to our – I'll just be another minute, if I can – which then speaks to the FSR exceedance, which is one additional storey, so it's 21.3 per cent. But as you can see, it fits within a compliant building height and envelope, and if we were commercial and had greater floor-to-floor heights in the same envelope, we would have a lesser FSR. It's simply that we've gone for the lower floor-to-floor heights in serviced apartments. The other thing I just would like to note is that whilst it is not an EPI, the CBDPP has received a Gateway which would propose an FSR of six to one in relation to this land and a height of 80 metres. So if we don't just look to existing character but also look at that as a policy document for future character, I

think we can find that the additional storey can be quite fitting in this locality. Thank you.

5 MS TAYLOR: Thank you, Ms Labutis. The panel has made up its own mind on this matter and is able to give a decision at the present time. Do we have that on the screen?

MS S. SHAHIN: I only have the reasons for the decision, which is that.

10 MS C. STEPHENS: That's – that one. Yes. The recommendation. That's what you gave me. That's - - -

MS SHAHIN: Yes.

15 MS STEPHENS: That's it, yes.

MS SHAHIN: Yes.

20 MS STEPHENS: That's what you gave me, Mary-Lynne. Yes.

MS TAYLOR: Okay. Right. Thank you very much. So in other words, Ms Labutis, the panel of its own accord agrees that this is a satisfactory outcome on this particular site, whilst understanding where the council is coming from in relation to its concerns about the area.

25 MS SEDGMEN: Yes.

30 MS TAYLOR: But we – the panel believes that this development, as you have presented it, provides an appropriate outcome for this site in this part of Parramatta, and we'll approve the application.

MS SEDGMEN: Thank you very much.

35 MS TAYLOR: And that will mean amendments to condition 1 of the previous conditions setting out all of your changes.

MS SEDGMEN: Thank you very much.

40 MS TAYLOR: Thank you. That matter is concluded, ladies and gentlemen. We'll move to Burbang Crescent. And for Burbang Crescent, do I have any speakers? Thank you. Are we in position to make a decision on this?

MR JOHNSON: I think so.

45 MS TAYLOR: We are?

MR JOHNSON: Yes. I think we're happy.

MS TAYLOR: Decision on this?

MR BERKEMEIER: Yes.

5 MS TAYLOR: Right.

MR JOHNSON: Yes.

MS TAYLOR: The panel will make a decision on this matter, ladies and gentlemen.
10 The site has been visited, and the – the – the planning – sorry – the planning report is
– is quite supported by this particular panel, so this is an approval for the reasons
given at page 95 of the council report. The development is permissible in the R4
zone. This is a – a – a – a part three and part four-storey residential building with
15 affordable rental housing. This development satisfies the requirements of all the
applicable planning controls, with one exception being the maximum building height
proposed. The written request to vary the building height has been found to be
satisfactory and is approved by the – the panel, and the development is compatible
with the emerging and planned future character of the area, and, accordingly, the
20 panel believes approval of this affordable rental housing development is in the public
interest, and – and we adopt the conditions suggested by the council in their report.
That will deal with that. That's the unanimous decision of the panel.

MR BERKEMEIER: Yes.

25 MR JOHNSON: It is.

MR BERKEMEIER: Yes.

MS TAYLOR: Thank you. Item number 3 is Dudley Street, Rydalmere, and we
30 have a few people to speak to this matter. I have Mr Lew Usher, Stephen Ritzrow,
Rhys Haynes, Jo Maroun, and Jewel Rawle and Bill Rawle and Schandel Fortu
speaking on behalf of the applicant. Now, we've got quite a crowd here today, so
we're going to ask you to stick to your three minutes and – and – let's go. Who's on
first? Lew Usher. Are you here?

35

MR L. USHER: Yes.

MS TAYLOR: Thank you very much. Would you come and sit up here. We have
40 to put you near the microphone - - -

40

MR USHER: Microphone.

MS TAYLOR: - - - so you'll be recorded appropriately.

45 MR USHER: Okay. Good afternoon, Chair and panel. My name is Lew Usher, and
I was one of the 26 community submissions objecting to this contentious
development at 66, 68 Dudley Street. The two main points that I wanted to discuss

today is the current boarding house clustering that is occurring within the community and the uncertainty of the anticipated and expected character of the area impeding a transparent approval process. Firstly, I note the following proposed or recently approved boarding houses in the immediate local area, including the 15-bedroom
5 boarding house at 4 Rippon Avenue that is nearing completion, the 17-bedroom boarding house application at 56 Dudley Street, currently at planning approval, and finally, this 38-bedroom boarding house application that we're discussing today. This clustering of boarding houses provides a potential of 70 new boarding house bedrooms across two small suburban streets zoned R1 and – sorry – R2 and R3, that
10 currently consists of single dwelling or dual occupancy residences.

This unplanned clustering of boarding houses through piecemeal approvals will provide a negative impact on the amenity, services and traffic of the local area – my local area. This comes at a time where there is – and I quote from the assessment
15 report, page 223:

...a structure plan currently being prepared for the area; however, it is currently in draft and has not been made public.

20 This structure plan was due quarter 3 of this year. Furthermore, reason number 2 of the approval decision states that the development will be compatible with the emerging and planned future character of the area. How is this being defined? The council is still formulating that character, as per the overdue Rydalmere Structure Plan. The community expectations are clear, as demonstrated through 26 written
25 objections, two petitions, and four public speakers today against the development. The local community has not been – been given the opportunity to review the structure plan and provide feedback or to validate that this DA is indeed compatible with the future character of the area as stated, due to the structure plan currently being privileged and not publicly available.

30 I understand the need for a full range of affordable housing options. However, these need to be provided in appropriate locations as strategically set by the various levels of government in direct consultation with the local community. As a case in point, I'd like to make reference to the Telopea Precinct rezoning, where it's been
35 strategically identified to provide four and a half thousand new social, private and affordable homes over the next 15 to 20 years. This was completed through close collaboration with the New South Wales Planning Department, Parramatta Council, the New South Wales Land and Housing Corporation and, most importantly, the community. Taking all this into consideration, I strongly urge the panel to refuse this
40 application as it stands. At – at the bare minimum, you must defer approval until the Rydalmere Structure Plan is released in full and community review and consultation undertaken. Thank you for your time.

45 MS TAYLOR: Thank you very much.

MR BERKEMEIER: Thank you.

MS TAYLOR: Good timing. Mr Stephen Ritzrow.

MR S. RITZROW: Okay. I'd like to thank you for the opportunity to address you all today, and welcome the Local Planning Panel, too. My name's Stephen Ritzrow, and I'm representing my wife, Julie, who wishes she could be here today. We live at 44 Crowgey Street, Rydalmere, and we are directly affected by this development proposal. Our street and home is directly behind the 38-room boarding house that you'll be all assessing this evening on the merits of the development from which it proceeds. I strongly oppose the development proposal of 66 to 68 Dudley Street, Rydalmere. This boarding house is not compatible with the existing character of our community.

We live in an area that is a majority of single dwelling homes. We love our area so much that many of us have renovated and redid our homes because we all have pride in this area and are willing to invest our own money to stay here and build our community. This is not the right location for a boarding house of transient people in the community of families. The immediate area surrounding the development proposal before you this evening includes an upgrade of a playground catering to the young families that the City of Parramatta Council has invested in and public facilities that cater for families, such as Dundas Public School and many family day care centres in the area. How can someone in this – lives in this development call it home, when the boarding house management plan states the residents only have to stay here for a minimum of three months? We have lived here for 18 years, and we call this home because we are invested in our community.

We understand that council officers have done their due diligence and assessed the application against the regulations of the State Environmental Planning and Assessment Act of 1979. However, there are things that are not required to take into consideration in the assessment, that is, the demographics of the community being a majority of families, the long-term vision of Rydalmere in the City of Parramatta's Local Strategic Planning Statement, other developments recently approved in the area, and the facilities service that cater for families. We understand this area has been rezoned out R3 to allow development such as medium-density housing like townhouses or dual occupancy, but we consider this boarding house of 38 room of two lots as inappropriate development, and that is why I'm asking the panel of independent members and community representatives to refuse the application.

MS TAYLOR: Thank you, Mr Ritzrow. Can I now please have Rhys Haynes?

MR HAYNES: Hello, Chair and panel. First of all, my name's Rhys Haynes. I'm a family member, as well, in the community in Crowgey Street. I have two children and last night, I hosted a – a community meeting on the front lawn with a whole group of very concerned people about this development. Many can't be here today, so please be aware that – just due to the timing of the – the meeting. It was difficult for many of them to get here, particularly those working in the city. I just wanted to – so that – we did talk about what to talk about today, rather than all doubling up on the same issue, but - - -

MS TAYLOR: That's good. Thank you very much.

