

NOTICE OF COUNCIL MEETING

PUBLIC SUPPLEMENTARY

AGENDA - B

An Ordinary Meeting of City of Parramatta Council will be held in the Cloister Function Rooms, St Patrick's Cathedral, 1 Marist Place, Parramatta on Monday, 22 March 2021 at 6.30pm.

Brett Newman
CHIEF EXECUTIVE OFFICER

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***After the conclusion of the Council Meeting, and if time permits, Councillors
will be provided an opportunity to ask questions of staff***

MINUTE OF THE LORD MAYOR

ITEM NUMBER	8.1
SUBJECT	Condolence Motion: James Law
REFERENCE	F2019/03630 - D07960724
REPORT OF	Lord Mayor, Councillor Bob Dwyer

PURPOSE:

The purpose of this Minute is to pay our respects on the passing of City of Parramatta officer James Law.

RECOMMENDATION:

- (a) **That** Council acknowledge the passing of City of Parramatta officer James Law, offering our condolences to his family, friends and colleagues.
- (b) **That** Council write a letter of condolence to the family of Mr Law, acknowledging his service to the City of Parramatta Council; and
- (c) **Further, that** the Chamber hold a minute's silence as a gesture of respect on Mr Law's passing.

BACKGROUND

- 1. Mr James Law joined City of Parramatta Council in 2006 and had a long and prosperous career of 15 years exclusively with our Rates Team.
- 2. Commencing as a Rates Officer, James was responsible for looking after Pensioner rebate applications, Section 603 certificates and debt recovery.
- 3. Mr Law was known for always undertaking his role diligently and with pride, and above all else was committed to providing a professional service to the people of the City of Parramatta.
- 4. In recognition of his skills, experience and achievements, Mr Law was promoted to Senior Rates Officer in 2018, and was a mentor to other staff given his professional standing and experience.
- 5. James was a friend, colleague and confidant to many within his team and across Council, and was so conscientious he worked right up until he was unable to do so.
- 6. Sadly, James Law lost his battle with cancer on Tuesday 16 March 2021, but he leaves a legacy of hard work and commitment through the lives he touched both within Council and the wider Parramatta community.
- 7. Vale James Law (10/01/1960 – 16/03/2021, aged 61 years).
- 8. Council offers its condolences to James Law's family, friends and colleagues, and holds a minutes silence in the Chamber as a gesture of respect.

FINANCIAL IMPLICATION FOR COUNCIL

- 9. There are no new financial implications for Council as a result of this Lord Mayor Minute.

Lord Mayor, Councillor Bob Dwyer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

MINUTE OF THE LORD MAYOR

ITEM NUMBER	8.2
SUBJECT	March 2021 NSW Floods
REFERENCE	F2019/03630 - D07960734
REPORT OF	Lord Mayor, Councillor Bob Dwyer

PURPOSE:

The purpose of this Minute is to note the impacts of the heavy rainfall and localised flooding experienced in the City of Parramatta over the weekend, and the work of Council staff and local emergency services personnel in supporting our community.

RECOMMENDATION:

- (a) **That** Council note the current significant wet weather occurring across eastern NSW, resulting in impacts from flood and storm conditions in the City of Parramatta;
- (b) **That** Council note the impacts to residents and businesses in our community, with many facing potential damage to property due to rainfall and localised flooding;
- (c) **That** Council note all Childcare Centres, Libraries, Riverside Theatres, Recreation and Aquatic facilities are open as planned, with the exception of Epping Library, and remote services including Meals on Wheels and Active Parramatta are also operational;
- (d) **That** Council thanks the NSW SES, NSW Police, emergency services personnel and other agencies who have responded to calls for help across the City;
- (e) **That** Council thanks the Council staff who have worked throughout the weekend, day and night, to inspect sites, assist emergency services, provide resources and commence the clean-up;
- (f) **Further, that** Council note that Council officers are continuing to work with the NSW SES, NSW Police and other agencies to continue to address the impacts of the wet weather event.

