

MINUTES OF THE LOCAL PLANNING PANEL HELD VIA AUDIO-VISUAL MEANS
ON TUESDAY, 19 APRIL 2022 AT 3:30PM

PRESENT

Mary-Lynne Taylor (Chairperson), Robert Hussey, Alison McCabe and Ian Gilbertson.

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Chairperson, acknowledged the Burramattagal people of The Darug Nation, as the traditional land owners of land in Parramatta and paid respect to their ancient culture and to their elders, past, present and emerging.

WEBCASTING ANNOUNCEMENT

The Chairperson advised that this public meeting is being recorded. The recording will be archived and made available on Council's website.

APOLOGIES

There were no apologies made to this Local Planning Panel.

DECLARATIONS OF INTEREST

Mary-Lynne Taylor, declared a conflict of interest in Item 6.1 – Post Exhibition report - Planning Proposal and draft Planning Agreement for land at 22 Noller Parade, Parramatta. She retired from the meeting prior debate and voting on the matter.

REPORTS - DEVELOPMENT APPLICATIONS

5.1	SUBJECT	PUBLIC MEETING: 57 Jenkins Road, CARLINGFORD (Lot 4 DP 663067)
	DESCRIPTION	Demolition of existing structures, tree removal and construction of a 3 storey boarding house comprising of 19 rooms over basement parking.
	REFERENCE	DA/1005/2021 - D08443246
	APPLICANT/S	Oilcan Investments Pty Ltd
	OWNERS	Oilcan Investments Pty Ltd
	REPORT OF	Group Manager Development and Traffic Services

The Panel considered the matter listed at Item 5.1. and attachments to Item 5.1.

PUBLIC FORUM

1. Mr Michael John spoke for the report recommendation to refuse the development application.

2. Councillor Georgina Valjak spoke for the report recommendation to refuse the development application.
3. There were additional eleven (11) submissions received and read by the panel prior to the meeting from local resident objectors.

DETERMINATION

- (a) **That** the Parramatta Local Planning Panel, exercising the function as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, refuse consent to Development Application No. DA/1005/2021 for Demolition of existing structures, tree removal and construction of a 3-storey boarding house comprising of 19 rooms over basement parking for the site at 57 Jenkins Road, CARLINGFORD.
- (b) **Further, that** submitters be notified of the decision.

REASONS FOR REFUSAL

- 1. State Environmental Planning Policy (Affordable Rental Housing) 2009**
 - a) Clause 29(2)(a) - The proposal exceeds the maximum Building Height onsite
 - b) Clause 29(2)(b) - The proposed landscape treatment of the front setback area is compatible with the streetscape in which the building is located
 - c) Clause 30A – The development is not in keeping with the desired future character of the area, which encourages the amalgamation of lots of 4000 sqms or more.
- 2. Parramatta (former The Hills) Local Environmental Plan 2012**
 - a) Clause 4.3 – The proposed development exceeds the 10m building height development standard
 - b) Clause 4.6 – The written request to vary Clause 4.3 has not adequately demonstrated that compliance with the development standard is unreasonable and unnecessary nor has it provided sufficient environmental planning grounds to justify contravening the development standard.
 - c) In addition, it is likely the proposal will result in an isolated site, which is not in keeping with policy framework.
- 3. The Hills Development Control Plan 2012**
 - a) The proposed basement carpark does not sufficiently demonstrate that vehicles are able to enter and exit in a forward direction in the scenario when all car parking spaces are occupied.
 - b) The proposed development is excessive in scale when considered against the current height of building and amenity controls.
 - c) The proposed development would result in an increase in shadows cast over adjoining properties, in particular the southern dwelling.

- d) The motorcycle parking arrangement is poorly configured that it has made it inaccessible.
- e) The ground floor exceeds one (1) metre above natural ground level as a result of the inefficient driveway and basement design.
- f) Insufficient side setback provided.
- g) Insufficient landscaping and deep soil zones provided.
- h) Access for people with disabilities is not adequately addressed.
- i) The proposed means of access to the site is unacceptable, particularly in relation to its proximity to the traffic controlled intersection.

The Panel decision was unanimous.

5.2 SUBJECT OUTSIDE PUBLIC MEETING:
125-129 Arthur Street, PARRAMATTA (Lots 5, 6 & 7 DP 27997)

DESCRIPTION Section 4.55(2) Modification to DA/776/2014 for the demolition of existing buildings, tree removal and construction of a Part 4, 6 and 7 storey residential flat building comprising 64 dwellings and basement car parking.
The modification seeks to increase the building height by 300mm, amend the layout of the basement, ground floor and first floors, changes to the unit mix, provision of a padmount substation, and amendments to services.

REFERENCE DA/776/2014/C - D08408061

APPLICANT/S Ghazi Al Ali Architect

OWNERS S & A Property Holdings Pty Ltd

REPORT OF Group Manager Development and Traffic Services

DETERMINATION

That the consideration of this matter be deferred for a further report.

The panel is concerned that the proposed modification will impose complicated duties upon new home owners to deal with serious and likely flood impacts. The panel finds it unusual for a building that is fully residential and believes that the use of the flood inundated areas should not be residential. The manner of shelter provided is also of concern, the panel needs to know what type of shelter needs to be provided e.g. will there be toilets, lifts, access, running water and sufficient room. In light of recent flooding in Sydney Metropolitan area and particularly in Parramatta, the Panel believes that tighter controls and much earlier identification of the duties required of home owners should be given e.g. by a covenant on title that warns prior to purchase.

The Panel believes that there should be a new suite of additional conditions addressing four matters;

- a) The manner in which future purchasers are alerted to flooding risks of the building or site
- b) The requirements and duties of the residents and flood wardens associated with the detailed Site Emergency Response Flood Plan
- c) The need for expenditure for ongoing monitoring and maintenance of the flood management infrastructure;
- d) The appropriate size and furnishing of any shelter; and

These conditions should require notification on title.

The Panel requires a supplementary report addressing these matters and may be prepared to deal with finalisation of the matter electronically.

The Panel decision was unanimous.

Note: Mary-Lynne Taylor retired from the meeting at 5:24 pm.

The Chairperson was assumed by Robert Hussey.

INNOVATIVE

6.1 SUBJECT Post Exhibition report - Planning Proposal and draft Planning Agreement for land at 22 Noller Parade, Parramatta

REFERENCE RZ/15/2018 -

APPLICANT/S Hamptons Property Services

OWNERS Jimstam Holdings

REPORT OF Project Officer

DETERMINATION

The Panel recommends that further investigation be undertaken regarding the potential flooding risk of the site and the associated impacts this may have on the land use of the ground floor and resident safety. The Panel notes the proximity of 125-129 Arthur Street to this site (which the Panel has previously dealt with) and the desirability of a adopting a consistent policy approach.

The Panel gives no weight to the indicative plans provided as part of the planning proposal noting that they do not satisfy ADG separation requirements.

The Panel decision was unanimous.

The meeting terminated at 5:38 pm.




Robert Hussey (Apr 22, 2022 11:34 GMT+10)

Chairperson