MR HAYNES: - - - I do want to, firstly, express my concern that the community member isn't here from the panel. It's a really important part of the – I guess, the
5 process. We feel a bit sad that that community member isn't here, and I note you did make a point to say that they weren't here. I'm not sure if that means that you can still make the decision, but I just – I would implore you to - - -

MS TAYLOR: Well, the quorum is three.
10

MR HAYNES: Excellent. Thank you. I just wanted to really reiterate – one thing that Lew said was really about this – the structure plan. When the developer made the original application for 17 properties to be redeveloped for a whole rezoning of the whole area without any community consultation, the Sydney Central City
15 Planning Panel made its rezoning application denial. When it denied the application, it said:

There was no apparent need for the rezoning to provide additional housing at the present time ahead of the council's structure plan study for the Rosehill to Carlingford corridor.
20

I work at the Parramatta Light Rail project. I'm the director of communications and engagements and I absolutely support redevelopment in the area. I think it's such – it's going to be such an amazing outcome for this project and what I would say is
25 making a decision like this before this structure plan is issued to really judge the entire – inform the entire future land use density and infrastructure of the area would just be, sort of, inconceivable. We don't understand how this decision could be made five minutes before Christmas without that plan being seen and being – the community having a view on that plan. Therefore – particularly, also, because the
30 property we're talking about is on the corridor. It is the – you couldn't get a house closer to the corridor. Lastly, I'll just say that the area has 94 individual houses in the two streets we're talking about where most of us are from – 954 residential homes and one – one, sort of – what do you call that thing? Duplex, and for – for this 38 home – 38 room, two storey building in the middle – to – to be plonked in the
35 middle of that would just be absolutely out of character and simply would not fit into the character of our community.

MS TAYLOR: Thank you very much.

MR HAYNES: Thank you very much.
40

MS TAYLOR: Okay. Joe Maroon. Mr Joe Maroon? Not here?

MS RAWLE: Oh, that's me.
45

MR HAYNES: You're up. You're up. You're up.

MS TAYLOR: So it's - - -

MS RAWLE: Yes. I might get you to

5 MS TAYLOR: Joe Maroon, sorry

MS RAWLE: Thanks. Now, where do I sit and where do I speak into?

MR JOHNSON: Here's your chair.

10

MS RAWLE: Do I have a microphone to speak into or just shout?

MS TAYLOR: No. You don't have to shout - - -

15 MR JOHNSON: Microphone's - - -

MS TAYLOR: - - - because it's a recording microphone.

MR JOHNSON: - - - straight in front.

20

MS TAYLOR: It's not a broadcasting one, and already, I can hear you.

MR HAYNES: Okay. Thank you very much, panel, and everybody here for
25 coming along. Regardless of how council has zoned our area, it – it can be regarded
as nothing, in its current form, other than low-density, not medium-density, and I feel
this is out of character with the – our area, which is a very small, friendly area and it
– it scares me, both security-wise, having transient people in – in the area. There is
no room for parking. You might argue against this, but the fact is there – it's
30 crowded now with university students and there are already parking restrictions
there, so, regardless, 38 people will have cars. They say they won't, but they will,
and I think it's appalling that we only found out about this almost by accident and it
seems – and since having dealing with it, I think there's a lot of obfuscation going
on. I get different verbal responses to what I've received in letters and emails and I
35 tend to think that obfuscation might be deliberate. Anyway, I – I'm speaking adlib
because I can't read back notes anymore as I used to, and it's just totally out of
character with our – our neighbourhood and I – I oppose it 100 per cent.

MS TAYLOR: Thank you very much.

40 MR HAYNES: Thank you.

MS TAYLOR: Could I please hear from Jewel Rawle?

MR HAYNES: That's me.

45

MS TAYLOR: Oh, you're Jewel Rawle? Who's Joe Maroon? Okay.

MR RAWLE: Oh - - -

MS TAYLOR: Have we got that name wrong?

5 MS RAWLE: No. I'm Jewel Rawle.

MS TAYLOR: Thank you very much. I'll note that. Now, somebody called Joe Maroon is on my list. Is that you?

10 MR RAWLE: No.

MS TAYLOR: No? Okay.

MR RAWLE: I'm Bill Rawle.

15

MS TAYLOR: Okay.

MR HAYNES: And he's my husband.

20 MS TAYLOR: All right. Thank you. Well, we've heard from you. So over to Schandel Fortu. You're for the applicant. Are you here?

MS FORTU: Yes, I'm here.

25 MS TAYLOR: Thank you .

MR SHAHIN: Sorry – no, Bill's actually also registered to speak.

MS TAYLOR: Yes, but I think he's – the family has spoken.

30

MR HAYNES: No, but he's speaking on behalf of the neighbours.

MS TAYLOR: Sorry?

35 MR HAYNES: He's speaking on behalf of the neighbours that could not be here because

MR HAYNES: Bill - - -

40 MS TAYLOR: Okay.

MR HAYNES: - - - do you want to speak?

MR RAWLE: Yes, please.

45

MS TAYLOR: Mr Rawle.

MR SHAHIN: Yes.

MR HAYNES: He's had approval to speak

5 MS TAYLOR: Okay. Right.

MR RAWLE: Thank you.

MS TAYLOR: Now, your name?

10

MR RAWLE: I'm Bill Rawle.

MS TAYLOR: Right. Thank you.

15 MR RAWLE: And I'm a resident of 52 – 52 Dudley Street, Jewel and I, and I'll,
kind of, go – go forward with the – expressing the views shared with my two rate-
paying adjacent neighbours, Mr and Mrs Pitchfork and, also, Ms Stenovic. The – the
overall view seems to be that the ambiance of the Crowgey – Dudley Street precinct
will be irreversibly compromised by this if it goes ahead and it's difficult to put a
20 value on something as, sort of, nebulous as an ambiance, but it's definitely at risk, in
my opinion. The plan being considered – the application being considered, kind of,
seems like a bit of an escape or plan B for people that are involved in a previous
application, which was rejected, and I think that involved an application for tower
units up to 80 metres and I get the feeling that they're on the back foot with this one
25 as a bailout option – could be wrong. So, just briefly, in support of everything that's
been said so far, I would just like to reiterate that the overall feeling of myself, the
immediate property owners either side of us – is strongly that the application should
be rejected – denied.

30 MS TAYLOR: Thank you.

MR RAWLE: Thank you.

35 MS TAYLOR: And now could we hear from Schandel Fortu on behalf of the
applicant?

40 MS FORTU: Thank you, panel. My name's Schandel Fortu. I'm from Think
Planners. I'll be really quick today, just to express my support for the report that you
have before you. I believe it has dealt with all the issues that have been raised by
residents today, but I'm here, obviously, if there are any additional clarifications or
questions that the panel may have about the report or the objections that are being
raised.

45 MS TAYLOR: Thank you. There was – a previous application went before the
council. What was that for?

MS FORTU: It was a planning proposal.

MS TAYLOR: Right.

MS FORTU: So it wasn't a development application. It was a planning proposal
5 that was seeking to rezone the land and increase the floor space ratio that was
rejected.

MS TAYLOR: Thank you.

MS FORTU: Yes.
10

MS TAYLOR: Questions from the panel?

MR BERKEMEIER: I've got a question about the – the plan and the – there are
15 units – the units on the ground floor in the centre look straight out into the communal
space.

MS FORTU: Yes. They're facing north there, yes.

MR BERKEMEIER: Okay. And I just wonder if there's any proposal to have a
20 landscape buffer or any other separation there?

MS FORTU: Yes. There is some screening. So there's no – well, there's some
screening on those windows that are fronting there to provide the protection.

MR BERKEMEIER: Okay. Thank you.
25

MS FORTU: Yes.

MR BERKEMEIER: Okay. Thank you.
30

MS TAYLOR: Thank you.

MR BERKEMEIER: I also note that the, sort of – the quality of the drawings that
35 we were given in the prints is very poor, particularly in the, sort of – in the elevation
drawings, but I did look at them on the screen separately - - -

MS FORTU: Okay.

MR BERKEMEIER: - - - and I was satisfied that there was some, sort of
40 architectural there, so I just – I note that.

MS FORTU: Okay. Yes. I'm not sure what's happened with the quality - - -

MR BERKEMEIER: Yes.
45

MS FORTU: - - - when it has come through to you.

MR BERKEMEIER: No. It's very – you might let the architect know.

MS FORTU: Yes.

5 MR BERKEMEIER: They're – they're my questions.

MS TAYLOR: Thank you very much. Ms Fortu, in relation to the – the side that's shown there, is that the colours that you are proposing?

10 MS FORTU: Sorry, I'm just turning to that page. Street elevation?

MS TAYLOR: Yes.

15 MS FORTU: Yes. So there's a combination of dark-brown face brick and the painted cement render. It's a colour called domino, so that is a dark, sort of, greyish colour.

MS TAYLOR: So that's generally what it's going to look like?

20 MS FORTU: That's right.

MS TAYLOR: Okay. Thank you. Anything further of Ms Fortu?

25 MR BERKEMEIER: No.

MR JOHNSON: No.

MS FORTU: Thank you.

30 MS TAYLOR: Thanks very much. Can we have the recommendation on the screen? Thank you. I'm not able to read it from here.

MS FORTU: is going to turn up

35 MS TAYLOR: Yes. No, that's not – not – that's not what we're going to say. Ladies and gentlemen, this is an application in an area zoned medium-density. I'm afraid that's the – the fact of the matter and application that is allowed in that area has been made and has been assessed by the council as being satisfactory. It is the state's planning proposal – let me say that again. It's a state planning rule that – that
40 helps to allow this to be there and, consequently, has to be assessed in accordance with the state concerns about affordable housing. The main problem, usually, in a local area is concern about character and the panel believes that the assessment by the council report at page 211, in terms of how this application meets the character, is
45 satisfactory. For example, it says:

...the height and setbacks and landscaping of the proposal are consistent with the height, setbacks and landscaped area prescribed for multi-dwelling housing

5 *in this area. The design of the building is considered to respond and
contribute to its context, having regard to the desired future character of the
area, which will see new medium-density developments being three storeys in
height. The proposal meets the requirement of the LEP in terms of height and
gross fore area, as well as being a permissible land use. The scale of the
building is appropriate for location within medium-density residential zone.
The proposal will not result in unreasonable overlooking of neighbouring
properties through the positioning of windows and inclusion of privacy
screening. Adjoining properties will still receive a minimum of three hours
10 direct sunlight between 9 am and 3 pm in accordance with Parramatta's
requirements and the proposal does not detract from the distinctive elements of
the Dundas precinct neighbourhood centre.*

15 Accordingly, ladies and gentlemen, this panel will unanimously approve the
application for the reasons given in the council report and as – as assessed in the
council report. The condition suggested by the council will also be imposed. We are
going to suggest that there should be, for the benefit of the internal unit, some
landscaping in front of those windows that we just discussed with you, Ms Fortu.
Apart from that, the council's conditions will be imposed and that is the decision of
20 the panel today. Thank you for coming.