BACKGROUND

- 1. Over the weekend of 19, 20 and 21 March 2021, heavy rainfall was experienced across NSW including in the City of Parramatta, with a number of areas in the Local Government Area (LGA) experiencing localised flooding.
- 2. This rain, expected to continue over the coming days, saw almost double the average rainfall for March fall in our City over three days (average 112mm for the month, with 193mm falling this weekend).
- 3. City of Parramatta Council (Council) teams are continuing to work closely with the NSW SES, NSW Police, emergency personnel and other agencies to respond to calls for help across the City, assisting with sandbagging, clearing debris and fallen trees, and road closures.
- 4. Multiple crews worked across the weekend, to ensure they could monitor road closures and respond to requests from residents and emergency personnel swiftly to minimise inconvenience and disruption to the community. This included working late into Saturday night responding to local flooding in

Homebush and Wentworth Point, pumping flood water and assisting NSW Police with traffic diversions.

5. Updates regarding Council Assets, Facilities and Services, include:
 - a. All Childcare Centres, Libraries, Riverside Theatres, Recreation and Aquatics are open as planned, with the exception of Epping Library, which has experienced significant ceiling damage caused by the wet conditions. These are being investigated and the site will be reopened when they are addressed;
 - b. Remote services including Meals on Wheels and Active Parramatta are also operational;
 - c. Council is also advising the public to avoid swimming at Lake Parramatta until further notice. Due to the heavy rain, water levels at the lake are higher than normal and water quality is diminished.
6. Council thanks the NSW SES, NSW Police, emergency services personnel and other agencies who have responded to calls for help across the City.
7. Council also thanks its staff who have worked alongside these agencies, providing support and resources, as they remain on standby with further rainfall forecast for the coming week. They are commencing clean-up as the flood water recedes, particularly in the CBD Foreshore area.

FINANCIAL IMPLICATION FOR COUNCIL

8. Flood and stormwater management activities are included in Council's existing Operational Plan and Budget 2020-21. Any additional implications for Council that occur as a result of the heavy rainfall and localised flooding will need to be addressed in future budget and program reviews.

Lord Mayor, Councillor Bob Dwyer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

MINUTE OF THE LORD MAYOR

ITEM NUMBER	8.3
SUBJECT	100 Years of Rotary in Australia
REFERENCE	F2019/03630 - D07960835
REPORT OF	Lord Mayor, Councillor Bob Dwyer

PURPOSE:

The purpose of this Minute is to acknowledge the 100 Years of Service milestone in 2021 for Rotary in Australia and New Zealand.

RECOMMENDATION:

- (a) **That** Council note that Rotary in Australia and New Zealand celebrates its first 100 years of service in 2021;
- (b) **That** Council acknowledge the work Rotary have done and continue to do in the City of Parramatta;
- (c) **Further, that** Council write to our local Rotary Clubs to acknowledge this significant milestone, and thank them for their commitment and contributions to the community.

BACKGROUND

- 1. Rotary International is a global network of 1.2 million neighbours, friends, leaders and problem-solvers who unite and take action to create lasting change – across the globe, in their local communities and in themselves.
- 2. In 2021, Rotary in Australia and New Zealand will celebrate 100 years of Service. In 1921, four Rotary Clubs were created in Melbourne, Auckland, Wellington and Sydney. From there, Rotary and Rotaract clubs have been created across Australia and New Zealand.
- 3. For 100 years now, Australian Rotarians have used their passion, energy and intelligence to take action on sustainable projects. From literacy and peace to water and health, Rotarians are working on ways to better our world with the mission to provide service to others, promote integrity, and advance world understanding, goodwill, and peace through their fellowship of business, professional and community leaders.
- 4. The City of Parramatta is fortunate to have a number Rotary Clubs operating in our City, filled with dedicated people who share a passion for community service and friendship. These clubs are:
 - a. The Rotary Club of Parramatta
 - b. The Rotary Club of Parramatta City
 - c. The Rotary Club of Parramatta Daybreak
 - d. The Rotary Club of Beecroft
 - e. The Rotary Club of Carlingford
 - f. The Rotary Club of Epping
 - g. The Rotary Club of Granville
 - h. The Rotary Club of North Rocks
 - i. The Rotary Club of The Hills – Kellyville

5. Council thanks these local Rotary Clubs and their members for their dedication and contributions to our communities, and wish them all the best as they celebrate this significant service milestone.

