



**CITY OF
PARRAMATTA**

MINUTES

**Parramatta Local Planning Panel
Tuesday, 15 October 2024
3.30pm**

**Level 3, PHIVE
Parramatta Square, Parramatta**

PANEL MEMBERS

Richard Pearson (Chairperson)
Annelise Tuor (Expert Member)
Tina Christy (Expert Member)
Rob Warry (Community Member)

STAFF MEMBERS

Group Manager, Development & Traffic Services - Mark Leotta , Acting Group Manager Major Projects and Precincts – Belinda Borg, Land Use Planning Manager – Michael Rogers, Team Leader Development Assessment – Sara Smith, Team Leader Development Support – Sarah Irani, Team Leader Major Projects and Precincts – William Jones, Coordinator Secretariat Services – Marina Cavar, ICT Service Team Leader – Alex Picone, Project Officer Major Projects and Precincts – Simon Coleman, Legal Support Officer – Christine Treadgold, Senior Development Assessment Officer – Najeeb Kobeissi, Development Assessment Officer – Laura Perkins, Manager Development Assessment – Claire Stephens (online), Team Leader Development Assessment – Jonathon Cleary (online), Team Leader Development Assessment – Alicia Hunter (online).

1. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

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.

2. WEBCASTING ANNOUNCEMENT

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

3. APOLOGIES

There were no apologies, all members were in attendance.

4. DECLARATIONS OF INTEREST

The following disclosures have been made:

In relation to Item 6.2 Planning Proposal for 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington, Ms Tuor declared that her son previously worked for the applicant's planning consultants in 2023 however had no involvement with the subject proposal. In accordance with the Local Planning Panels Code of Conduct this is considered a non-significant non-pecuniary interest and Ms Tuor is able to remain on the panel for consideration of the matter.

In relation to the same item, the Chair declared that the applicant’s planning consultants used to work for me in the Department of Planning. However, this professional relationship ceased in 2014 and there has been no ongoing personal or professional relationship with the consultants. Accordingly, in accordance with the Local Planning Panels Code of Conduct this is also a non-significant non-pecuniary interest and I am able to remain on the panel for consideration of the matter.

No members have disclosed any other pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

4A. PUBLIC SPEAKERS

Speaker	Item number	Title
Sarah Horsfield - Urbis	6.1	Planning Proposal at 38-50 South Street, Rydalmere
Brigitte Bradley - Urbis	6.1	Planning Proposal at 38-50 South Street, Rydalmere
Taylah Brito – Urbis	6.1	Planning Proposal at 38-50 South Street, Rydalmere

5. REPORTS - DEVELOPMENT APPLICATIONS

5.1 **SUBJECT** OUTSIDE PUBLIC MEETING: 43 Belmore Street East, OATLANDS NSW 2117 (Lot 1 DP 215574)

DESCRIPTION Section 4.55 (1A) modification to DA/688/2016 for the approved alterations and additions to a commercial building to create a shop top housing development containing two (2) units comprising one commercial and one residential unit. The modification includes internal alterations to the building.

APPLICANT/S Developable Pty Ltd

OWNERS Ms C Haddad

REPORT OF Group Manager Development and Traffic Services
PANEL'S DECISION:

- (a) Parramatta Local Planning Panel exercising the functions of Council pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, as the consent authority, **modify development consent** DA/688/2016 for alterations and additions to a commercial building to create a shop top housing development containing two (2) units comprising one commercial and one residential unit to include modifications comprising internal alterations to the building on land at 43 Belmore Street East, Oatlands, subject to the following modifications:
 - a. Amend Condition Nos. 1, 50 & 60 to reflect the updated plans and documents.
 - b. All other conditions of DA/688/2016 remain unchanged.
- (b) Parramatta Local Planning Panel approves the modification notwithstanding the non-compliance with the floor space ratio (clause 4.4 of Parramatta Local Environmental Plan 2023) as there are sufficient environmental planning grounds to justify the variation.
 - a. Compliance with the development standard for floor space ratio would be unnecessary considering the construction of the alterations and additions is within the approved building envelope.
 - b. That the proposed development will result in negligible visual impact to adjoining properties and the streetscape, and
 - c. That the proposed noncompliance will result in negligible impact to bulk and scale as the proposed additional floor area will be restricted to internal areas of the building.

REASONS FOR APPROVAL

The PLPP is satisfied that the Applicant has justified the contravention of the floor space ratio development standard. Whilst clause 4.6 of *Parramatta Local Environmental Plan* does not apply in this circumstance, a written request to vary the FSR has been received. The Applicant has demonstrated that:

1. Compliance with the development standard is unreasonable in the circumstances, and
2. There are sufficient environmental planning grounds to justify contravening the development standard, and
3. The proposal is consistent with the objectives of the FSR control, and
4. The objectives for development within the E1 zone in which the development is proposed to be carried out are met, and
5. The variation sought will not have any adverse impacts.