UNIDENTIFIED MALE: Utter disgrace.

25 MS TAYLOR: The next matter is item - - -

UNIDENTIFIED MALE: Utter disgrace.

MS TAYLOR: - - - number 4. Thank you. Rightio. 99 Eastwood Avenue, Epping.

30 MS FORTU: yes.

MS TAYLOR: Thank you very much. Thank you, ladies and gentlemen. I'm
moving onto item number 4, 99 Eastwood Avenue, Epping. This is an application by
the Uniting Church in Australia. Come in, ladies and gentlemen. We're about to do
35 item number 4, which is 99 Eastwood Avenue, Epping, following which we will be
doing 242 Beecroft Road, Epping, and after that, some planning proposals.

MS STEPHENS: They're still coming, Mary-Lynne.

40 MS TAYLOR: Okay. We're waiting.

MS STEPHENS: I'll just do another sweep just to make sure, Mary-Lynne.

45 MS TAYLOR: Thank you. Ladies and gentlemen, I ask you to take a seat. I hope
there's a seat for everybody. There's a few seats on the side here. I remind you that
this is a very busy day today and we're asking you to stick to the three minutes if

you're going to be speaking to us and three people from the same family – I'll expect you to talk very briefly or have one speaker.

MS STEPHENS: got them all, Mary-Lynne. They're all in

5

MS TAYLOR: Everybody here? 99 Eastwood Avenue. Ke Tan – Ke Tan – K-e T-a-n. Come and join us, please. Over here, and I remind you, as I did the previous people, that these are – these meetings are recorded, so we ask you to sit near the recording microphone. It's not a broadcasting microphone. It's a recording
10 microphone. That seat right there, next to the microphone, and – so we ask you to please consider your words carefully, because they're going to be recorded for all time and we would like you to be nice to us. Ms Ke Tan, what would you like to say? This is for a property at Eastwood Avenue, Epping – the United Church and it's a short-term seniors housing.

15

MS TAN: Yes. I just object this proposal, because we would – interrupt our – our street, because our street is a quiet street and it's so property.

MS TAYLOR: Just a little louder, please. I'm having trouble hearing you. Don't
20 speak into that. Speak to me. That just records your words.

MS STEPHENS: It's not an amplification. It won't make you louder.

MS TAYLOR: Just speak up if you would, please.

25

MS TAN: Yes. Just because our street is the – the street. It's the - - -

MS TAYLOR: Yes.

MS TAN: Yes, but this proposal will interrupt our – our normal life. Also - - -

MS TAYLOR: How will it do that? How will it interrupt your normal life?

MS TAN: If all the people, like, come and go away just – like, a lot of parking and
35 – and also if I think the more – worry me is the – if like, the mental people will be in that property, I would be very worried about that.

MS TAYLOR: Anything further?

MS TAN: Yes. I'm just – worry about that, so - - -

MS TAYLOR: Thank you very much. I'm going to ask, unusually, ladies and gentlemen – Mr Harrison, come forward and explain what's – what you're
45 proposing. Thank you very much.

MS TAN: Okay.

MS TAYLOR: What you are proposing to do in this site.

MR HARRISON: Yes

5 MS STEPHENS: Yes.

MR HARRISON: Yes.

10 MS TAYLOR: Yes. Thank you very much. You can go back to your seat.

MS TAN: Okay. Yes.

15 MR HARRISON: Good afternoon, everybody. My name's Mark Harrison from Uniting New South Wales/ACT on behalf of the Uniting Church in Australia property trust. Our proposal is for a respite home for five bedrooms. Respite homes are in very short demand in New South Wales and, particularly, in northern suburbs.

MS TAYLOR: Excuse me. Do you mean - - -

20 MR HARRISON: It's - - -

MS TAYLOR: - - - very short supply - - -

25 MR HARRISON: Very short supply - - -

MS TAYLOR: - - - and very large demand?

MR HARRISON: - - - and very high demand in - - -

30 MS TAYLOR: Thank you.

35 MR HARRISON: Particularly in the northern suburbs, which is why we're - we're proposing this facility. I think the plan of management that we've submitted with the DA addresses some of the concerns about the types of residents that - that will be in there. For clarification, that - it's a very, very short term - it's for people going on holidays and putting their mums and dads into care who don't want to put them into a nursing home. The plan of management clearly talks about the types of people, and once they get to that acuteness of mental health, this isn't the place for them. They will be going into a residential aged care facility. This is for low-care residents. For
40 those who know that terminology, there used to be low-care and high-care in residential care. Low-care nowadays really doesn't exist. This is for people who's - who are looking after their mums and dads at home who want to go on holiday - want to go away for a long weekend and want to put their parents into a home-like environment for a very short stay.

45

MS TAYLOR: Tell us more about the people in - that are coming here, rather than their children.

MR HARRISON: Okay. So the people who are coming here would be generally with some mobility issues – can't get themselves in and out of bed all – all the time – may have some very early – early dementia issues, so a little bit of forgetfulness, that kind of thing, and – so it's – so it's not high-care, high-need facilities. The low-care
5 staff ratio reflects those needs, so we're not allowed by legislation and requirements to have low-care ratios. The – one of the things in the objections that I noticed was at one – it would be one staff onsite. It will be more than one. There is one manager onsite, but there will be carers associated with that, so if we have five people onsite, it's – it's two to three carers onsite to look after those people.

10 MS TAYLOR: Carers will look after the people.

MR HARRISON: Yes.

15 MS TAYLOR: Does somebody live on the site with them?

MR HARRISON: There is one person constantly there. There's a manager who stays overnight as well.

20 MS TAYLOR: Yes.

MR HARRISON: Yes.

MS TAYLOR: And are these people likely to have cars and to park - - -
25

MR HARRISON: No.

MS TAYLOR: - - - all over the street?

30 MR HARRISON: No. No. They will be – they will generally be dropped off by their families and picked up.

MS TAYLOR: Yes. So are they the sort of people that need – need to be cared for on – on a daily basis - - -
35

MR HARRISON: Yes.

MS TAYLOR: - - - but not such that they would have to be locked into a - - -

40 MR HARRISON: Absolutely.

MS TAYLOR: - - - more of a mental ward or a dementia ward?

MR HARRISON: That's right.
45

MS TAYLOR: Not that sort of person

MR HARRISON: Absolutely. Yes.

MS TAYLOR: Okay.

5 MR HARRISON: And we have very specific facilities for those people who need high security and high-needs care in our residential aged-care homes.

MS TAYLOR: So when they come, do they bring their furniture with them or what's - - -

10

MR HARRISON: No.

MS TAYLOR: - - - the story?

15 MR HARRISON: No, no. Very short-term stays, so holidays would be the longest. So, you know, a three or four week holiday would be the absolute maximum. Most of these people are here either for – it could be for three or four hours, but it also could be for long weekends. They're – they're the most common. Other facilities we operate of a similar nature, people come to the city for hospital visits and, you
20 know, if they've got a – a stay in hospital in Sydney, they bring their parents to stay in – in a respite – we call them respite cottages.

MS TAYLOR: Respite cottages?

25 MR HARRISON: That's – that's the – that's the nature of the service.

MS TAYLOR: Thank you. Questions from the panel?

MR JOHNSON: I don't think so, unless we won't to talk about the

30

MR BERKEMEIER: No, we – we've got detail questions.

UNIDENTIFIED FEMALE: Can we ask questions?

35 MS TAYLOR: No, no. No.

UNIDENTIFIED FEMALE: Can we ask questions?

MS TAYLOR: No, certainly not. Thank you very much. Thank you.

40

UNIDENTIFIED MALE: Why not?

MS TAYLOR: Because we're the people that need to be convinced, not you. So, ladies and gentlemen, who's the next speaker? Thank you – thank you, sir.
45 Christopher Le?

MR LE: Yes. That's me.

MR HARRISON: Thank you.

MS TAYLOR: Thank you very much.

5 MR LE: Okay. So my name's Christopher Le and I'm speaking on behalf of my family today.

MS TAYLOR: Yes.

10 MR LE: So we have two key concerns which are shared by other 60 signatures. The first one is the lack of community consultation and the transparency during the whole developmental process. The council's decision to approve the proposed development and its intended use to operate as a respite commercial business is based on the compliance of Uniting plan of – plan of management. The plan was
15 only made available to the public when we – when we contacted the council yesterday. There was also no conciliation conference, despite having 23 unique submissions. The council has left all of us residents in the dark during this whole planning procedure, and the second one is the risk of safety – of home security and safety. The intended business as they – as Uniting has just mentioned is to operate
20 an overnight/day respite centre within the local residential area. In the council recommendation for approval, people with severe cognitive impairment resulting in active wandering or aggressive behaviour are not illegible to go in – in this respite care. However, in their own plan of management, it says that these rules can be flexible or may not even be illegible – like, it's not definitive compared to this
25 concrete thing that the council has.

