

# MINUTES

Parramatta Local Planning Panel Tuesday, 16 July 2024 3.30pm

Level 3, PHIVE Parramatta Square, Parramatta

### PANEL MEMBERS

Richard Pearson (Chairperson) Heather Warton (Expert Member) Patrick Hurley (Expert Member) Heather Joung (Community Member)

### STAFF MEMBERS

Team Leader Strategic Land Use Planning - Sonia Jacenko, Senior Project Officer – Darya Fatah, Legal Support Officer - Christine Treadgold, Senior Solicitor - Carlo Zoppo, Governance Officer (minute secretary) – Neeli Sharma

### 1. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Chairperson, acknowledged the Burramattagal people of The Dharug 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 made to this Local Planning Panel.

### 4. DECLARATIONS OF INTEREST

There were no declarations of interest made to this Local Planning Panel.

## 4A. PUBLIC SPEAKERS

The meeting commenced at 3.30 pm. No speakers were registered to address the Parramatta Local Planning Panel ('the Panel').

### 5. <u>REPORTS – PLANNING PROPOSALS</u>

5.1 **SUBJECT** Request for Gateway - Harmonisation 'Orange Matters' and Housekeeping Amendment to the PLEP 2023

APPLICANT/S City of Parramatta Council

**OWNERS** City of Parramatta Council and multiple landowners

**REPORT OF** Senior Project Officer

### PANEL ADVICE

That the Parramatta Local Planning Panel (LPP) advised the following:

(a) That Council approve the recommended pathways for resolving the outstanding 'Orange Matters' arising from the exhibition of the Parramatta Harmonisation Planning Proposal as detailed in Attachment 1.

- (b) That Council approve the 'housekeeping' and administrative changes to the PLEP 2023 contained in Attachment 2.
- (c) That Council approve the Parramatta Harmonisation Supplementary Matters and Housekeeping Planning Proposal at Attachment 3 for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure.
- (d) That Council endorse to maintain the prohibition of Places of Public Worship in the R2 Low Density zone and include Places of Public Worship as an Additional Permitted Use on land with an existing Places of Public Worship in the R2 Low Density zone; and update the Planning Proposal at Attachment 3 with the associated amendments prior to forwarding the Planning Proposal to the Department of Planning, Housing and Infrastructure.
- (e) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its planmaking delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (f) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.
- (g) In inserting the dwelling mix clause into the LEP, the LPP considers that Council needs to consider:
  - whether this will just create a more bureaucratic process whereby developers that seek to vary the provision now in the DCP will now still seek to vary it via Clause 4.6 variations and whether the supporting objectives proposed are adequate to maintain Council's policy position;
  - the adequacy of research undertaken to justify the provision and whether there is likely to be any unintended consequences on housing supply as a result.
- (h) With regard to the proposed provision to enable sports ground advertising as 'exempt' development, the LPP recommends Council also precluding gambling advertising in addition to the other proposed forms of advertising to which the provision will not apply.
- (i) In prohibiting Places of Public Worship in the R2 Low Density Zone, Council should ensure all faiths are currently adequately catered for and/or that sufficient opportunities exist for new Places of Public Worship in other zones in the LGA.

VOTING Unanimous

## FROM CLOSED SESSION 16 JULY 2024

#### **RECOMMENDATION:**

#### NOTE

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(s) of the Local Government Act, 1993 as the items lists come within the following provisions:-

Confidential - Land and Environment Court Proceedings - 1 Tracey Street, Carlingford. (D09518150) - This report is confidential in accordance with section 10A (2) (g) of the Local Government Act 1993 as 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.

### 6. <u>CONFIDENTIAL MATTERS</u>

- 6.1 **SUBJECT** Confidential Land and Environment Court Proceedings - 1 Tracey Street, Carlingford
  - **DESCRIPTION** Class 1 Appeal against refusal of DA/424/2023 seeking approval for the constructions of a two-storey 72 place child care centre with basement carparking
  - APPLICANT/S 1 Tracey Pty Ltd
  - **OWNERS** 1 Tracey Pty Ltd
  - **REPORT OF** Group Manager Development and Traffic Services

### PANEL DECISION

- (a) That having regard to the legal opinion, that the appeal has poor prospects of success given the amended application, the advice of Council's Planning Officer and due to the lack of any expert evidence to support a refusal based on the amended application (and risk of an adverse costs order) the PLPP direct Council to resolve the Class 1 appeal by way of a section 34 conciliated agreement.
- (b) Further that delegation be granted to the Chief Executive Officer of the City of Parramatta Council who in turn may sub-delegate to

Council Officers nominated by the Chief Executive Officer, to negotiate and enter into an Agreement, with the Applicant pursuant to section 34 of the Land and Environment Court Act, on the basis of the set of without prejudice amended plans and attached proposed conditions of consent, which may be approved by the court.

VOTING Unanimous

The meeting terminated at 3.39pm.

Chairperson