FINANCIAL IMPLICATION FOR COUNCIL

6. There are no new financial implications for Council as a result of this Lord Mayor Minute.

Lord Mayor, Councillor Bob Dwyer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

MINUTE OF THE LORD MAYOR

ITEM NUMBER	8.4
SUBJECT	Bicentenary of Greek Independence Day - 25 March 2021
REFERENCE	F2019/03630 - D07961711
REPORT OF	Lord Mayor, Councillor Bob Dwyer

PURPOSE:

The purpose of this Minute is to acknowledge the bicentennial commemoration of Greek Independence Day on 25 March 2021.

RECOMMENDATION:

- (a) **That** Council note that Thursday, 25 March 2021, is the Greek National Day of Independence;
- (b) **That** Council note that in 2021, Greeks across the world will be celebrating 200 years of Modern Greece; and
- (c) **That** Council acknowledge the contributions made to the City of Parramatta by Greek Australians to our vibrant multicultural community.
- (d) **Further, that** Council fly the Greek flag supplied by St Ioannis Greek Orthodox Church at the Parramatta CBD River Foreshore flagpole on their National Day of Independence, Thursday 25 March, weather permitting.

BACKGROUND

1. On 25 March 2021, Greeks across the world will recognise 200 years of Modern Greece, as they commemorate the 200th Anniversary of the Greek Revolution and the Hellenic Republic.
2. This is an important occasion for many Australian's of Greek ancestry and all Australian's more broadly, as it has universal significance.
3. It allows for recognition of the ideals espoused by Greece's independence being freedom, democracy and justice; the heritage and history Australia and Greece share; and the contributions made by Greeks in Australia starting with the likes of George Manual (1811) and Antonis Manolis (1829) and subsequently throughout Australia's history.
4. Previously, City of Parramatta has held Greek Flag Raising ceremonies in Centenary Square, providing an opportunity for our Greek Australian community to connect with their homeland and embrace the traditions and values of their heritage.
5. Greek culture is a deeply established part of the City of Parramatta's heritage, with the rich heritage and culture of our Greek Australian residents contributing to the vibrant multicultural community that exists here, one which is proud and supportive.
6. On behalf of the City of Parramatta, we wish all of our Greek Australian residents a proud and joyous celebration of the Greek National Day of Independence.

FINANCIAL IMPLICATION FOR COUNCIL

7. There are no new financial implications for Council as a result of this Lord Mayor Minute.

Lord Mayor, Councillor Bob Dwyer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

MINUTE OF THE LORD MAYOR

ITEM NUMBER	8.5
SUBJECT	Attracting Retail to Parramatta
REFERENCE	F2019/03630 - D07961011
REPORT OF	Lord Mayor, Councillor Bob Dwyer

PURPOSE:

The purpose of this Minute is to propose a Lord Mayor Retail Roundtable be held, to engage with retail industry stakeholders and further promote Parramatta as a destination of choice for retailers.

RECOMMENDATION:

That a Lord Mayor Retail Roundtable be held before the end of June 2021, to engage with retail industry stakeholders for the purpose of promoting Parramatta as a destination of choice for retailers.

