

MINUTES OF THE LOCAL PLANNING PANEL MEETING HELD BY WAY OF
ELECTRONIC DETERMINATION ON TUESDAY, 2 AUGUST 2022.

PRESENT

Stephen O'Connor (Chairperson), Alf Lester, Michael Mason and Warrick McLean.

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

2.1	SUBJECT	ELECTRONIC DETERMINATION 5 Buller Street, NORTH PARRAMATTA (Lot 1 DP 178742)
	DESCRIPTION	Section 8.3 Review of the Determination of DA/100/2021 for demolition of existing structures, removal of six (6) trees and construction of a three-storey boarding house with 18 single occupancy rooms pursuant to the SEPP (Affordable Rental Housing) 2009 with modified at-grade car parking for eight (8) vehicles and associated earthworks and landscaping. The Review application is for a new generation boarding house containing 14 suites.
	REFERENCE	DA/100/2021 - D08628639
	APPLICANT/S	Think Planners
	OWNERS	Electric Pty Ltd
	REPORT OF	Group Manager Development and Traffic Services

DETERMINATION

- (a) **That** the Parramatta Local Planning Panel, exercising the function of the consent authority, pursuant to Section 8.4 of the *Environmental Planning and Assessment Act 1979*, confirms the decision to refuse development consent to DA/100/2021 for the for the demolition of existing structures, removal of six (6) trees and construction of a three-storey boarding house with 14 single occupancy rooms pursuant to the SEPP (Affordable Rental Housing) 2009 with modified at-grade car parking for eight (8) vehicles and associated earthworks and landscaping on land at 5 Buller Street, North Parramatta, for the reasons set out in the Council officer's report.

- (b) **Further, that** the submitters be advised of the decision.

REASONS FOR REFUSAL

1. State Environmental Planning Policy (Housing 2021)

- a) Clause 26: Must be affordable housing in perpetuity. The proposed development does not satisfy the definition for a boarding house under the SEPP Housing since it is not on behalf of the Land and Housing Corporation or managed by a registered community housing provider, as such, development consent cannot be granted.
- b) Clause 67: Co-living housing may be carried out on certain land with consent. Co-living housing, residential flat buildings or shop top housing are all prohibited in an R3 Medium Density Residential Zone under the Parramatta Local Environmental Plan 2011.

2. Parramatta Local Environmental Plan 2011

- a) Clause 1.2(e) 'Aims of Plan': The revised development does not contribute towards the orderly and sustainable development of Parramatta and the increase in density does not minimise risk to the community in areas subject to environmental hazards (i.e. flooding), by restricting development in sensitive areas.
- b) Clause 5.21: The revised development does not minimise the flood risk to life and property associated with the use of land.

3. Parramatta Development Control Plan 2011

- a) Section 2.12.2: Water Management. The revised development does not minimise the flood risk to life and property associated with the use of land.
- b) Section 3.1.3: Preliminary Building Envelopes. Inadequate side setbacks and insufficient deep soil zones are proposed.
- c) Section 3.3.1: Landscaping. Sufficient deep soil landscaping has not been achieved.
- d) Section 3.3.5: Solar Access and Cross Ventilation. Solar access to adjoining and surrounding properties will be negatively affected by the proposal.
- e) Section 3.3.6: Water Sensitive Urban Design. It has not been demonstrated that the disturbance and impacts on adjoining properties will be minimised.

- f) Section 3.4.2: Access for persons with Disabilities. The revised proposal does not demonstrate compliance with this section of the PDCP 2011.

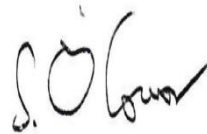
4. Insufficient information

- a) The public domain details provided by the applicant does not provide adequate street tree planting and footpath details as required under Section 2.12.8 of the PDCP 2011.

5. The Public Interest

- a) The unreasonable exposure of additional residents to potentially hazardous flooding is not in the public interest.

The Panel decision was UNANIMOUS.



Chairperson