

PRESENT

Stephen O'Connor (Chair), Paul Berkemeier, Steve Driscoll and Ian Gilbertson.

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 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

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

REPORTS - DEVELOPMENT APPLICATIONS

- 5.1            SUBJECT            OUTSIDE PUBLIC MEETING:  
   180 George Street, PARRAMATTA (Lot 302 DP  
   1250440)
- DESCRIPTION Part change of use from serviced apartments to  
   residential units on level 31-42 in the approved South  
   Tower, resulting in a reduction of 12 units. Internal  
   configuration changes to apartments on levels 31-42 in  
   the south tower
- REFERENCE    DA/513/2021 - D08170845
- APPLICANT/S   Karimbla Construction Services (NSW) PTY LTD
- OWNERS            Karimbla Properties (No13) 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

There was no public forum submissions for Item 5.1.

## DETERMINATION

**That** the Parramatta Local Planning Panel (PLPP), exercising the functions of Council, pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, grant **development consent** to DA/513/2021 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 in Attachment 1 and for the following reasons:

### REASONS FOR APPROVAL:

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

The Panel decision was unanimous.

5.2	SUBJECT	OUTSIDE PUBLIC MEETING: 3 Burnham Place, NORTH PARRAMATTA (Lot 5 DP 531741)
	DESCRIPTION	Section 8.3 Review of determination of DA/143/2020 for the subdivision of an existing lot, retention of the existing dwelling and construction of a dual occupancy development at the rear of the lot
	REFERENCE	DA/143/2020 - D08193338
	APPLICANT/S	Mr T Tiilikka
	OWNERS	T Tiilikka, R Tiilikka & J Tiilikka
	REPORT OF	Group Manager Development and Traffic Services
	The Panel considered the matter listed at Item 5.2 and attachments to Item 5.2.	
	PUBLIC FORUM	

- Mr Adam Coburn of Mecone NSW Pty Limited spoke against the recommendation at Item 5.2.

- Mr Richard Sinclair of RJ Sinclair Pty Ltd spoke against the recommendation at Item 5.2.

## **DETERMINATION**

**That**, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979 that the Parramatta Local Planning Panel (PLPP) as the consent authority **refuse** development consent to DA/143/2020 for the subdivision of an existing lot, retention of the existing dwelling and construction of a dual occupancy development at the rear of the lot at No. 3 Burnham Place, North Parramatta for the following reasons:

### **REASONS FOR REFUSAL:**

#### **1. Parramatta Local Environmental Plan 2011**

The proposed building envelope and earthworks required for the development would impact upon flood waters traversing the subject site and is inconsistent with the following provisions of Parramatta Local Environmental Plan 2011:

- a. Clause 5.21 – Flood Planning
- b. Clause 6.2 – Earthworks

#### **2. Parramatta Development Control Plan 2011**

The proposed building envelope and earthworks required for the development would impact upon flood waters traversing the subject site and is inconsistent with the following provisions of Parramatta DCP 2011:

- a. Part 2.4.2.1 – Flooding
- b. Part 3.3.5 – Water Sensitive Urban Design

#### **3. Environmental Planning and Assessment Act 1979**

- a. The proposal has inconsistencies with Parramatta Local Environmental Plan 2011. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(a)(i) of the EP&A Act 1979.
- b. The proposal has inconsistencies with Parramatta Development Control Plan 2011. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(a)(iii) of the EP&A Act 1979.
- c. As the proposed development is not consistent with critical provisions of earthworks and flooding required to ensure amenity for future occupants, and the surrounding locality, the proposal is not considered to be in the public interest and also fails to satisfy s4.15(1)(b), (c), and (e) of the EP&A Act 1979.

#### **4. Public Interest**

Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the development would not be in the public interest as the proposal is contrary to the local planning controls.

The Panel decision was unanimous.

