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CITY OF PARRAMATTA

RECORD OF MEETING

**CITY OF PARRAMATTA, LOCAL
PLANNING PANEL MEETINGS – JULY 2019**

PANEL: **DAVID LLOYD QC
ANTHONY REED
DAVID JOHNSON
MAREE TURNER**

DATE: **3.30 PM, TUESDAY, 16 JULY 2019**

MR D. LLOYD QC: All right, I think we can begin and I declare this meeting of the Parramatta Local Planning Panel open. In doing so, on behalf of the Council, I acknowledge the Burramattagal clan of the Darug, the traditional custodians of Parramatta and pay respects to the Elders both past and present. I should notify all
5 that this public meeting will be recorded. The recording will be archived and available on Council's website. All care is taken to maintain your privacy. However, if you are in attendance, you should be aware that your presence may be recorded. It's usual for us to introduce ourselves at the beginning of this meeting. And we will do so now. I'm David Lloyd. I am the Chairperson. I am a lawyer. I
10 am a QC. I am a former Judge of the Land and Environment Court. I am a former Acting Judge of the Supreme Court. I am currently an adjunct professor of Law at Western Sydney University. Mr Johnson.

MR D. JOHNSON: It this thing turning on?
15

MR A. REED: Yes.

MS C. STEPHENS: They're all on.

20 MR JOHNSON: They're on. Oh, okay.

MS STEPHENS: They've

MR JOHNSON: My name's David Johnson. I'm an environmental scientist. I've
25 been a consultant for most of my career. I also have been – for six years – a member of the Planning Assessment Commission, now the Independent Planning Commission of New South Wales. I'm a former Acting Commissioner of the Land and Environment Court. And I am a member of two other local planning panels in Sydney.

30 MR A. REED: All right. My name's Anthony Reed. I'm a chartered professional engineer. I have got thirty years' experience as a general manager in local government. And I'm a director of engineering. I'm currently on the management committee of the New South Wales Roads and Transport Directorate.

35 MR LLOYD: Your turn.

MS M. TURNER: Maree Turner, I'm the community member.

40 MR LLOYD: All right. With that, we can move straight on to item one. The proposed development at 30 Hainsworth Street, Westmead. I can advise that the panel inspected the site earlier in the day. And – we are inclined to – approved this development. That is to reject the Recommendation for Refusal. Mr Delapierre, you are representing the applicant.
45

MR B. DELAPIERRE: Yes. It's just myself. And Mr Ulysses, Doctor Ulysses here - - -

5 MR LLOYD: All right. The question I want to know is have you seen the draft conditions of consent?

10 MR DELAPIERRE: No. We've only seen the recommendation – the refusal conditions. We haven't been provided with any – I haven't seen any Draft Conditions of Approval.

MR LLOYD: Well - - -

15 MS STEPHENS: We only did them today. Like, finalised them today. So, no – we haven't had a chance to send them through.

MR LLOYD: Do you, do you want to go through them first?

20 MR DELAPIERRE: Yes. We have – we have dealt with them. If the panel was happy to move onto other items, we can.

MR LLOYD: I mean – we're quite happy with it.

MR DELAPIERRE: Yes.

25 MR LLOYD: We're going to approve it.

MR DELAPIERRE: Yes. No, all right - - -

30 MR LLOYD: Subject to conditions.

MR DELAPIERRE: - - - yes. That's, that's - - -

35 MR LLOYD: And I want you to look at the conditions to make sure that you're – you're okay with the conditions.

MR DELAPIERRE: Yes. That, that would be – yes, most helpful, if we could.

MR LLOYD: All right. Well, what I'll do is I'll hand these up to you.

40 MR DELAPIERRE:

MR LLOYD: I'll - - -

45 MR DELAPIERRE: Happy if I approach?

MR LLOYD: Yes.

MS STEPHENS: Yes.

MR LLOYD: There's – and you may want to look at them, as well. And we'll,
we'll - - -

5

MR DELAPIERRE:

MR LLOYD: - - - deal with the next item and come back to you when you're ready.

10 MR DELAPIERRE: Thank you. We'll, we'll - - -

MR LLOYD: All right.

MR DELAPIERRE: We'll leave the room and come back if that's all right.

15

MR LLOYD: Okay. That's good.

MS STEPHENS: I'll go with you

20 MR JOHNSON:

MR LLOYD: Yes.

MS TURNER: Do they want the others?

25

MR LLOYD: No. They have got enough.

MR JOHNSON: Oh, they have got two copies.

30 MS TURNER: Two's enough?

MR LLOYD: They have got enough. Item 5.2 the shop at 354 Church Street,
Parramatta. Again, we are happy with this proposal. I notice Mr Brewer, Mr
Brewer.

35

MR M. BREWER: Yes, sir.

MR LLOYD: We're happy with it.

40 MR BREWER: Thank you.

MR LLOYD: We're going to okay it.

MR BREWER: Thank you.

45

MR LLOYD: Have you seen the proposed conditions of consent?

MR BREWER: Yes. I have.

MR LLOYD: Are you happy with them?

