

MINUTES OF THE LOCAL PLANNING PANEL HELD IN PHIVE 2 CIVIC PLACE  
PARRAMATTA AT 5 PARRAMATTA SQUARE ON TUESDAY, 21 FEBRUARY 2023  
AT 3:30PM

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PRESENT

Mary-Lynne Taylor (Chairperson), Michael Evesson, Robert Hussey and Ian Gilbertson.

1. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Chairperson, acknowledged the Burramattagal people of The Darug 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.

5. REPORTS - DEVELOPMENT APPLICATIONS

5.1        SUBJECT        OUTSIDE PUBLIC MEETING: 49 North Rocks Road,  
   NORTH ROCKS, NSW, 2151 (Lot 1 DP 1249815)

DESCRIPTION Section 4.55(1A) modification to DA/158/2017 for amalgamation of three (3) allotments, demolition of existing structures and construction of a child care centre with associated car parking and signage. The proposed modification seeks to temporarily reduce the number of children and allow operation of the centre prior to the construction of a required roundabout.

REFERENCE    DA/158/2017/A - D08842232

APPLICANT/S    Angsana Range Pty Ltd

OWNERS        Angsana Range 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

1. Myra Gurney spoke in favour of the report recommendation to refuse the development application.
2. Dennis Schwartz spoke in favour of the report recommendation to refuse the development application.
3. Robert Langley spoke in favour of the report recommendation to refuse the development application.
4. Helen Schwartz spoke in favour of the report recommendation to refuse the development application.
5. Eveline Albarracin spoke in favour of the report recommendation to refuse the development application.
6. Scott Cohen was an apology due to technical difficulties and is in support of all previous speakers and of the report recommendation to refuse the development application.
7. Brad Delapierre from Think Planners spoke against the report recommendation to refuse the development application and answered questions from the Panel.
8. Tom Steal from McLaren Traffic spoke against the report recommendation to refuse the development application and answered questions in relation to traffic matters from the Panel.
9. Adam Byrnes from Think Planners was available to answer questions raised by the Panel.

## DETERMINATION

- (a) **That** the Parramatta Local Planning Panel, pursuant to section 4.15 of the *Environmental Planning and Assessment Act 1979*, **refuse** the requested modification to DA/158/2017/A to temporarily reduce the number of children and allow operation of the centre prior to the construction of a required roundabout.
- (b) **Further, that** the submitters be advised.

## REASONS FOR REFUSAL

1. **State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 3: Educational Establishments and Child Care Facilities**
  - a) The modified proposal is inconsistent with following Design Quality Principles prescribed under the Child Care Planning Guidelines 2021:
    - Principle 7 – Safety.

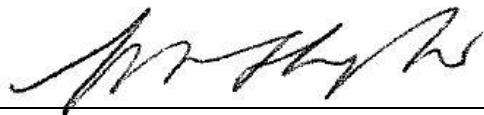
- b) The modified proposal is inconsistent with the following Matters for Consideration prescribed under the Child Care Planning Guidelines 2021:

- Part 3.1 – Site Selection and Location

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

- a) The modified proposal is not of minimal environmental impact, and therefore does not satisfy the criteria prescribed under s4.55(1A)(a).
- b) The modified proposal also has non-compliances with *SEPP (Transport and Infrastructure) 2021*. Accordingly, the proposal fails to satisfy the matters of consideration prescribed under s4.15(1)(a)(i).
- c) It is acknowledged that this intersection has a poor accident record and the Panel accepts the advice of Council's traffic engineers that any additional traffic generated by the development without the roundabout is likely to make the existing situation worse and add to the risk of crashes at this intersection.
- d) The modified proposal is therefore not considered to be in the public interest and also fails to satisfy s4.15(1)(b), (d), and (e) of the *Environmental Planning & Assessment Act 1979*.

The meeting terminated at 5:05pm.



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Chairperson