The council decision is also based on having the sense of a minimum of one staff member. I think he covered that a bit, so can't really do that, but also in the plan of management, it doesn't really state the qualification or the licence of these staff –
30 what they need to provide the proper clinical care for the people who would – maybe disabilities or even allowing them to oversee a senior housing centre. Furthermore, one of the important things in the plan of management was that a registered nurse may or may not even be present at the site of centre and is completely absent on weekends. As it states – as the Uniting Australia stated, it's a short-term
35 accommodation for maximum of five occupants. However, in their own plan of management, it says that the cottage can house seven patients overnight with an additional seven more clients during the day, and as they said – and, furthermore, in their own plan of management, carers are also allowed to stay with the occupants as well and there's – they have no – they've written down nothing that states how many
40 carers are allowed to stay with the occupants, and the carers are also encourage to care for the occupants while having no qualifications or licence to provide the due care required. Based on this – based on the plan of management itself, there could be up to 22 people on the premises, which can – which can cause an overflow to outside the house as well, which can have an adverse impact on our right to quiet enjoyment
45 and privacy in this peaceful neighbour, especially since we're living adjacent to the property.

So, while having no requirements of clinical qualification and licence for their occupants to – by either the staff members or by the carer, we just see the decision to approve the proposed development and it's intended use as a risk and threat to ourselves and surrounding residents. Why – is one unqualified or many two – and the manager – unqualified and unlicensed support worker sufficient to oversee this many people coming in and out of the centre on weekdays? So we're just asking before a decision is made – we ask that the Uniting plan of management to be reviewed again and to consider our and other people's concerns, that council consult with us and the local community in this review and the decision process to be more transparent before any final decision is made. Thank you.

MS TAYLOR: Thank you. I would just like to ask – remind me again, what is your concern about security?

MR LE: Concerns about security? So one of the things that is said that – in the council meeting, they said that they would definitely have no people with severe cognitive impairment that will cause them aggressive wandering or aggressive behaviour. However, in the – Uniting's plan of management itself, it says that these rules are flexible and may not – may not deem them illegible. Is it okay if I show you this?

MS TAYLOR: What is it?

MR LE: The plan of management from Uniting.

MS TAYLOR: By all means, tell us about it.

MR LE: Can I bring it up to you?

MS TAYLOR: Tell us what part of it you want to refer to.

MR LE: Okay.

MS TAYLOR: You can read it out, if you like.

MR LE: Yes. So if you give me a second.

MS STEPHENS: That was that plan for the basis for the decision?

MR LE: Yes.

MS STEPHENS: Yes.

MR LE: The plan of the basis.

MS STEPHENS: Yes.

MR LE: So the first part is that the legibility criteria can be flexible and the second part is – is the identifiable character that may deem a client not illegible to access – so it's not certain, but just may not deem a – the client illegible, and that – the thing that we were concerned about was the severe cognitive impairment causing active
5 wandering and aggressive behaviour.

MS TAYLOR: Right.

MR LE: So these are not definite – stopping these. They're just maybe and up to
10 the discretion of the area manager themselves.

MS TAYLOR: I see.

UNIDENTIFIED FEMALE: that plan is - - -
15

MS TAYLOR: Excuse me.

UNIDENTIFIED FEMALE: Is the basis for - - -

MS TAYLOR: No, excuse me.
20

UNIDENTIFIED FEMALE: decision.

MS TAYLOR: Excuse me. You're not – not your turn.
25

UNIDENTIFIED FEMALE: All right. I'm just angry.

MS TAYLOR: You can be angry, but I'd like you to be - - -

UNIDENTIFIED FEMALE:
30

MS TAYLOR: - - - quiet and angry.

UNIDENTIFIED FEMALE:
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MR JOHNSON: Yes. Everybody's go

MS TAYLOR: Thank you. Yes. Anything further?

MR LE: No. This is because - - -
40

MS TAYLOR: Questions?

MR LE: - - - this was the basis of the – as – as she said - - -
45

MS TAYLOR: Understood.

MR LE: - - - as the basis of the council thing - - -

MS TAYLOR: Yes.

5 MR LE: - - - and we were only made aware of this – this yesterday. We only got the document yesterday as well, even though it has been released in September.

MS TAYLOR: Right.

10 UNIDENTIFIED FEMALE: It was released - - -

MS TAYLOR: Okay.

UNIDENTIFIED FEMALE:

15

MS TAYLOR: Thank you very much.

MR LE: Or finalised.

20 UNIDENTIFIED FEMALE:

MR LE: Yes.

MS TAYLOR: Thank you.

25

MR LE: Thank you.

MS TAYLOR: Next speaker, Diana Leng. Is that you? Diana Leng? Thank you.

30 MS LENG: Okay. So I live – my name’s Diana and I live straight next to – the neighbours on the – on the left.

MS TAYLOR: Next to this applicant?

35 MS LENG: Yes.

MS TAYLOR: Thank you.

MS LENG: And my children’s rooms are right - - -

40

UNIDENTIFIED MALE:

MS LENG: - - - along the – the – what it’s called? The very narrow – it’s only about one and a half metre – dividing our house and their house.

45

MS TAYLOR: Yes.

MS LENG: So, like, the previous owner before it was – it's been empty. There was two teenagers that used to live there – had parties and they used to be so noisy, so the noise barrier is very poor. I could hear every word they're speaking. I could hear the showers running and my children were always that – "Mummy, I can't sleep."

5 That's one of my main concerns about – and, also, because it's going to be a two storey, I've – yes, I looked. It will be a two storey complex. It's going to overshadow all the sun and I won't have an adequate sunlight in my home and, like, before I bought the home, there was a lot of moulding already. I fixed it, but if the – if it continues, I won't have enough adequate sunlight. My – it will be a big
10 problem, because both my children – I've even brought the med certificates – like, they have – they're anaphylactic to mould and, you know, that's why I've decided to move back in Epping, because I was in West Ryde. I had to sell my home to come here and we had just done up the home, like, four years – oh, two year – two years ago. We've been living there for two years now and – yes – so my concerns are also
15 their safety, because we will be having random people coming in; unfamiliar faces. I'm just worried about my children's safety - stranger danger – and they won't feel safe at home any more and – because I used to also be an ex-nurse. I'm going back to nursing, but I used to work in Chesalon Beecroft in palliative care, so I know how it's like to have aggressive and – patients who need high care and low care, because I
20 used to work in the dementia ward and the respite area, so I know what it's – we're in for, pretty much, but my main concerns are my children, and they always play on the footpath. If we've got people – I know people won't have cars - - -

MS TAYLOR: Excuse me. Your children play on the footpath?
25

MS LENG: Like, on the – because we have kids across the neighbourhood as well. Like, they have got children running on their scooters up and down. It's a very quiet neighbourhood - - -

30 MS TAYLOR: But - - -

MS LENG: - - - but with the excess of the amount of cars and vehicles around, I'm just worried about our kids' safety and because - I know you said there won't be any cars – the people living there – but how about the nurses that will come to work,
35 where would they be parking their cars? Along the street obviously. And if they're not careful – cautious enough, they might have an accident and we don't want that to happen. And – yes.

MS TAYLOR: Thank you.
40

MS LENG: That's about it, I think.

MS TAYLOR: Sam Monolakos? Which one of you wants to speak?

45 MS C. MONOLAKOS: Actually, I – there's three. We're different households.

MS TAYLOR: Different households. Well, three minutes and very quickly, please. Thank you.

5 MS C. MONOLAKOS: Okay. We've been in the area – my name is Christine Monolakos.

MS TAYLOR: Yes.

10 MS C. MONOLAKOS: We've been in the area since 1974. We – my parents live in Trelawney Street, my brother lives in Epping Avenue, which borders with the premises, and I live in Epping Avenue as well. When I was living with my parents at 27 Trelawney Street, we had a Chesalon that used to be next to us. There was never a changeover of residence; there was never traffic; there was never people coming in and out. It was a well-run nursing home for the elderly, which we respect, and we
15 loved and watched as we grew up.

This particular arrangement is totally different to that, from my understanding. I wrote submissions; I had no response; I – it was only by accident that my mother brought the letter and said that the meeting was on tonight, and I have also been
20 provided with a copy of the plan, which I haven't had the opportunity to read, and I just read it as I was waiting in the foyer. In my mind, the area is a conservation area. This arrangement will interfere with the residents' ability to enjoy the conservation area and to keep the streetscape, to keep the area within the meaning of heritage and conservation. Secondly - - -

25

MS TAYLOR: How will it do that?

MS C. MONOLAKOS: Sorry?

30 MS TAYLOR: How will it do that?

MS C. MONOLAKOS: It will have - - -

35 MS TAYLOR: How will it interfere with the conservation area?

MS C. MONOLAKOS: - - - car spaces on the side; there will be changes to the premises; the landscaping will be reduced; the flora and fauna will be reduced. Obviously, it's a two-storey residence; that will also change the streetscape.

40 MS TAYLOR: Excuse me. Is it a two-storey residence?

MR BERKEMEIER: No, no.

45 MS C. MONOLAKOS: That's what I heard.

MR BERKEMEIER: No. It's not. No.

MS TAYLOR: Single-storey.

