

MINUTES OF THE LOCAL PLANNING PANEL HELD VIA AUDIO-VISUAL MEANS
ON WEDNESDAY, 9 NOVEMBER 2022 AT 3:30PM

PRESENT

Stephen O'Connor (Chairperson), Paul Berkemeier and Robert Hussey.

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.

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 - PLANNING PROPOSALS

5.1 SUBJECT Post-exhibition - Planning Proposal, draft Development Control Plan and draft Planning Agreement for 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta (St John's Anglican Church)

REFERENCE RZ/5/2018 – D08505364

APPLICANT/S Jattca Pty Ltd

OWNERS St John's Parramatta Endowment Fund

REPORT OF Team Leader – Land Use Planning

The Panel considered the matter listed at Item 5.1 and the attachments to Item 5.1.

PUBLIC FORUM

1. Cheryl Bates spoke against the report recommendation to approve the planning proposal and answered questions raised by the Panel.
2. Laurie Bennett spoke against the report recommendation to approve the planning proposal and answered questions raised by the Panel.

3. Annabel Murray from AILA NSW spoke against the report recommendation to approve the planning proposal and answered questions raised by the Panel.
4. James Colman's written submission against the report recommendation to approve the planning proposal was received and noted by the Panel.
5. Robert Bianco from GAT and Associates Roberto representing the land owner at 87 Marsden Street, Parramatta spoke in favour of the report recommendation to approve the planning proposal and raised concerns of the planning proposal and potential impact of future development and answered questions raised by the Panel.
6. Veronica Hall spoke in favour of the report recommendation to approve the planning proposal.
7. Ian Grady spoke in favour of the report recommendation to approve the planning proposal.
8. Reverend Bruce Morrison spoke in favour of the report recommendation to approve the planning proposal.
9. Tina Tang from Jattca spoke in favour of the report recommendation to approve the planning proposal and answered questions in relation to demolition of the church hall and impact of the public domain.
10. Paul Davies from Paul Davies Pty Ltd Architects & Heritage Consultants was available to answer questions from the Panel in relation to the planning proposal.
11. Oscar Stanish from Architectus was available to answer questions from the Panel in relation to the planning proposal.
12. Murray Donaldson from Urbis was available to answer questions from the Panel in relation to the planning proposal.
13. Natalie Bernuetz from Aspect Studios was available to answer questions from the Panel in relation to the planning proposal.

DETERMINATION

The Parramatta Local Planning Panel provides the following recommendation to Council:

- (a) **That** Council notes the submissions received in response to the exhibition of the Planning Proposal, Development Control Plan (DCP) amendment and Planning Agreement as summarised in **Attachment 4** for the St John's Anglican Church Site.

- (b) **That** Council note the Department of Planning and Environment's (the DPE) preliminary findings for the 'SEPP 2 work' as outlined in their letter dated 17 October 2022 at **Attachment 5** and advise the DPE that the additional commercial floor space sought by the subject Planning Proposal, for the portion of the subject site proposed to be zoned B3 Commercial Core, has been assessed in regard to the findings and recommendations for the Western Edge Precinct outlined in the DPE's advice with the conclusion that a tall, slender tower with an appropriate street wall consistent with the site specific DCP (as amended) is consistent with the principles outlined in the DPE's letter.
- (c) **That** Council approve the finalisation of the Planning Proposal (at **Attachment 1**) for land at 195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street, Parramatta as follows:
- a. For the northern development site:
 - i. Rezone from B4 - Mixed Use and SP1 – Special Activities (Place of Public Worship) to part B3 - Commercial Core and part SP1 - Special Activities (Place of Public Worship);
 - ii. A maximum Height of Building Control of 211 RL; and
 - iii. A maximum FSR of 17.5:1 (or 16:1 exclusive of Design Excellence bonus), made up of a mapped FSR of 10:1 (plus 1.5:1 design excellence bonus) and a site-specific clause permitting a maximum FSR of 6:1 for office uses.
 - b. For the southern development site:
 - i. Include on the Land Reservation Acquisition (LRA) map at 41-45 Hunter Street a 6m wide accessway along the boundary to the rail line;
 - ii. Application of the FSR sliding scale; and
 - iii. Allow basement car parking on small portion of SP1-zoned land.
 - c. The following amendments:
 - i. For the northern development site:
 - 1. Amendments to include site specific local provisions that address:
 - a. Conversion of the exhibited provision relating to Unlimited Commercial Floor Space to an equivalent nominated FSR control for office uses of 6:1;
 - b. Limiting the height to 211 RL inclusive of a design excellence bonus; and

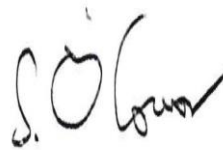
- c. A requirement for a site specific DCP to be prepared that provides for identified matters to be satisfied including the outcome for St John's Parish Hall.
- ii. For the southern development site:
 - 1. Removal of the following provisions as they are consistent with the finalised Parramatta Local Environment Plan (LEP) 2011 (Amendment No. 56) and are no longer required:
 - a. A maximum Height of Building Control of 211 RL; and
 - b. A maximum FSR of 10:1.
- iii. For both development sites:
 - 1. Removal of the following provisions as they are consistent with the finalised Parramatta LEP 2011 (Amendment No. 56) and are no longer required:
 - a. Parramatta Square solar access,
 - b. Aerospace investigations, and
 - c. Car parking.
 - 2. Amendments to address the following two minor Gateway compliance issues discussed in this report:
 - a. Addressing the Direction on Remediation of Contaminated Land in the Planning Proposal document; and
 - b. Raising the State infrastructure needs generated by the proposal when consulting State Agencies.
 - 3. Noting the following unresolved matters raised by State Agencies are to be referred to the DPE for their consideration:
 - a. Transport for NSW: objects to the number of car parking spaces on the site;
 - b. Department of Planning and Environment – Environment and Heritage Group: raises concern about the inconsistency of the Planning Proposal with Ministerial Direction 4.3 Flood Prone Land
 - c. State Emergency Service NSW: raises concern about the flood planning and

management policy framework for the
Planning Proposal and wider-CBD.

- (d) **That** Council forwards the amended Planning Proposal at **Attachment 1** including the amendments summarised in part (c) above, for which are also detailed in this report, to the DPE for finalisation.
- (e) **That** Council approves the DCP controls at **Attachment 2** including the amendments summarised at Table 10 in this report.
- (f) **That** Council enters into the Planning Agreement at **Attachment 3** and delegates authority to the Chief Executive Officer to sign it on behalf of Council.
- (g) **That** in the event the DPE makes changes to the Planning Proposal and in response the applicant seeks to withdraw or renegotiate the Planning Agreement (outside the Chief Executive Officer's delegation at (h) below), then the DCP is to be amended to remove provisions relating to the Stage 1 DA and "Option A" [removal of Hall] and finalised with "Option B" [partial retention of Hall] only, thereby becoming the only option. The DCP is to be finalised and published as soon as practicable following finalisation of the LEP amendment.
- (h) **Further, that** Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the Planning Proposal, DCP amendment and Planning Agreement.

The Panel decision was UNANIMOUS.

The meeting terminated at 5:04 pm.



Chairperson