BACKGROUND

1. City of Parramatta's Retail Trade sector is a \$1.3 billion industry that employed 10,560 workers in 2017/18. With over 200,000m² in retail floor space and the joint largest Westfield in New South Wales, Parramatta is already a major retail destination.
2. Parramatta's retail strips extend beyond Westfield and into the CBD and surrounding neighbourhoods, with destinations such as Eat Street on Church Street generating significant retail activity for the City.
3. Parramatta's growing population, increasing visitor economy, expanding workforce, improving connectivity and investment boom means that right now is the opportune time to attract new retailers to be a part of Parramatta's transformation.
4. This minute proposes that a Lord Mayor Retail Roundtable be held before the end of June 2021, with the focus on engaging with industry stakeholders including retail associations.
5. The purpose of the Roundtable would be to promote Parramatta as a retail opportunity to these stakeholders, encouraging them to promote Parramatta to their members:
 - a. as an investment opportunity not to be missed;
 - b. build market awareness of the extent of development in Parramatta and the opportunity it presents to connect with thousands of new workers, residents and visitors; and
 - c. highlight the opportunities presented by the City's post-Covid recovery, post-Parramatta Light Rail construction and favourable rental conditions when compared to the Eastern CBD.

6. The Roundtable would also provide an opportunity for Council to engage with industry stakeholders on the challenges and opportunities facing the Parramatta retail sector, including:
 - a. challenges facing the sector, particularly traditional brick and mortar stores, in an online and post-Covid world;
 - b. business attraction and retention challenges;
 - c. being commercially viable, sustainable and resilient businesses; and
 - d. enhancing the retail experience.
7. The feedback and insights gained from this discussion will be distributed to relevant Council teams, including the Economic Development unit, to feed into established Council projects and programs.
8. Proposed Roundtable invitees would include:
 - a. Business Western Sydney
 - b. Western Sydney Women
 - c. Parramatta Chamber of Commerce
 - d. Invest NSW
 - e. Western Sydney Business Connection
 - f. Australian Retailers Association
 - g. National Retailers Association
 - h. Night Time Economy Commissioner
 - i. NSW Small Business Commissioner
 - j. Australian Hotels Association
 - k. Greater Sydney Commission's Central City District Commissioner
 - l. Place Leaders Asia Pacific
 - m. Place Leaders Association of Australia
 - n. Property Council of Australia

FINANCIAL IMPLICATION FOR COUNCIL

9. The expected cost is \$6,000 inc. GST. Costs associated with the proposed Lord Mayor Retail Roundtable can be met from the existing Lord Mayor Support (401000 – 645801) 2020/21 Operating Budget.

Lord Mayor, Councillor Bob Dwyer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

PUBLIC FORUM

ITEM NUMBER	9.1
SUBJECT	PUBLIC FORUM: Petition Received 22 February 2021 - Yummi Pet Food Products, 115-121 Ballandella Road, Pendle Hill
REFERENCE FROM	F2021/00521 - D07956424 Matthew Chalmers

I wish to speak before you this evening in relation to an illegal pet food manufacturing operation, Yummi Pet Food Products, at 115-121 Ballandella Road, Pendle Hill. I am here tonight on behalf of many residents of Burrabogee Road, and surrounding streets who have had their quality of life severely impacted by the foul and offensive smell that has been coming from this factory. I refer to a petition that was tabled during your meeting held on 22 February 2021.

The residents of our street have been complaining to City of Parramatta Council about the smell and noise from this operation for many months. We have pleaded for somebody from the council to come and investigate the smell. The smell is present at all hours of the day and night and on weekend. It is a smell like dead rotting meat at a garbage dump. The smell has affected all aspects of our daily life. We can't enjoy our back yards; my children do not want to play outside. visitors to our home comment on the smell. We can't open the windows, otherwise the smell fills the whole house. It has affected our health and mental wellbeing. I also believe that it is now affecting the values of our homes.

We understand that council confirmed that Yummi Pet Food Products is operating a manufacturing, and packing operation at this location without DA approval, in November 2020, and that an intent to issue a development control order was issued to Yummi Pet Food Products. We also understand that that a control order was issued in February 2021. The control order required that the operation cease, and the illegal manufacturing equipment removed by 12 March 2021. During this time, Yummi Pet Food Products made no attempt to cease operations. In fact it has appeared that lately the traffic has increased, and the smell has worsened.