MR BERKEMEIER: There's no change to the existing - - -

5 MS C. MONOLAKOS:

MS C. MONOLAKOS: So there will be an ambulance ramp, from my understanding. So, obviously, there will be cars; there will be people; there will be movement. The quiet enjoyment of our area will be lost. I've heard the - - -

10

MS TAYLOR: And what fauna are you worried about?

MS C. MONOLAKOS: The trees. The landscaping.

15 MS TAYLOR: That's the flora.

MS C. MONOLAKOS: Yes.

MS TAYLOR: What about the fauna?

20

MS C. MONOLAKOS: The fauna – the vegetation - that will have to be concreted and go.

MS TAYLOR: Animals?

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MS C. MONOLAKOS: Yes. Definitely.

MS TAYLOR: Animals.

30 MS C. MONOLAKOS: And animals. There's foxes in the area.

MS TAYLOR: Foxes?

MS C. MONOLAKOS: Yes. I see foxes.

35

MS TAYLOR: You're worried about the concern for foxes - - -

MS C. MONOLAKOS: Yes.

40 MS TAYLOR: - - - and not about the older people?

MS C. MONOLAKOS: But this is not just older people. We're being told here it's people in general with a high turnover. How are we going to police the nature of people: what their backgrounds are; what their mental conditions are; what their state of affairs are. How are we supposed to know the profile of person that's coming in every four weeks, or every two weeks, or every weekend? Do you provide us with that guarantee of safety? It's a residential area. It's not commercial;

45

it's not zoned commercial. It should be next to Ryde Hospital or it should be next to a medical centre where these people can get the right care if it arises. How are we supposed to gauge their mental state of mind? Is there a registered nurse on a full-time basis; do they have access to doctors; will there be a doctor coming every day?
5 How are we supposed to care for these people in a five-bedroom cottage with people rotating in and out day-in-day-out? Is this a suitable arrangement?

MS TAYLOR: It's for you to say. You're talking.

10 MS C. MONOLAKOS: I don't agree. I don't think it is.

MS TAYLOR: Okay.

MS C. MONOLAKOS: And I think most of these people here today agree with me.
15 They're my submissions.

MS TAYLOR: Thank you very much. The other members of the Monolakos family? If you're living together, perhaps just one of you could speak.

20 MS P. MONOLAKOS: Yes. My name is Pam Monolakos - - -

MS TAYLOR: Yes.

MS P. MONOLAKOS: - - - and I'm at the rear of the property - - -
25

MS TAYLOR: Yes.

MS P. MONOLAKOS: - - - a metre away from where they're going to put the rubbish; they're going to have their gathering; their noise; and our office is right
30 there. So my son and I have to work, come home to noise and mental people like that with – you can't control. Who do we go and ring up and get help, the police or the council? So – and the rubbish and the laundry, it's unreal. It's not for the area to have this sort of people coming in. We're not happy, because we chose the area to live there nice and quiet, and green and peaceful, and not to use it as a commercial.
35 Should sell it and go somewhere else where it's more appropriate for these people.

If it was for older people, people that stay there permanently, I'm willing to go and help and, you know, anything they want, but not rotate mad people coming in and out and you don't know who do you get, and ambulance in the middle of the night,
40 and you wake up and have a fright, and have cigarettes thrown over the fence. It's only a metre away. So what barrier do I have? What have they done to show me at the back that protect the noise and have a look throughout only a metre from the study office of my son?

45 MS TAYLOR: Thank you.

MS P. MONOLAKOS: I'm very unhappy.

MS TAYLOR: Thank you very much. Mr Harrison, do come back.

MR HARRISON: Sure. Well, the first point I think I - - -

5 MS TAYLOR: No. Excuse me. Over here.

MR JOHNSON: Over to the – yes.

MR HARRISON: Yes. I'm sorry.

10

MS TAYLOR: Perhaps you could answer some of the concerns - - -

MR HARRISON: Yes, yes.

15

MS TAYLOR: - - - expressed by the people.

MR HARRISON: So the first point to raise is it's not a two-storey development. Most of the existing structure will remain exactly the same.

20

MS TAYLOR: Thank you.

MR HARRISON: And council's response to the application and the concerns addresses most of that, including any concerns about flora and fauna.

25

MR S. MONOLAKOS:

MS TAYLOR: Excuse me.

MR HARRISON: The second - - -

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MS TAYLOR: You're not asking questions or shouting out. Thank you. It's his turn to speak. You got to speak.

35

MR HARRISON: - - - element is it is only for older people. So there are no – it's – we - - -

MR S. MONOLAKOS: No.

MS TAYLOR: Excuse me.

40

MR S. MONOLAKOS: Not true.

MS TAYLOR: Excuse me. Excuse me. Is there a security officer here? Would you like to be - - -

45

MR S. MONOLAKOS: because I can't stay any longer here.

MS TAYLOR: Thank you very much. Very good.

MR S. MONOLAKOS: Look at the truth and not

5 MS TAYLOR: Mrs Monolakos, would you like to go too - - -

MR S. MONOLAKOS: I'm going.

10 MS TAYLOR: - - - because I don't want you yelling out - - -

MS S. MONOLAKOS: Thank you.

MS TAYLOR: - - - while this man from Uniting Care is speaking.

15 MR S. MONOLAKOS: Thank you for the Christmas present.

MS TAYLOR: Mrs Monolakos, do you want to go too?

20 MS P. MONOLAKOS: I'm all right.

MS TAYLOR: I don't want you yelling out - - -

MS P. MONOLAKOS: No, no, no, no.

25 MS TAYLOR: - - - when a man from the Uniting Church is speaking to us about this application.

MS P. MONOLAKOS: No. I'm all right.

30 MS TAYLOR: Thank you, sir.

MR HARRISON: Yes. So it is only for older people. It's run by our home and community care business who are only employed and funded by the Federal Government to service older people with assessments – clear assessments as to their need. So it isn't a hostel for any aged person; it's not specifically for people with mental illness; this is mostly for people who are living at home and their kids – or their carers need a break from caring for them and that's the purpose of the facility, so it is only for older people. I think the concerns about noise and the of the area have been addressed in council's response to the submissions.

40

MS TAYLOR: Well, nevertheless, you tell us what you're going to do about noise. You're running this, not us.

45 MR HARRISON: Yes. Absolutely. And noise levels, we would imagine, for a five-bedroom house will be no different to any other occupant of a five-bedroom house.

MS TAYLOR: Well, you're organising these houses in other places.

MR HARRISON: Absolutely. We do this in other - - -

5 MS TAYLOR: What's the story with noise then?

MR HARRISON: - - - locations. We don't get noise complaints. We don't – these are a very low-impact facility. These people are older; they have mobility issues; they're not – they very rarely will be venturing outside on their own. You know, the
10 issues around noise, I mean, we can look at addressing noise issues to our adjacent neighbours. We will always be good neighbours to people, but I can't imagine it's any different to having five people potentially living there in a rented – in rented accommodation in terms of a noise impact.

15 MS TAYLOR: Mr Harrison, there was concern that you might have as many as 22 people there at any one stage; can you speak to that?

MR HARRISON: The overnight capacity of the facility is related – is the seven people, and during the day, we can have up to nine people.

20

MS TAYLOR: Seven people are who?

MR HARRISON: Sorry. The seven residents.

25 MS TAYLOR: Yes.

MR HARRISON: And then, during the day, that expands up to nine day-residents, but it's not – that's nine in total, it's not nine plus seven, so it's not 16 residents. And then the carer ratio - there will always be a registered nurse on site: that's who
30 the permanent manager is. The permanent manager will be a registered nurse and then, on top of that, you have carers, depending on the number of people who are there. We are fully licensed and registered to run the facility.

MS TAYLOR: What are the qualifications of the carers?
35

MR HARRISON: So the carers will have been through a registered training course for carers. They're not registered nurses, but there will always be a registered nurse on site and we're fully licensed and accredited.

40 MS TAYLOR: And the carers are employed by you or are they - - -

MR HARRISON: Absolutely.

MS TAYLOR: - - - friends of the patients?
45

MR HARRISON: No, no, no. Always employed by us.

MS TAYLOR: Right. Concern about the waste bins at the back of the yard.

MR HARRISON: Yes. I don't know the specifics of the location, but things like that we can always work with you. As good neighbours, we always will.

5

MS TAYLOR: Right. Concern about security.

MR HARRISON: I mean, the on – the permanent onsite staff are the people, but we don't have security issues in this kind of facility. That plan of management that you talked about, words like “may” are used to give people maximum flexibility in how they run the facility, but there's no way we would put our staff or carers at risk overnight in a facility like this. Those kind of high-security issues we put into larger scale residential care facilities with full security.

15 MR JOHNSON: Can I ask - - -

MS TAYLOR: Yes, please.

MR JOHNSON: Can I just ask you about the plan of management - - -

20

MR HARRISON: Yes.

MR JOHNSON: - - - which we haven't been - - -

25 MR HARRISON: Yes.

MR JOHNSON: - - - able to see, but there seems to be some conflicts between what the plan of management spells out and what you're saying as to the case in terms of number of people and that sort of thing.

30

MR HARRISON: Right.

MR JOHNSON: Is that a sort of a template plan of management that you apply to all these facilities - - -

35

MR HARRISON: It would be.

MR JOHNSON: - - - that are similar, or is it specific to this one?

40 MR HARRISON: It would be a start point for all of our respite services.

MR JOHNSON: Okay. All right.

MR HARRISON: It would be specific to respite but not to this one.

45

MR JOHNSON: Yes. But not necessarily this particular - - -

MR HARRISON: Absolutely. Yes, yes.