5 MR BREWER: No, sir.

MR LLOYD: You're not?

MR BREWER: No, sir.

10 MR LLOYD: All right.

MR BREWER: There's a couple of matters that I would like to - - -

15 MR LLOYD: All right. Well, you better come forward.

MR BREWER: Yes.

MR LLOYD: Where you will be recorded. All right.

20 MR BREWER: Thank you, Sir - - -

MR LLOYD: First, first and foremost for the record - - -

25 MR BREWER: My name is - - -

MR LLOYD: - - - your name?

MR BREWER: Michael Brewer.

30 MR LLOYD: Yes. And your position?

MR BREWER: I'm a consultant town planner with Willana Urban.

35 MR LLOYD: Okay. What's the problem?

MR BREWER: The conditions – I believe – do not reflect the existing approved hours of operation or outdoor seating that has been approved in previous consents. And – the condition regarding the restriction on the hours in which they are allowed to access the waste bins - - -

40 MR LLOYD: Well, what, though - - -

MR BREWER: Would be impractical.

45 MR LLOYD: - - - what, what condition are you referring to?

MR BREWER: The first one – sorry – is the awning over the carpark. My client's – which is – condition four.

MR LLOYD: Wait a minute. Wait – let me find it.

5

MR BREWER: Page 84, Sir.

MR LLOYD: Page 84. Sorry? What, what condition are you concerned - - -

10 MR BREWER: Condition 4.

MR LLOYD: Condition 4?

MR BREWER: Yes.

15

MR LLOYD: On page?

MR BREWER: Page – oh, sorry - - -

20 MR LLOYD: 87.

MS STEPHENS: Your pages are different than his pages.

MR LLOYD: Oh.

25

MR BREWER: Oh.

MS STEPHENS: Remember, you've got the internal plans. So - - -

30 MR LLOYD: Okay.

MS STEPHENS:

MR LLOYD: Condition 4?

35

MR BREWER: Condition 4. Non-standard - - -

MR LLOYD: Non-authorised awnings to be deleted.

40 MR BREWER: Yes.

MR LLOYD: And carpark reinstated. What's the problem?

45 MR BREWER: Yes. The awning was put up to protect my client's cars. They have had a history of – activities from people from the units above dropping objects on them. In fact – just recently a bottle was dropped onto the roof of my client's car, smashing the sunroof. Teabags, all sorts of things get thrown down onto the

vehicles. And that was the intent of it there – to put that structure up. I believe that it is a structure that could ordinarily be dealt with under a CDC. And my client is happy to modify it. There is a post that is – unfortunately – in the middle of a parking space.

5

MR LLOYD: Mmm.

MR BREWER: My client is happy to modify that so that it retains that parking space.

10

MR LLOYD: How's, how's he going to do – how are you going to do that?

MR BREWER: I believe – reengineer it.

15 MR LLOYD: Well, shouldn't we – shouldn't we go along with this condition and you put in a DA for a new awning?

MR BREWER: That could be one course, yes, Sir. If, ultimately - - -

20 MR LLOYD: The, the concern – the concern that has been raised is the loss of one car parking space.

MR BREWER: Yes.

25 MR LLOYD: Because of the post in the middle of a car parking space.

MR BREWER: Mmhmm.

MR LLOYD: So it – it probably needs a different kind of awning or a new awning.

30

MR BREWER: I believe that the – a support could be relocated.

MR LLOYD: Well, for my part, I'm inclined to leave that condition there. That awning can go. And if you want to reengineer it, that can be the subject of a separate DA.

35

MR BREWER: A separate approval process, yes.

MR LLOYD: Panel, what do you think?

40

MR REED: Mmm.

MR JOHNSON: Okay.

45 MR REED: Yeah. I agree.

MR BREWER: All right. I'm not going to die in a ditch over it.

MR LLOYD: All right.

MR BREWER: Yes.

5 MR LLOYD: So condition four stays.

MR BREWER: Yes.

MR LLOYD: Anything else?

10

MR BREWER: There was a condition – condition 18 under the use of the site. So, that, that requires a transfer of all of the waste from the restaurant to the waste room. It is a communal waste room that services the entire building. Quite a number of the apartments within that building are serviced apartments. Which means they have
15 infrequent visitors there. They also have - - -

MR LLOYD: This only refers to transfer of waste from the restaurant.

MR BREWER: Yes. Into the communal waste - - -

20

MR LLOYD: Yes.

MR BREWER: - - - bin area. The – we feel that the – that restriction, so preventing them from taking rubbish – if their bins fill-up inside, bearing in mind that as the – as the restaurant operates through the night – as, as night progresses, that’s when people are going to be finishing their dishes. That’s when the bins are going to fill-up. And for the hygiene and safe operations of the kitchen, the last thing they want is to be piling up waste inside. There are – the waste area, the communal waste area is accessed from a driveway at the side of the building that adjoins the motel. And the
25 motel also have their waste facilities on, accessing on there. So they’d be unfairly restricted from operating. Any member of the – restaurant – sorry, of the hotel, could bring their waste into their area on their property.