During this time the site has been opening normally at 5:30am each morning Monday to Saturday and is often open on Sunday. I believe there is at least 15-30 workers currently at Yummi Pet Food Products alone. They regularly load and unload trucks before 6am. We have large, refrigerated semi-trailers parking in our street overnight with the motors running and the drivers sleeping in the cabins waiting for the operation to open so they can unload.

It is also worth highlighting that even though the address is 115-121 Ballandella Road, the actual entrance to the site is on Burrabogee Road, which is residential on one side of the street.

We have repeatedly contacted council asking for some investigation to the smell to occur, but we have been meeting with an answer that nothing can be done until after the control order expired on 12 March. Meanwhile we must live with the smell and noise.

It is very concerning, that during this whole time, we were able to get one ranger to come to the site once. That required many phone calls. We were lucky to meet the ranger and they confirmed the smell was obviously coming from 115-121 Ballandella Road.

Now the 12th of March has been and gone, the site is still operating, and the foul smell is still coming from the site. Refrigerate trucks are still delivering raw meat to the site for processing, and there is still too many workers at the site for this location to be simply operating as a warehouse.

It has also come to our attention that Yummi pet foods is now in discussions with Council DA team to lodge a DA. From understanding means they will be able to continue operating during the review phase.

We are all highly concerned that Yummi Pet food is blatantly ignoring all of councils control orders. We are concerned that they have receive little or no punishment for operating illegally, polluting the environment, and ignoring the councils control orders. We are now also very worried that council will approve any DA application they submit, and then the residents of our street will suffer for the rest of our lives with the foul smell and operation.

The smell not only effects our street, but many residents in the direction of the wind at the time.

We feel that council is favouring the commercial operations in the area and not listening to the concerns of the residents in the area.

We are also very upset by the lack of communication that council staff have given the residents. We have been provided the "case managers" details however the case manager rarely answers the telephone or emails. For the past three months the reply we have been receiving is "please wait until 12th March". Now that 12th of march has passed the case officer has not answered any calls from any resident in the street and has not acknowledged or answered any emails we have sent.

I purchased my home at 59 Burrabogee Road, in 2011, the site at 115-121 Ballandella road is DA approved for Warehousing activities only. At that time there was no Yummi pet foods operating at the site. I did not and would not have ever purchased a house next to a pet food factory.

We implore Parramatta Council to not allow any approval for any Development application for this illegal operation to continue at Yummi Pet Food. We ask that Yummi pet food should also suffer some consequences for ignoring council DA process and control orders. Approval of any DA would simply be a reward to a commercial activity for breaking the law.

We also ask Parramatta Council to investigate the cause of the smell, and to check internally what it has been so difficult for this smell issue to be investigated.

Finally we request that hours of operation for the existing warehouses be enforced in line with State Environmental Planning Policy, and that the warehouses cannot operate before 7am on weekdays, 8am on Saturdays, and no work on Sundays or public holidays.

EXECUTIVE DIRECTOR CITY ASSETS & OPERATIONS

Regulatory Services have carried out an investigation in respect to operation of Yummy Pet Food Products. The investigation confirmed that the manufacturing of food products is an unapproved use. As required by the legislation, a Notice of Intention to give an Order was given on 7 January 2021 with the order having been

issued on 3 February 2021. The Order had a due date of Friday 12 March 2021. An inspection carried out on Monday 15 March 2021 revealed that the unauthorised use had not ceased thus a Penalty Infringement Notice was issued on the same day as well as a new Notice of Intention to Give an Order with a one week compliance date. As soon as the Notice due date passes, the Order will be served with only one week period of compliance. If the use does not cease by the due date of the Order, Regulatory Services will initiate the process required for starting enforcement procedures in the Land and Environment Court.