MR JOHNSON: Okay. Thank you.

5 MS TAYLOR: Well, the concern is that you might weaken and allow somebody who was perhaps violent to be in this facility. How can you assure people that that's not going to happen?

10 MR HARRISON: I'm happy to work on the plan of management to make it more specific and we can make it more definitive, but it's not in our interest or in our business to do that. We wouldn't be able to put our staff or our carers in that position, never mind our neighbours or people in the vicinity.

15 MS TAYLOR: So, then, amending the plan of management seems to be a possibility.

MR HARRISON: We're absolutely happy to consult further on the plan of management.

20 MR BERKEMEIER: Look, one question I had was – I note that there are minimal changes to the exterior of the existing building - - -

MR HARRISON: Yes.

25 MR BERKEMEIER: - - - but you've got a reasonable number of changes to the landscape setting and the paving. We don't have a landscape plan submitted with the application and I think that it's going to be very important to look at the quality of the landscape around - - -

30 MR HARRISON: Yes.

MR BERKEMEIER: - - - the building, particularly with the intervention of new driveways and pathways. So I would recommend that we, as a panel, require further landscape work, which might also address some of the issues about boundary
35 conditions as well.

MR HARRISON: Yes, yes. Happy to look – we're happy to look at that.

40 MR BERKEMEIER: Thank you.

MR HARRISON: Absolutely. Yes.

45 MS TAYLOR: You're moving into an area that has a character of traditional garden and that's what we would be expecting to see - - -

MR HARRISON: Yes.

MS TAYLOR: - - - that you would want for that area as well - - -

MR HARRISON: Absolutely. Yes.

5 MS TAYLOR: - - - particularly on your site.

MR HARRISON: Yes.

10 MS TAYLOR: So the requirement for the character in the area is to minimise hard
..... and to provide more soft landscaping.

MR HARRISON: Yes.

15 MS TAYLOR: And you might be able to do that?

MR HARRISON: Yes, yes.

MS TAYLOR: All right. Okay. Anything further?

20 MR BERKEMEIER: No. That's it.

MS TAYLOR: Thank you very much.

25 MR HARRISON: Thank you.

MS TAYLOR: Well, thank you. Do we have the response there? Sorry?

MS STEPHENS: I couldn't understand all your writing, Miriam.

30 MS TAYLOR: Right. Okay. Thanks very much. Have you got my notes?

MS STEPHENS: Yes. I will grab them for you.

35 MS TAYLOR: All right. Only a decision to make. Ladies and gentlemen, this is an
application for seniors' housing, which is a permissible use in the R2 low-density
zone in Parramatta LEP and the proposal generally complies with the LEP and the
Development Control Plan. Also situated in the Epping/Eastwood Conservation
Area, the panel finds this proposal suitable, noting the manner in which the use will
40 perform in relation to the controls relating to the garden space, and we will want
there to be more green space, and less hardstand and we will impose a condition to
that effect. This application will be socially beneficial, providing much needed
short-term support for seniors, which is lacking in quantity throughout the Sydney
area.

45 This is a relatively low-key use and the panel accepts that the council assessment that
it will be – it will fit well in this local residential area. The objectors' concerns are
noted and the panel believes that they are dealt with by conditions or do not raise

unacceptable amenity issues. However, the panel requests the provision of detailed landscape plan for the whole of the site showing proposed planting in accordance with the controls of the Heritage Conservation Area, which suggests a traditional garden setting with the details of maximising soft landscaping to be provided to the council prior to the construction certificate to the satisfaction of council's manager of technical services.

In addition, this panel will require the consultation between the council and the applicant for the plan of management to be specific about the type of persons that will be attending there, and that the use of the word "may" should be removed from the document, and the exact type of older person that come into the site and the likelihood of their having characteristics that would be unsuitable in the area is not to be part of this particular residential home for the Uniting Church. Thank you very much to everybody who has spoken to us here today. That is the unanimous decision of this panel. Approval is subject to conditions. Additional landscaping and an amendment to the plan of management. Thank you very much. Moving on to the next item, which is 242 to 244 Beecroft Road, Epping. Mr Moffatt? Mr Moffatt, are you going to lead off, please?

MR M. MOFFAT: Sorry?

MS TAYLOR: Are you going to lead off this afternoon?

MR MOFFAT: I will lead off. Thank you, Ma'am.

MS TAYLOR: Ladies and gentlemen, this is an application on Crown land, that is, land owned by the State Government, so we don't all have a free hand in what we can do here today, so we have to merely suggest conditions; the government has to tell us if they agree with the conditions, if there's to be an approval, and, after all, what they're only applying for is a demolition, so we cannot be considering what will go there next. Over to you, Mr Moffatt. What would you like to say?

MR MOFFAT: Chair and panel, my name is Mike Moffatt. I live in Victoria Street, Epping, and I represent the Epping Civic Trust. The Trust concern is that, if approved, it is likely that the existing building will be quickly demolished and a site left vacant for many months, if not years, as Landcom's application to develop the site moves through the assessment and approval process. We note that Landcom have rejected many of the concerns of the community related to traffic and commercial needs and of the council in respect of an east-west traffic link through the site. The proposed development is still under assessment and there's still a number of steps in the approval process, including, we believe, further council and community consultation. This process may take some time.

At present, the timeframe for commencement of construction to the three towers is, as far as we're aware, unknown. We would prefer to see the existing building with its surrounding trees left in place until a construction date for the three towers is relatively imminent. We say this because we do not want further vacant blocks to

blight our urban landscape. We already have many such sites. For example, a block opposite the Coles carpark on Rawson Street has been a vacant eyesore for many years. The Tuffy Muffler site and the adjoining land to the east on Epping Road remains vacant and has been a weed-strewn eyesore for at least a year. There are
5 many other vacant sites around our town.

We, therefore, request that, as a condition to DA549/2019, the work of demolishing the existing building not be commenced until a clear timeline has been established for construction of the towers, or whatever structures are finally approved for the
10 site. Finally, we note with appreciation that the original proposal involved the removal of 28 trees, but this current proposal saves 20 of these trees. We are grateful to council staff or whoever for that. We would like to see the building and the five healthy trees slated for removal under this DA retained for as long as practicable, that is, until rebuilding is imminent.

15 MS TAYLOR: Now, don't go away, Mr Moffatt.

MR MOFFAT: Dear.

20 MS TAYLOR: No. Has the Civic Trust written to the metro people to say this about this?

MR MOFFAT: Yes. Not about this particular issue.

25 MS TAYLOR: About them generally?

MR MOFFAT: About the site.

30 MS TAYLOR: Leaving vacant sites.

MR MOFFAT: The tower – no – not about that. We have not written to them.

MS TAYLOR: Well, Mr Moffatt - - -

35 MR MOFFAT:

MS TAYLOR: - - - that might be the next letter.

40 MR MOFFAT: Thank you. It will be done.

MS TAYLOR: I don't think this panel has got the legal right to tell them not to develop their demolition. We once had that law. It was during the Olympics and it was only the City of Sydney that brought in a law that said you had to fill in the sites if you didn't build on them so that the city would be beautiful during the Olympics.
45 That's not yet the law around here, so I don't think we can put a condition of consent on to that effect. However, the Civic Trust negotiating directly with the metro might be more successful.

MR MOFFAT: All right. We shall certainly take action in that regard, Madam Chair.

MS TAYLOR: Thank you.

5

MR MOFFAT: The - - -

MS TAYLOR: Thank you for noticing that the city council has listened to you and done something about the trees in this particular instance.

10

MR MOFFAT: We are appreciative.

MS TAYLOR: Thank you, Mr Moffatt. And, Ms McCartney, over to you again.

15 MS M. McCARTNEY: Good afternoon. I'm Margaret McCartney and I acknowledge that there has been improvements to the original DA, as you've just mentioned, and I'm very grateful for that, but I would also like to bring to your attention that there were many issues I raised in my submission that haven't been listed or addressed in appendix D, response to submissions, and I find this
20 unsatisfactory, as it's my understanding that addressing community concerns is an important part of the DA process. My submission noted that the approval of this DA was prior to the determination of the concept, State Significant Development application, which is currently under review, and it would be premature and not in the public interest for it to be approved.

25

A number of steps need to occur, as we've just discussed, before that State Significant DA will be approved and it could take many years. Epping doesn't need another vacant site, as we've discussed, and it could be for five years and it doesn't make Epping a better place. My submission also noted a problem with ongoing dust management once the building and some of the hard surfaces have been removed and the health risks this presents. The site has the potential to become a large windy
30 dustbowl, blowing dust into the densely populated Epping town centre and surrounding three-storey walk-up apartments. The council report notes processes to mitigate dust during works, but nothing to show ongoing dust management to ensure
35 the health and wellbeing of the community.

We're in a drought, so it is unlikely that any groundcover will grow on the site for some time. Sydney's air quality is already poor enough without adding this dust further to the problem. It is part of the Sydney – City of Parramatta Council's tree and vegetation preservation policy to have tree replacement for trees removed. In
40 my submission, I therefore noted the need for tree replacement. And the DA provides no guarantees that the trees removed will be replaced and, given the most recent arborist's report identifies a further six trees will be exempt from tree protection, we may see a total of 14 trees removed and not replaced.

45

I also note another person's submission shared with me commented on the value of the architectural importance of the building and its potential value as being used for

commercial space, desperately needed in Epping, and there's nothing in appendix D in response to these comments. I also expressed disagreement with the Statement of Environmental Effects 4.6, which states:

5 *The demolition of the subject site will result in a positive development outcome for Epping locality and Greater Sydney region and is, therefore, in the public interest.*

10 Providing a large, dusty, urban heat bank with trees removed is not in the public interest and - - -

MS TAYLOR: Thank you.