Voting 4-0 (unanimous)

6. REPORTS - PLANNING PROPOSALS

6.1 **SUBJECT** Planning Proposal at 38-50 South Street, Rydalmere

APPLICANT/S Urbis

OWNERS Dexus

REPORT OF Project Officer

PANEL'S ADVICE:

The Parramatta Local Planning Panel advise Council that:

- a) Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 38-50 South Street, Rydalmere (**Attachment 1**) which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) by:
 - i. reducing the heritage curtilage that applies to the site;
 - ii. changing the heritage item name from 'Truganini House and grounds' to 'Truganini House and riverfront setting'; and
 - iii. changing the property description from 'Lot 10, DP 774181' to 'Part of Lot 10, DP 774181'.
- b) Council requests from the DPHI that it be authorised to exercise its plan-making delegations for this Planning Proposal.

- c) Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.
- d) Council consider whether any further changes to Planning Controls or other mechanisms are required to maintain the Heritage significance of the item and its curtilage connection to Parramatta River.
- e) The panel notes the purpose of the Planning Proposal is to enable exempt and complying developments to be undertaken in the Industrial Precinct which will enable the precinct to facilitate efficient development, while maintaining the heritage significance of Truganini House and riverfront setting.

Voting 4-0 (unanimous)

6.2 **SUBJECT** Planning Proposal at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington

APPLICANT/S KEYLAN Consulting Pty Ltd

OWNERS PAYCE Pty Ltd

REPORT OF Project Officer Land Use
PANEL'S ADVICE

The Parramatta Local Planning Panel advise Council that:

- (a) Council approve for finalisation the Planning Proposal (provided at **Attachment 1**) for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington (the site), which seeks to amend Parramatta Local Environmental Plan 2023 as follows:
 - (i) Rezoning 19 Hope Street from E4 General Industrial to part MU1 Mixed Use and part RE1 Public Recreation.
 - (ii) Rezoning 69, 71, 73 and 75 Hughes Avenue from R2 Low Density Residential to MU1 Mixed Use.
 - (iii) Rezoning 77 Hughes Avenue from R2 Low Density Residential to part MU1 Mixed Use and part RE1 Public Recreation.
 - (iv) Amending the maximum building height across the site from part 9m and part 12m to a range between 13m and 48m (approximately 4 – 14 storeys).
 - (v) Amending the Floor Space Ratio (FSR) from part 1:1 and part 0.5:1 to 2.67:1 (for MU1 Mixed Use land only).

- (vi) Inserting a site-specific provision in Part 6 Additional local provisions of PLEP 2023 and amending the Additional Local Provisions map to include the site to ensure a minimum of 1,400m² of non-residential floor space is to be provided to serve the local retail and commercial needs of the incoming population.
- (b) Council approve the site-specific Development Control Plan (DCP) at **Attachment 2** for finalisation and insertion into the Parramatta Development Control Plan (PDCP) 2023.
- (c) Council delegate authority to the Chief Executive Officer to finalise the draft Planning Agreement at **Attachment 3**, and to sign the Planning Agreement on Council's behalf.
- (d) Council delegate authority to the Chief Executive Officer to make minor amendments and corrections of a non-policy and administrative nature that may arise during the finalisation process relating to the Planning Proposal, DCP and Planning Agreement.
- (e) Council consider whether the rate of affordable housing provided on the site through the Planning Agreement is adequate.
- (f) The Panel notes that the Planning Proposal is consistent with the Melrose Park structure plan and will facilitate the orderly development of a key urban renewal precinct.

Voting 4-0 (unanimous)

7. CONFIDENTIAL MATTERS

Confidential - Land and Environment Court Proceedings - 62 Boundary Street Parramatta. (D09519537) - *This report is confidential in accordance with section 10A (2) (e) (g) of the Local Government Act 1993 as the report contains information that would, if disclosed, prejudice the maintenance of law; AND the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

7.1 **CONFIDENTIAL - Land and Environment Court Proceedings - 62 Boundary Street Parramatta**

DESCRIPTION Demolition of existing structures, tree removal and construction of a 3 storey, 48 place childcare centre with basement parking for 12 vehicles.

APPLICANT/S Baini Design

OWNERS E Nehme

REPORT OF Legal Support Officer
PANEL'S DECISION:

- (1) That having regard to:
 - (i) the advice given by the Council's planner undertaking the Appeal; and
 - (ii) the legal opinion provided to the Panel, including that the Contentions in the Appeal have been resolved by the amended plans submitted with the Council's report to the Panel.
- (2) The Panel direct the Council to resolve the proceedings by way of a section 34 conciliated agreement consistent with the amended plans.

Voting 4-0 (unanimous)

The meeting closed at 4:30 pm.

Chairperson