- 5.3      **SUBJECT**      **OUTSIDE PUBLIC MEETING:**  
128A Alfred Street and 40-46 Alice Street, HARRIS  
PARK (Lot 2 DP 209226 and Lot 212 DP 1117339)
- DESCRIPTION** Section 4.56 modification to DA/925/2016 for demolition of the existing building and the construction of an aged care centre comprising 85 residential care places and basement parking for 39 vehicles with associated facilities. The modifications include increasing the lift overrun to provide access to the Level 4 courtyard; increasing the fire stair overrun height; providing weather protection to fire stairs; extending the fire stair overrun slab over the BBQ area on the Level 4 courtyard; constructing a new timber pergola on the Level 4 courtyard; and providing landscaping on Level 4
- REFERENCE**    DA/925/2016/D - D08198834
- APPLICANT/S**   Our Lady Aged Care Centre
- OWNERS**        Trustees of the Roman Catholic Church
- REPORT OF**     Group Manager Development and Traffic Services

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

#### **PUBLIC FORUM**

There were no public forum submissions for Item 5.3.

#### **DETERMINATION**

- (a)    **That** the Parramatta Local Planning Panel exercising the functions of Council as the consent authority pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979, modify development consent DA/925/2016 to include modifications to the approved demolition of the existing building and construction of a four and five storey aged care centre comprising 90 residential care places and basement parking at 128A Alfred Street and 40-46 Alice Street, Harris Park, as shown on the plans submitted with the modification application, for a period of five (5) years from the date on the **original** Notice of Determination, subject to the following amendments:
1.    Amend Condition No. 1 to reflect the updated plans and documents.

2. All other conditions of DA/925/2016 (as amended by previous modifications) remain unchanged.

- (b) **Further, that** Parramatta Local Planning Panel approve a variation to the building height control prescribed in Clause 4.3 – Building Height in Parramatta Local Environmental Plan 2011, as it satisfies the objectives of the control and the R4 High Density Residential zone, and there are sufficient environmental planning grounds to justify the variation.

**REASONS FOR APPROVAL:**

1. The proposed development is substantially the same as the development which has been approved.
2. The proposed development is permissible within the R4 High Density Residential zone and results in a development which is suitable within the context of the future desired character of this locality.
3. The proposed development results in reasonable impacts to adjoining properties and the locality and is suitable for the site and is in the public interest.

The Panel decision was unanimous.

5.4      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 46-place child care centre with basement parking

REFERENCE    DA/410/2021 - D08202512

APPLICANT/S   Archidrome Pty Ltd

OWNERS        Ms M A Patel and Mr A J Patel

REPORT OF     Group Manager Development and Traffic Services

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

**PUBLIC FORUM**

- Mr Nestor Moreno of Mariposa Child Care Consultants spoke against the recommendation at Item 5.4.
- Mr Tarun Chadha of Archidrome Pty Ltd spoke against the recommendation at Item 5.4.
- Mr Eltin Miletic of MMDC Pty Ltd spoke against the recommendation at Item 5.4.

## **DETERMINATION**

**That**, pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979 the Parramatta Local Planning Panel (PLPP) as the consent authority **refuse** development consent to DA/410/2021 for Demolition of existing structures, tree removal and construction of a two storey 46-place child care centre with basement parking at 21 Bellevue Street, Parramatta for the following reasons:

### **REASONS FOR REFUSAL:**

#### **Insufficient Information**

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal fails to comply with Clause 23 of State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 and the Child Care Planning Guideline 2017 as the proposal is contrary to the Part 3 considerations of the guideline with respect to:
  - a. Part 3.1 (C1) – Visual and Acoustic Privacy with regards to the timber deck located along the western boundary of the subject site.
  - b. Part 3.3 (C17) – Accessibility;
  - c. Part 3.3 (C31, C33, C36, and C38) – Traffic and Safety; and
  - d. Part 3.4 (C18) – Landscape.
2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal does not meet the objectives of Section 3.3.1 Landscaping Control under the Parramatta Development Control Plan 2011 as the proposal fails to address the additional information requested by Council's Landscape Officer to provide an amended landscape plan and an addendum to the Arborist Report demonstrating the retention or protection of trees located on the adjoining properties impacted by the proposed drainage easement required for the proposal;
3. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal does not meet the objectives of Section 3.3.6.1 Stormwater Drainage Control under the Parramatta Development Control Plan 2011 as the proposal fails to address the additional information requested by Council's Development Engineer to provide amended stormwater plans;
4. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal does not meet the objectives of Section 3.6.2 Parking and Vehicular Access under the Parramatta Development Control Plan 2011 as the proposal fails to address the additional information requested by Council's Traffic Engineer to address the parking shortfall within the subject site for the number of children proposed.

