

MINUTES OF THE LOCAL PLANNING PANEL HELD VIA ONLINE MEANS ON  
TUESDAY, 19 JANUARY 2021 AT 3:30PM

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PRESENT

David Lloyd QC (Chair), Helen Deegan, Richard Thorp, Anne Smith

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Chairperson, acknowledged the Burramattagal Clan of The Darug, the traditional land owners of Parramatta and paid respect to the elders both past and present.

WEBCASTING ANNOUNCEMENT

The Chairperson advised that the 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

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

REPORTS - DEVELOPMENT APPLICATIONS

- 5.1           SUBJECT       PUBLIC MEETING:  
                                  21 Bellevue Street, North Parramatta  
                                  Lot 16 DP 5211
- DESCRIPTION Demolition of existing structures, tree removal and  
                                  construction of a two-storey 48 place child care centre  
                                  with basement parking.
- REFERENCE   DA/425/2020 - D07799663
- APPLICANT/S   Archidrome Pty Ltd
- OWNERS        Ms M A Patel and Mr A J Patel
- REPORT OF    Group Manager, Development & Traffic Services

The application was withdrawn by the Applicant.

- 5.2           SUBJECT       OUTSIDE OF PUBLIC MEETING:  
                                  200 Ray Road, EPPING NSW 2121  
                                  Lot 27 DP 238334

DESCRIPTION Section 8.3 Review of determination for DA/613/2019 for  
demolition of the existing structures, tree removal,

construction of a new double-storey dwelling and retention of the existing swimming pool.

REFERENCE DA/613/2019 - D07793684

APPLICANT/S As Architecture Pty Ltd

OWNERS Mr J E Kofod and Ms M Li

REPORT OF Group Manager, Development & Traffic Services

The Panel considered the matter listed at Item 5.2 and attachments to Item 5.2.

#### PUBLIC FORUM

- Mr Jason Kofod and Ms Miao Li, property owners, spoke against the report recommendation at Item 5.2.

#### DETERMINATION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, that the Parramatta Local Planning Panel **refuse** development consent to DA/613/2019 for the following reasons:

##### **Flooding**

1. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal does not satisfy Clause 6.3 Flood planning of the Hornsby Local Environmental Plan 2013;
2. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal fails to comply with Section 1C.3.2 – Flooding under the Hornsby DCP 2013;
3. In accordance with Section 4.15(1)(a)(c) of the Environmental Planning and Assessment Act 1979 the proposal fails to comply with the City of Parramatta Local Floodplain Risk Management Policy and NSW Floodplain Development Manual.

##### **Public interest**

4. Having regard to the matters raised above the proposal is not in the public interest. The application has not suitably demonstrated that the proposed development can be appropriately drained.

Details of the Panel decision is below:

For: Helen Deegan, Richard Thorp, Anne Smith

Against: David Lloyd QC (Chair), for the reason that the proposed development would reduce the risk of flooding to persons and property

5.3            SUBJECT        OUTSIDE OF PUBLIC MEETING:  
521 Victoria Road, Ermington

DESCRIPTION Partial demolition and refurbishment of the existing licensed premises and alterations & additions to the existing hotel comprising construction of a four (4) storey hotel with a total of 90 rooms, car parking, signage and associated landscaping.

REFERENCE    DA/754/2019 - D07810923

APPLICANT/S   Traclon (no 13) Pty Ltd

OWNERS        Traclon (no 13) Pty Ltd

REPORT OF     Group Manager, Development & Traffic Services

The Panel considered the matter at Item 5.3 and attachments to Item 5.3.

#### PUBLIC FORUM

- Mr Joseph Arnott of Urbis spoke in favour of the application at Item 5.3.
- Mr Matt Nilan of MostynCopper spoke in favour of the application at Item 5.3.
- Mr David Blackburn of MostynCopper spoke in favour of the application at Item 5.3.
- Mr David Thompson of WMK spoke in favour of the application at Item 5.3.