15 MS McCARTNEY: Thank you.

MS TAYLOR: Thank you very much. Just in response to that, this is a demolition application and I think the council has to respond to comments on demolition and can't be suggesting the replacement of trees take place when the site is about to be demolished. I didn't follow your logic there.

20 MS McCARTNEY: What about the dust mitigation the dust?

MS TAYLOR: Well, it's dust from demolition that the council has to be concerned with. That's – the next step is not yet contemplated and is not part of – and, my opinion, not part of the council's remit.

25 MR S. CHONG: Madam Chair, if I could make – provide comment

30 MS TAYLOR: Thank you.

MR CHONG: Proposed condition number 35 states that a landscape plan be enacted which ensures that, after conclusion of demolition, that the site be landscaped grass and in the time before construction occurs.

35 MS TAYLOR: Right. Thank you very much. Any questions of – sorry. We didn't ask you if you wanted to speak to Ms McCartney.

MR BERKEMEIER: No. No questions. No.

40 MR JOHNSON: No. I don't have questions.

MS TAYLOR: Any questions of the council following that helpful interjection? No. Okay. Once again, the panel is in a position to make a decision on this matter and we unanimously approve the application, noting that it is a Crown application, and that the conditions proposed by the council have been agreed to by the Crown and we don't propose to seek any additional conditions. The – so do I have something on the screen? So we agree with the council's recommendation that it

should be approved. And I'm afraid I can't read it, but – thank you. We are very pleased that there has been work done to reduce the removal of the trees from 28 to eight and that the trees that are to be removed are for health and practical reasons, and, apart from that, we note that the council has proposed conditions that are
5 acceptable to the panel and also to the Crown. I didn't ask the Crown if you wanted to speak. I'm sorry.

MR: That's okay.

10 MS TAYLOR: In view of our views, perhaps you don't need to. Sorry. I didn't ask and you've come all this way. It's getting late. Okay. Thank you very much. Well, we're very pleased with the outcome about that and we're very pleased to hear that the council – about the council's condition, which I had overlooked, regarding doing
15 some landscaping in the meantime. I don't know that I have the right to tell them to either leave the property there until they're ready to go or, you know, don't take it down at any particular time. I don't think that is in the legal power of this council or this panel to do that and we don't intend to in any event. So we wish you all well with the outcome of this project and thank you for your attendance.

20 MR: Thank you.

MS TAYLOR: Item 6.1.

MS STEPHENS: I will need to get the PP people from the kitchen.

25 MS: Do you know where they are?

MS STEPHENS: Kitchen should be.

30 MS TAYLOR: Would there be any opportunity of turning the air conditioning off.

MS STEPHENS: On or off?

MS TAYLOR: Off.

35 MS STEPHENS: I just turned it on. Sorry. The cycle will just turn it on. Sorry.

MR BERKEMEIER: It's getting - - -

40 MS STEPHENS: So just – if you didn't have it on, you would be boiling - - -

MR BERKEMEIER: - - - very chilly. I thought - - -

MS STEPHENS: - - - and it's disgusting

45 MS TAYLOR: Well, we're not boiling, we're freezing.

MR BERKEMEIER: Maybe – I think it was when the room was full when we had a fair bit of agitation.

MS TAYLOR: Okay. Who are we waiting for?

5

MS SHAHIN: The planner and the people that are - - -

MS TAYLOR: Okay.

10 MS SHAHIN: - - - speaking to the second item.

MR BERKEMEIER: Good.

15 MS SHAHIN: Did you have any questions for the planner? If you don't, you're more than welcome to do the - - -

MS TAYLOR: Well, we're talking about 6.1 first of all.

MS SHAHIN: Yes.

20

MR BERKEMEIER: And then 6.2.

MS TAYLOR: 154 Macquarie Street, Parramatta.

25 MR BERKEMEIER: Yes.

UNIDENTIFIED MALE: No, no, no, sorry, we're 6.2.

MR BERKEMEIER: 6.2.

30

MR JOHNSON: Yes - - -

MS TAYLOR: Okay.

35 MR JOHNSON: - - - we did have some questions for 6.2, I think, but not 6.1.

MS TAYLOR: Well, we might - - -

MR BERKEMEIER: So 6.1 is clear.

40

MS TAYLOR: We might then start with - - -

MR BERKEMEIER: Yes.

45 MS TAYLOR: - - - 6.2. Okay. This is a gateway request planning proposal for a property on the western side of Essex Street, Epping. You're not – Ms McCartney is

addressing us. Okay. Mr Macdonald and Ms McCartney to speak against the proposal. Are you here – either of you here? Mr Macdonald?

MR K. MACDONALD: I am here.

5

MS TAYLOR: Okay. Well, you can go first. Are you going to speak to all of this, because, otherwise, we don't take pieces of paper at the last minute?

MR MACDONALD: Yes, I'm speaking to all of it, and I - - -

10

MS TAYLOR: Okay. Well - - -

MR MACDONALD: It's what I have.

15

MS TAYLOR: Well, start talking fast.

MR MACDONALD: Thank you. My name's Kevin Macdonald and thanks for the opportunity to address you in respect of agenda item 2. I'm a resident property owner in Essex Street and I'm speaking on behalf of the property owners on the eastern side of the Essex Street Heritage Conservation Area, specifically those between Epping Road to the north and Knox Avenue to the south.

20

You may know that our group has made representation to council throughout the consideration of this matter since 2014. We've reviewed the agenda of the 6.2 business paper prepared by council and make the following comments. I'd just like to correct a not wholly accurate reflection of the group's submissions to council. Our group has maintained in submissions to council and councillors that should council need to address any interface issue is Forest Grove in respect of Essex Street, then council's decision in respect to the Essex Street HCA need to be either to take no – to take a decision to do nothing in respect to changes to the Essex Street HCA or that should a decision be taken to allow planning control changes to the western side, then the decision needs to also include the effect to the eastern side of the street between Epping Road and Knox Avenue.

25

30

35

Further, whilst the business plan has recommended an approach to maintain the Heritage Conservation Area notation, they do not – the paper doesn't clearly state that the properties on the western side of Essex Street will remain listed under that notation. We ask that this intention is confirmed and suggest the clarifications required to reflect the advice that we have received on an ongoing basis.

40

Further, if those properties on the western side were to be removed from the HCA notation, this would result in the Essex Street HCA notation needing to be removed in full. Further, as reflected in the Agenda Business Paper, council's decision requested – decision in July 2018 included a request for a detailed analysis of significant trees located on the sites on the western side of Essex Street. However, the paper doesn't provide this analysis, and we ask that the detailed analysis is made available publically prior to any decision being taken by council.

45

MS TAYLOR: Just hold it right there.

MR MACDONALD: Yes.

5 MS TAYLOR: Right. Sorry, you are here. I didn't see you there. Sorry. Thank you. Yes, off you go.

MR MACDONALD: That's okay. To allow consideration of whether the – these trees should, in fact, be retained as contributory to the heritage value of the HCA.
10 Further, whilst the removal of trees may enable the placement of a second dwelling at the rear of properties, their removal will further increase the already significant impact from the adjoining Forest Grove developments upon both the HCA streetscape and the existing adverse impact on the properties on the eastern side of Essex Street in this area. And you may be aware that there's a – figure 13 on page
15 648 illustrates what I'm actually saying there. The business paper sets out council's design analysis findings to support the recommendation to rezone the identified western area of the street.

MS TAYLOR: You can keep going.
20

MR MACDONALD: Can keep going? Thank you. And allow dual occupancy for the entire identified area. However, we note the finding of the urban design team analysis indicates that less than half of the dwellings are likely to be able to accommodate a detached dual-occupancy dwelling due to the retention of the
25 existing dwelling. Further, the report states there is a risk that demolition of the existing dwelling may result following future development applications and, therefore, undermine the integrity of the HCA. We therefore ask that council ensures the regulation's development – developed to safeguard the retention of all existing dwellings, as these dwellings have been identified as the contributory items leading
30 to the actual HCA notation. We also seek clarification as to whether the property at 36 Essex Street - - -

MS TAYLOR: 36 or 38?

35 MR MACDONALD: 38 Essex Street would meet - - -

MS TAYLOR: Yes.

MR MACDONALD: - - - the proposed criteria. Sorry if I got – said that.
40

MS TAYLOR: That's okay.

MR MACDONALD: Since the property was reduced in size as part of the Epping Road widening project. And, further, we seek clarification as to how the property at
45 52 Essex Street will be treated under the proposed amendments, as reflected in paragraph 49 of the paper. We understand also that a number of properties on the western side of Essex Street in this area are currently being used for informal

boarding house purposes, and, therefore, we ask how council will enforce that any additional dwellings will not be designed or used for purposes other than the intended residential housing, as it is in the present case.

5 Further, we note that the business paper acknowledges that there will be an additional traffic and parking impact on both Essex Street and the local area should the draft planning proposal be endorsed. And lastly, and as a comment only, it is interesting to note that council's language up to this point regarding the impact to the Forest Grove developments on the western side of Essex Street has been that there
10 has been significant impact and have recommended actions of landscape and deep soil planting to mitigate the impact. However, and this is my understanding, this agenda business paper is the first document that now considers the interface issue as severe without providing further evidence to the reasoning for the escalation of concern.