#### **Public Interest**

5. Pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, the development would not be in the public interest as the proposal is contrary to the local planning controls.

The Panel decision was unanimous.

## INNOVATIVE

6.1        SUBJECT        PUBLIC MEETING: Gateway Request: Planning Proposal at 12-12A, 14 & 14B Mons Road, WESTMEAD (Westmead Private Hospital)

REFERENCE   RZ/11/2019 - D07235094

REPORT OF   Project Officer Land Use

The Panel considered the matter listed at Item 6.1 and attachments to Item 6.1.

### PUBLIC FORUM

- Mr Ben Selwood of Erilyan Pty Ltd spoke in support of the recommendation at Item 6.1.

## RECOMMENDATION TO COUNCIL

- (a) **That** Council approve, for the purposes of seeking a Gateway Determination, the Planning Proposal at **Attachment 1** for land at 12-12A, 14 & 14B Mons Road, Westmead, which seeks to amend the Parramatta Local Environmental Plan 2011 to:
- Increase the floor space ratio (FSR) from 1.5:1 to 2:1; and
  - Increase the height of building (HOB) from 12m to 68m for the south eastern portion of the site and 18m for the remainder of the site.
- (b) **That** Council forward the Planning Proposal at **Attachment 1** to the Department of Planning, Industry and Environment with a request for a Gateway Determination.
- (c) **That** a site-specific Development Control Plan (DCP) be prepared and reported to Council separately prior to public exhibition with the Planning Proposal. The site-specific DCP should address, at a minimum, the following:
- i. Built form and massing;
  - ii. Building setbacks;
  - iii. Flooding; and
  - iv. Other design controls to inform the future detailed design of the Westmead Private Hospital redevelopment.
- (d) **That** the Chief Executive Officer be delegated authority to negotiate a Planning Agreement on behalf of Council in addition to any development contributions payable, and that the outcome of

negotiations be reported back to Council prior to its concurrent exhibition with the Planning Proposal and DCP.

- (e) **That** Council delegate authority to the Chief Executive Officer to endorse the Westmead Private Hospital Flood Study (following completion) for the purposes of submission to the Department of Planning, Industry and Environment to be considered as part of the Gateway Determination process.
- (f) **That** Council advise the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (g) **Further, that** Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

The Panel decision was unanimous.

6.2        SUBJECT        PUBLIC MEETING: Post-Exhibition: Planning Proposal for land at 163-165 George Street and 1 Purchase Street, PARRAMATTA (St Ioannis Greek Orthodox Church)

REFERENCE   RZ/3/2018 - D07481993

REPORT OF   Project Officer Land Use

The Panel considered the matter listed at Item 6.2 and attachments to Item 6.2.

#### PUBLIC FORUM

- Mr Adam Byrnes of Think Planners spoke in support of the recommendation at Item 6.2.

#### RECOMMENDATION TO COUNCIL

- (a) **That** Council notes the submissions made to the public exhibition of the Planning Proposal at 163-165 George Street and 1 Purchase Street, Parramatta, namely:
  - i. One community submission in support of the proposal
  - ii. One agency submission and supplementary responses objecting to the proposal (Transport for NSW)
  - iii. One agency submission which did not object to the proposal, but did request additional work (Heritage NSW).
- (b) **That** Council endorse for finalisation the Planning Proposal for land at 163-165 George Street and 1 Purchase Street (provided at **Attachment 1**) which amends Parramatta LEP 2011 as follows:
  - i. amend the Height of Buildings Map from RL14m to RL21m only on the part of the site at which the proposed Cathedral is