#### DETERMINATION

- (a) **That** Parramatta Local Planning Panel support the variation to Clause 4.3 of Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the reasons set out in paragraph 2 of the reasons for decision.
- (b) **Pursuant** to Section 4.16 of the Environmental Planning and Assessment Act, 1979, that Parramatta Local Planning Panel grant development consent to DA/754/2019 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent amended as follows:
  - Deletion of Condition No. 12;
  - Addition of new Condition No. 12 to read:

12. *Prior to the issue of the Construction Certificate, the applicant is to enter into discussion with Council's Civil*

*Assets Team and Council's Open Space & Natural Area Team to determine the details required for upgrade of the adjoining Council Carpark. Upgrades shall incorporate additional landscaping and tree planting, the closure of the northern car park access at River Road and the construction of a combined entry and exit driveway at the existing southern access.*

**Reason:** *To improve the safety, visual quality and amenity of the carpark at the cost of the developer*

- Amendment to Condition No. 59 to read:

*59. Prior to the issue of the Occupation Certificate, the upgrade works discussed between the developer and Council to the adjoining Council carpark are to be completed to the satisfaction of Council's Civil Assets Team and Council's Open Space & Natural Area Team.*

**Reason:** *To improve the safety, visual quality and amenity of the carpark at the cost of the developer*

- Deletion of Condition No. 74.

The Panel decision was unanimous.

## **REASONS FOR DECISION**

The reasons for approval are as follows:

1. The development is permissible in the B2 zone and satisfies the requirements of all of the applicable planning controls, with one exception being the building height development standard.
2. A written request to vary the building height has been received. The variation sought will not have any adverse impacts. As such, compliance with the standard is unnecessary. Accordingly, the Panel believes that there are sufficient environmental planning grounds to justify the variation and finds that the application is satisfactory. The Panel is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011 and that the proposed development will be in the public interest because it is consistent with the objectives of the building height control and the objectives for development within the B2 zone in which the development is proposed to be carried out.
3. The development will be compatible with the emerging and planned future character of the area.
4. For the reasons given above, approval of the application is in the public interest.

5.4      SUBJECT      OUTSIDE OF PUBLIC MEETING:  
1 Villiers Street, PARRAMATTA NSW 2150  
Lot 4 DP 587980

DESCRIPTION Section 4.55(2) Modification to DA/171/1997 for the restoration of the existing cottage and construction of a 2-storey brick building at the rear. The modification includes an increase to the floor area of the rear building and associated building identification signage.

REFERENCE DA/171/1997/A - D07796428

APPLICANT/S Baini Corp Pty Ltd

OWNERS Baini Corp Pty Ltd

REPORT OF Group Manager, Development & Traffic Services

The Panel considered the matter listed at Item 5.4 and attachments to Item 5.4.

#### PUBLIC FORUM

There were no public forum submissions for Item 5.4.

#### DETERMINATION

Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act, 1979:

- (a) That the Parramatta Local Planning Panel (PLPP), excising the functions of Council as consent authority **approve** development consent to DA/171/1997/A for an increase to the floor area of the rear building and building identification signage pertaining to the rear office premise, subject to an amendment to the conditions of consent as follows:
  - Deletion of Condition No. PF0029.
- (b) That submitters are advised of the decision.

The Panel decision was unanimous.

#### REASONS FOR DECISION

The reasons for approval are as follows:

1. The development is permissible in the R2 zone and satisfies the requirements of all applicable planning controls.
2. The development will be compatible with the emerging and planned future character of the area.
3. The development does not detract from any nearby heritage items.
4. For the reasons given above, approval of the application is in the public interest.

The reasons for the conditions imposed on this application are as follows:

5. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and the objectives of the relevant Council Planning instrument
6. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development
7. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds
8. To ensure the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 are maintained.

INNOVATIVE

Nil

The meeting terminated at 4:36 pm.



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Chairperson