ATTACHMENTS:

1 [!\[\]\(9dfdaff1d86ba3c1f8353b4d1b61b8c5_img.jpg\)](#) Petition submitted on 22 Feb 2021 3 Pages

PETITION RELATING TO:

21st Feb 2021**Yummi Pet Food Products**

115-121 Ballandella Road, Pendle Hill NSW 2145. (Also listed under Toongabbie 2146)

Premises:

Lot 11 DP 873118 Subj to DE - 115 Ballandella Road, PENDLE HILL NSW 2145

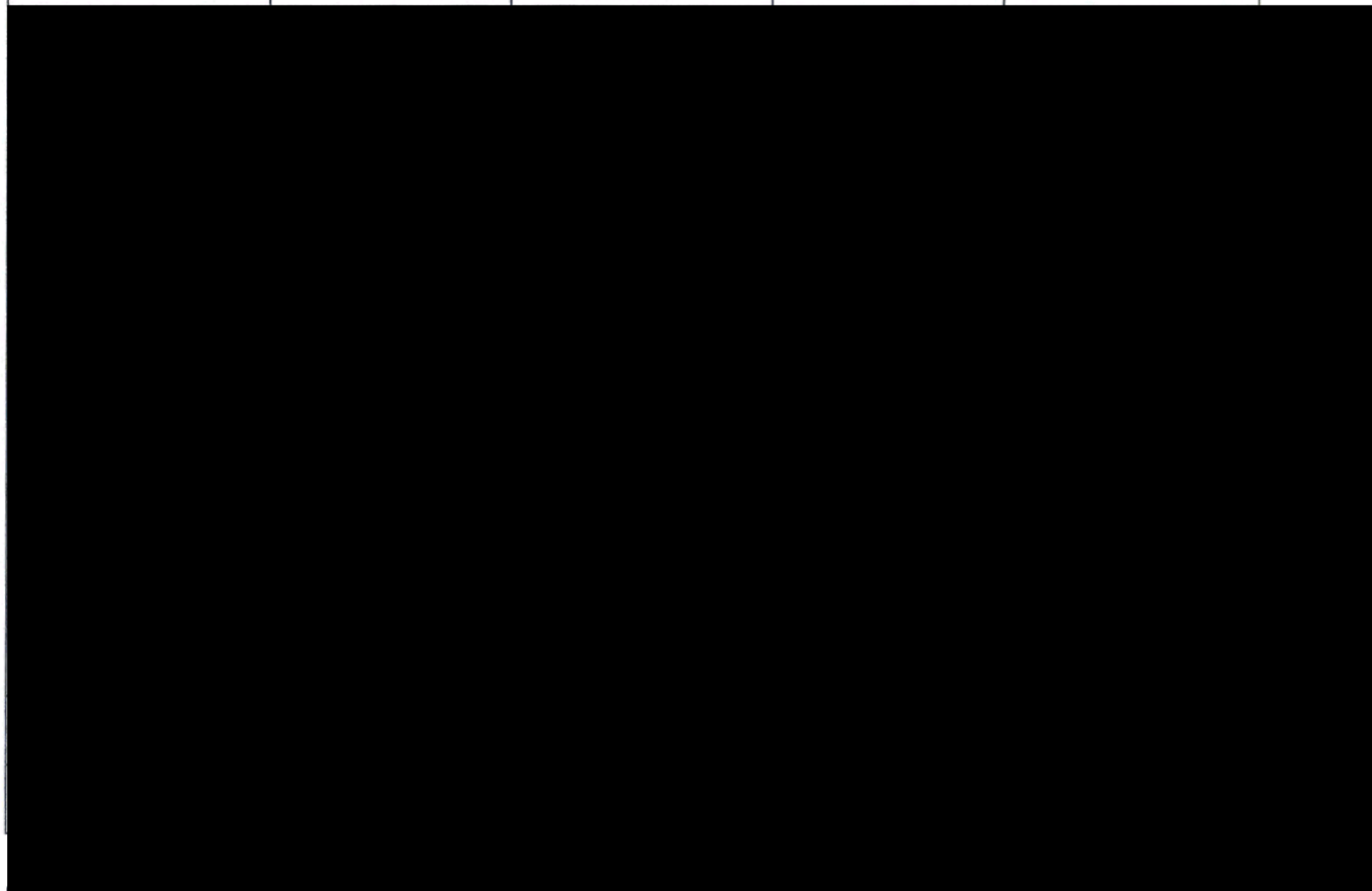
We the residents of Burrabogee Road, and surrounding streets, Toongabbie, NSW 2145 petition Parramatta City Council to act on the offensive odour and Noise that is coming from Yummii Pet Foods and the industrial units that operate from the same site. We are aware that this factory has been operating illegally and manufacturing pet foods without an approved DA on a location that is only approved for warehousing activities. For a number of years there has been a smell from this location, however it has been becoming progressively worse and for at least the last 6 months there has been a **persistent foul and offensive odour** coming from this factory. This odour has significantly impacted the quality of life and mental wellbeing of the residents of the street. The smell would also affect any re-sale value of the homes in the street. There has also been a significant increase in the number of trucks operating out of this factory. This includes trucks parking in the street day and night, trucks entering and leaving, trucks being loaded and unloaded, industrial garbage trucks and fork trucks operating at the factory at all hours of the day and night including weekends and Sundays. There is also a significant increase number of factory workers and staff now working at the site, who arrive and congregate in Burrabogee Road and enter the premises before 5am and 6am each day and on weekends. The entrance to the entire estate at this address is located on Burrabogee Road. It has come to our attention that the owners of this site may submit a Development application to allow their operation to continue and this is of great concern, as our well-being is already severely effected. We request that all the residents of Burrabogee Road are included in any consultation and approval process relating to any proposed DA for this location.