- to be built, and insert provisions such that the Height of Buildings control for the part of the site with a mapped height of RL 21 can be exceeded for the purposes of a steeple or similar, but only subject to certain conditions; and
  - ii. amend Schedule 1 subclause 10 of the Parramatta LEP 2011 to permit an additional permitted use for public car parking subject to ensuring that there is no vehicular access to this car park from George Street.
- (c) **That**, in the event the Department of Planning Industry and Environment (DPIE) advises Council that the proposed requirement for the public carpark to only be accessed from Purchase Street cannot be included in the amendment without re-exhibition of the Planning Proposal, Council shall:-
- i. Advise DPIE that the amendment should proceed to be finalised without the Purchase Street access requirement being included; and
  - ii. Delegate responsibility to the Chief Executive Officer to immediately prepare and endorse for exhibition a Draft Development Control Plan that mandates that all access for the public carpark to be from Purchase Street. The exhibition outcomes should be reported to Council to allow Council to endorse the finalisation of the Draft Development Control Plan.
- (d) **That**, Council submit the Planning Proposal to the Department of Planning, Industry and Environment for finalisation.
- (e) **Further, that** Council authorise the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process.

The Panel decision was unanimous.

6.3      **SUBJECT**      PUBLIC MEETING: Post-Exhibition - Planning Proposal for land at 14-16 Hill Road, SYDNEY OLYMPIC PARK (Sekisui Site)

**REFERENCE**    F2016/02347 - D08210150

**APPLICANT/S**   Sekisui House Pty Ltd; Sutherland & Associates Planning

**OWNERS**        SH HOMEBUSH PENINSULA PTY LTD

**REPORT OF**     Project Officer Land Use

The Panel considered the matter listed at Item 6.3 and attachments to Item 6.3.

**PUBLIC FORUM**

- Mr Aaron Sutherland of S & A Planning spoke in support of the recommendation at Item 6.3.
- Mr Edward Natour of Sekisui House spoke in support of the recommendation at Item 6.3.

## RECOMMENDATION TO COUNCIL

- (a) **That** Council endorse the Sekisui Planning Proposal for land at 14-16 Hill Road, Sydney Olympic Park finalisation (provided at **Attachment 2** and referred to in this report as the Sekisui Planning Proposal) for finalisation that seeks to amend *Auburn Local Environmental Plan (LEP) 2010* (or the Harmonised *Parramatta LEP 2021* if notified) as follows:
- Increasing the RE1 Public Recreation zone with a corresponding reduction of the R4 High Density Residential zone and introducing the B4 Mixed Use zone at the north-eastern corner of the site.
  - Amending the Height of Buildings Map to provide a range of heights across the site from 44m to 134m (up to 40 storeys).
  - Amending the FSR map to provide individual FSRs for the development parcels to reflect the previously approved gross floor area (GFA) of 188,800sqm.
  - Amending the Land Reservation Acquisition Map to reflect the larger RE1 Public Recreation area and exclude the foreshore wharf from public acquisition to facilitate its refurbishment and operation as a café under the existing community title.
  - Introducing an additional local provision under Part 6 of the LEP to cap the overall floor space to a maximum of 188,800sqm and limit the amount of retail floor space to a maximum of 2,000sqm.
  - Introducing an additional permitted use (APU) under Schedule 1 of the LEP to permit 'food and drink premises' as a permissible use in the RE1 Public Recreation zone where the café is located within the site.
- (b) **That** Council approve for finalisation the amendments to the Wentworth Point Development Control Plan 2014 as exhibited and included at **Attachment 3**.
- (c) **That** Council note that the Draft Planning Agreement at **Attachment 4** requires execution by both parties and registration on the title of the land prior to the determination of Development Applications reflecting the proposed planning controls in the Planning Proposal and DCP Amendment.
- (d) **Further, that** Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal and DCP.

The Panel decision was unanimous.

The meeting terminated at 4:58 pm.



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Chairperson