15 So, in summary, we ask that in progressing any planning proposal for the Essex Street HCA area between Epping and Maida Road, a consistency of building form in Essex Street is maintained for both sides of the street and to address the ongoing, unreasonable and detrimental impact upon our properties on the eastern side of Essex
20 Street.

And can I just say, as an aside, and not related to the proposal itself, but we also raise a concern regarding the communication process council has undertaken to inform the community of the development of this proposal and its consideration. Property
25 owners on the eastern side of Essex Street were not included in the notification mail-out undertaken by council to inform affected properties in relation to this matter.

I understand – noting that the properties on the eastern side of Essex Street are both clearly affected parties and that our property owner group has participated in all
30 community consultations, we're concerned that, in this matter, council have omitted us as affected properties. We are aware that properties have been advised of the process. We raise this for your information only and advise that this has resulted in our group only becoming aware of this draft paper and draft proposal two days ago. We will be taking up the matter of concern with council, but just bring it - - -

35 MS TAYLOR: Understood.

MR MACDONALD: - - - to your attention for noting.

40 MS TAYLOR: I understand.

MR MACDONALD: So thank you for your opportunity.

45 MS TAYLOR: Well, thank you for producing this document in that short amount of time, which has been – it's very helpful. Did you get a copy of this?

MR JOHNSON: Yes.

MR MACDONALD: If I can mention - - -

MS TAYLOR: Could you – right.

5 MR MACDONALD: Sorry.

MR JOHNSON: Have you got a copy

MS TAYLOR: Thank you very much.

10

MR MACDONALD: If I can indicate, it's representative of our ongoing involvement and participation in consultation by council in respect to the Epping Review, which is really where the – and the urban - - -

15 MS TAYLOR: There are - - -

MR MACDONALD: Urban action - - -

MS TAYLOR: There are councillors in your area - - -

20

MR MACDONALD: - - - precinct.

MS TAYLOR: - - - and there is a Civic Trust and other groups in your area. All of these people should be made aware of your concerns.

25

MR MACDONALD: Yes, true, and they are.

MR JOHNSON: They are now, anyway.

30 MR MACDONALD: Yes.

MS TAYLOR: Well, I'm sure that the Civic Trust - - -

35 MR MACDONALD: I thank you for your time and thank you for the additional time.

MS TAYLOR: Thank you very much for your - - -

MR JOHNSON: Thanks.

40

MS TAYLOR: - - - explanation. Did you want to ask him a question? Okay. Understood. Ms McCartney?

45 MS McCARTNEY: Good afternoon again. I'm Margaret McCartney. This Heritage Conservation Area needs to be protected from what is proposed. The harmonisation report recently on exhibition did not include rezoning to allow dual occupancy in this area, and it is not appropriate to propose this dual occupancy

separately, thereby setting a precedent. This planning proposal does nothing to resolve the interface issues, which is the alleged reasoning behind it, and, indeed, it creates a far bigger problem of an urban heat bank.

5 This planning proposal does not support the Greater Sydney Commission's District Plan in relation to liveability, sustainability, conserving and enhancing heritage, increasing urban tree canopy and protecting streetscapes. When the proposed changes to this area were being presented at the July 2018 council meeting, the community was told the trees along the boundary between Essex Street and Forest
10 Grove properties would be protected. Significant trees were to be identified and retained.

Now, we learn council has taken no actions to recognise the significant trees and the trees will need to be removed to provide space for the dual occupancy developments.
15 While council alleges the trees can be replaced, this is most unlikely as there will be insufficient space for tree planting and tree canopy. Currently, from my apartment, I can see many of the Essex Street trees which will be removed, and, in the mornings, I hear the birds singing in them. These trees are valuable assets for reducing urban head, air quality, habitat and aesthetic value.

20 Forest Grove is already hotter and noisier for having lost its trees to make way for the six-storey apartment blocks, and having further tree removal from Essex Street will make this area so much less liveable and sustainable. This proposal to create a hybrid Heritage Conservation Area has not been presented to the council's heritage
25 committee for comment prior to being developed. I would anticipate the council would have difficulty with aspects of the planning proposal, such as allowing the development at the rear to be visible from the street, changes to subdivision size, flat roof building forms and tree and vegetation removal.

30 It is very easy to predict the unintended impact of this planning proposal. The unintended impact will be the replacement of this leafy Heritage Conservation Area with wall-to-wall housing. Epping residents have seen enough DAs with the demolition of buildings and tree removal approved in East Epping Heritage
35 Conservation Area to know this will also happen in the Essex Street HCA, especially with the added incentive of being able to subdivide with no minimum lot size. 52 Essex Street is already pushing for all the trees to be removed. Precedence show that should the DAs this planning proposal will generate be rejected, they will be taken to the Land and Environment Court and approved. And could I just say one little thing. There is an anomaly between part 1 and part 2 of the planning proposal. Part 1
40 stipulates there will development consent if the lot has an area of at least 700 square metres, whereas part 2 refers to this as 600 square metres.

MS TAYLOR: I picked that up too, and I've been told the 600 was a mistake, because, clearly, the 700 is more likely to protect a better dual occupancy outcome.

45 MS McCARTNEY: Okay.

MS TAYLOR: So I'm noting that as a mistake.

MS McCARTNEY: Thank you very much.

5 MS TAYLOR: But thank you for noticing.

MS McCARTNEY: Thank you for that. Thank you.

MS TAYLOR: Thank you, Ms McCartney.

10 MR J. GIBB: Madam Chair, I would like to speak if I may.

MS TAYLOR: You can.

15 MR GIBB: I just have one item. Because we only found out two days ago, I didn't have time to actually register.

MS TAYLOR: You're on.

20 MR GIBB: Are you okay with that?

MS TAYLOR: Yes.

MR GIBB: Okay. My name is - - -

25 MS TAYLOR: Your name?

MR GIBB: My name is John Gibb, and I live at 65 Essex Street. I just want to speak on one matter just to expand on what Kevin was saying.

30 MS TAYLOR: You're on the eastern side.

MR GIBB: Pardon? Eastern side.

35 MS TAYLOR: Eastern side.

MR GIBB: Yes. I just want to talk about a conflict in the paper where it talks about, in section 56:

40 *Significant trees are likely to be removed.*

And also the need to maintain the HCA and the streetscape. If you look at figure 13 on page 648 as an example, and I'll just talk to that as the example, you'll see, there, that the five and six-storey units behind the properties – basically a small shell of
45 privacy through those trees that are there.

MR BERKEMEIER: It's a different 648, yes.

MR GIBB: 648.

MR BERKEMEIER: Yes. Different document. It's a different - - -

5 MR GIBB: Sorry, different - - -

MR BERKEMEIER: We have different - - -

MR GIBB: It's figure 13.

10 MR BERKEMEIER: We have very different page numbers.

MR JOHNSON: I'm not sure it is on our one, no.

15 MR GIBB: Yes.

MR BERKEMEIER: Can you show us the - - -

MS TAYLOR: Would you like to come and show us - - -

20 MR BERKEMEIER: Show us the document, yes. Thank you. Good. Yes.

MS TAYLOR: That one there.

25 MR GIBB: It's the view from 52 Essex Street.

MS TAYLOR: Got it.

MR BERKEMEIER: Yes.

30 MR GIBB: Yes. So - - -

MS TAYLOR: It's six - page - - -

35 MR JOHNSON: Yes.

MS TAYLOR: - - - 673.

MR JOHNSON: Yes, 673 on ours. That's right.

40 MR GIBB: So just talking to that as an example, you'll see at the back of the property, there's a thin veneer of trees that shade or hide, if you like, the five and six-storey buildings behind that from the streetscape of Essex Street. In section 56, it says significant trees are likely to be removed as part of a compromise to actually
45 build these townhouses. It's almost apologetic that it says that some of these dual occupancies may be seen from Essex Street, but once those trees are removed, you will have the double-storey house in front, which terrific. You won't be able to see

the dual occupancy behind, but what you'll see is the four stories – three and four stories of the buildings behind, absolutely no coverage, and the only thing we have to get any sort of comfort is that people will be encouraged to do some planting to try and overcome that.

5

So if the ability to remove those significant trees remains, we will denude – what's on there – the privacy of those properties will be lost even further, although they may be able to get some more financial benefit from having that additional property on there, but the streetscape will be lost.

10

MS TAYLOR: Thank you.

MR GIBB: That's all I wanted to say

15

MS TAYLOR: I understand where you're coming from.

MR GIBB: Thank you.

20

MS TAYLOR: Yes. Thank you very much. We'll move on to – did you want to speak on behalf of the council?

MR CARLE: Not unless you have any questions.

25

MS TAYLOR: Questions?

MR BERKEMEIER: No, we've covered a few before.

MS TAYLOR: Yes. Thank you.

30

MR JOHNSON: Yes.

MS TAYLOR: We're going to move onto item 6.1. Is anybody here to speak to this one, which is the other planning proposal to do with the Dyldam applicant? Nobody here for Dyldam?

35

MS SHAHIN: No.

MS TAYLOR: All right. So thank you. I think we will close the meeting and finalise our reports - - -

40

MR BERKEMEIER: What about - - -

MS TAYLOR: - - - which will be on website within - - -

45

MR BERKEMEIER: What about - - -

MS TAYLOR: - - - a couple of days.

MR BERKEMEIER: - - - six - - -

MS TAYLOR: Thank you very much for your attendance. I now close the meeting.

5

RECORDING CONCLUDED

[5.01 pm]