We petition Parramatta City council to investigate and enforce action against this illegal pet food factory that is operating without approval. We petition Parramatta City Council to enforce operating hours and days on this warehouse site. We petition Parramatta Council to reject any DA application to allow this illegal Pet Food Factory to continue operating and manufacturing at this location.

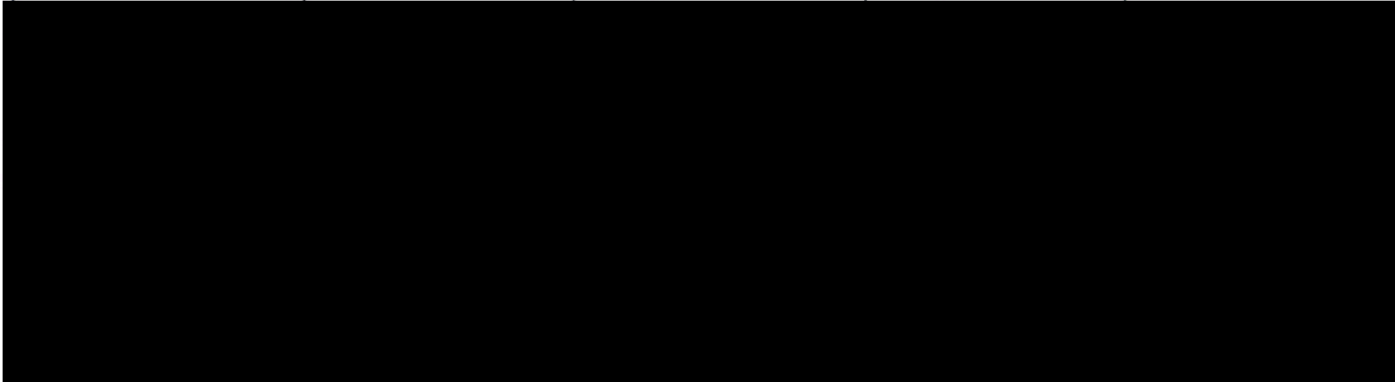


PETITION – PARRAMATTA CITY COUNCIL – YUMMI PET PRODUCTS – 115-121 Ballandella Road.

Name	Address	Email	Phone	Signature/ Date
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PETITION - PARRAMATTA CITY COUNCIL - TOMMY PET PRODUCTS - 115-121 Balmaindene Road,

Name	Address	Email	Phone	Signature/ Date
				

PETITION – PARRAMATTA CITY COUNCIL – YUMMI PET PRODUCTS – 115-121 Ballandella Road.

PUBLIC FORUM

ITEM NUMBER	9.2
SUBJECT	PUBLIC FORUM: Item 17.6 - Post Exhibition - Planning Proposal, Development Control Plan and Planning Agreement - 197 and 207 Church St and 89 Marsden St, Parramatta
REFERENCE FROM	F2021/00521 - D07958049 Adam Byrnes

- Think Planners represent Holdmark, and speak in support of the recommendation and seek your adoption of the Planning Proposal and DCP.
- We do however bring one matter before the Councillors for their attention and amendment.
- The subject sites proximity to Parramatta Square, Parramatta Light Rail and Parramatta Metro Station is well known to you. The vision for this site for an A Grade Commercial Building and a 5 Star Hotel is also known to you. Our client is motivated to undertake a Design Competition (the brief is with the Council staff) and to commence and complete these significant projects speedily.
- We object to the DCP acting as a quasi prohibition to the potential to provide below grade retail or commercial space. Please refer to paragraphs 13 -15 of the report.
- The Council staff have pre-determined that this significant site is incapable of providing below ground retailing and commercial because of "flood management issues".
- A DCP cannot predetermine this. It is appropriate that these detailed flood investigations occur at the Development Application stage. At that stage it may well be determined that flooding cannot be resolved, or the opposite.
- Why is this relevant? Our client is in discussions with a number of parties who are interested in pursuing activities such as Woolworths Metro or Coles Express below the commercial building; a wellness centre below the 5 start hotel; and a fine dining restaurant and cocktail bar in a unique partly below street level configuration. These activities contribute to a CBD and warrant careful investigation, thorough flood analysis, detailed development assessment. They should not be struck out on the basis of a DCP declaring that retail should be providing on ground floor only and restricting the sub ground areas to services and basement use only.
- The State Government has not sought to prohibit below ground activity, in fact it proposes a Metro Station below ground that will have thousands of people circulate through it. Flooding is no prohibition to that venture and will of course require detailed analysis and assessment through the approval stages. Just as it should for the Holdmark site.
- The Council staff have suggested that the drafting of the DCP is not a prohibition but just a guideline. But you and we expect Council to administer their DCP documents well. And if the DCP suggests that below ground should only be for servicing and parking, then Council officers will rightly refer to those words and also the fact that the DCP was publicly exhibited and adopted by the Councillors.
- There is no detailed flood study completed for this site that would justify a DCP containing a quasi prohibition. That work is yet to be done. It will happen at the DA stage.

- We seek that Council adopt the recommendation and include the following additional resolution: *That the DCP be amended to remove references to retailing and commercial uses being only above ground and remove any inference that the only below ground use is for carparking or servicing. These are matters for development assessment.*

ACTING EXECUTIVE DIRECTOR CITY PLANNING & DESIGN RESPONSE

This matter is addressed in paragraphs 11 to 16 in the Officer Report. Council Officers do not support habitable floor space below ground due to flood management concerns. The DCP seeks to put in place a policy framework that seeks to make assessment of future applications as efficient as possible. Council Officers are of the opinion that habitable floor space below ground is a significant risk and would only be permitted in exceptional circumstances where it can be demonstrated that risk can be managed. The control is able to be varied if it can be justified at Development Application stage that appropriate site-specific measures can be put in place to manage the risk. The DCP wording should be retained as amending it as suggested in the applicants submission would send the wrong message to the development market and may result in more applicants seeking floor space below ground in conditions that are unlikely to be supported. A potential impact of this could be increased processing times for Development Applications in the CBD if proposals for habitable floor space below the flood planning level are then lodged which have a low likelihood of being supported.

ATTACHMENTS:

There are no attachments for this report.