30

Any member of the public or anyone residing in the units can come down any time
35 of night and day and put their waste in, as well. But my clients are unfairly prevented – from putting waste in there. And it sounds like a small matter. But, operationally, for them they’ve then got to try and find – space within their restaurant within the food preparation areas to safely store that waste. Whereas, that could be, ordinarily, transferred. As they have since 2007 when they first started operating –
40 into the garbage bin area. My client acknowledges that noise is a major issue for anyone living in the area. And has got their own mechanisms to ensure that they don’t disturb their neighbours as much as possible.

45

MR LLOYD: I’ll ask the council. Council?

MS STEPHENS: I’m just double-checking on why that condition came through from - - -

UNIDENTIFIED FEMALE: We put it in because the commercial and the residential waste wasn't separated. I think there was previously a waste room, was there? I'm sorry. I don't, I'm not the

5 MS STEPHENS: Sorry?

UNIDENTIFIED MALE: There was always a combined one.

MS STEPHENS: Oh, it was always a combined one.

10

UNIDENTIFIED MALE: There was a much larger one before.

MS STEPHENS: Yes. So the size of it was reduced as part of this works that happened here

15

MR BREWER: I'm sorry, I do beg to differ with that. My client hasn't actually removed – relocated the waste area. It was the body corporate that changed that - - -

MS STEPHENS: Oh - - -

20

MR BREWER: In about 2007.

MS STEPHENS: - - - Yes. I – didn't say anyone did it. I just said the waste room was made smaller.

25

MR BREWER: Yes.

MS STEPHENS: And it was a way of – our, I think our council's way of just – sort of restricting what times they could use it. As it is a combined waste room.

30

MR LLOYD: So, are you going to assist on these times?

MS STEPHENS: Yes, if you can.

35 UNIDENTIFIED MALE: Yes. That's

MS STEPHENS: Yes.

MR LLOYD: You are?

40

MS STEPHENS: Yes.

MR LLOYD: Why?

45 MR JOHNSON: Is there scope to - - -

MS STEPHENS: You see a lot – I know my development applications – so I'm not 100 percent on top of it.

MR LLOYD: Why?

5

UNIDENTIFIED MALE: So that was just what we thought was reasonable to maintain that amenity. There was – a complaint from a submitter that was specifically talking about the noise from the waste, from the restaurant using that waste bin. So that was just a condition I thought was a reasonable amenity

10

MR LLOYD: Well, I'll ask the panel. What do you want to do?

MR JOHNSON: Is there scope to change that 7.00 pm to 9.00 or 10.00?

15

MS TURNER: Yes. That's what I thought – 9.00, yes.

MR LLOYD: Well, the restaurant goes - - -

MR BREWER: Mmm.

20

MR LLOYD: Goes to about 11.00 or 12.00.

MS TURNER: No. But still it gives them a chance to move half - - -

25

MR JOHNSON: No. But it gives the – which would prevent the build-up of waste being stored in the restaurant or in the kitchen. That's - - -

MR LLOYD: Mmm.

30

MS STEPHENS: Probably the most important thing.

MR LLOYD: Are you prepared to compromise?

UNIDENTIFIED MALE: Yes. I am happy to change the time to

35

MR BREWER: My client's indicating that they're happy to try and work – they've always tried to work in with whatever's been requested of them. And have never, ever actually refused to supply anything or do anything whenever council's asked. So - - -

40

MR JOHNSON: Mmm. Would 10.00 pm be too late?

UNIDENTIFIED MALE:

45

UNIDENTIFIED MALE: YH, the Novotel bring their rubbish out even eleven o'clock, twelve o'clock at night. It's not – it's something that's gone on for a long

time. And at three o'clock in the morning, they bring out the glass bottles at some point. And empty the glass bottles. Which is pretty noisy.

5 MS TURNER: To the same area?

MR LLOYD: Yes.

MS STEPHENS: Not in the same building though.

10 MS TURNER: Oh, okay. Okay. So it's not in the same area?

MR LLOYD: But it's about next door.

15 UNIDENTIFIED MALE: It's about three metres away - - -

UNIDENTIFIED MALE: Yes.

UNIDENTIFIED MALE: So - - -

20 MS TURNER: Well, that's up - - -

MR BREWER: My client doesn't serve alcohol on the premises. So they don't have a lot of beer bottles or wine bottles going clinking around. So - - -

25 MS TURNER: Mmhmm.

MR LLOYD: Well, what's the decision, panel? What time do you want to impose?

30 MR REED: Well, this is in response to a formal complaint in the submission.

MR LLOYD: Yes. What - - -

35 MR REED: And the complaint was that the residential waste bins are completely – constantly filled with commercial waste. The – so the time restriction of – they operate Monday through to Friday except for Friday and Saturday which goes through to midnight. So a 10.00 pm timeframe for waste clearance would be okay, in my view.

40 MR LLOYD: Well - - -

MR REED: Although, you'd be still storing for two hours.

MR JOHNSON: The council planner seems to think that's reasonable.

45 MR BREWER: Yes. And I'll go with that.

MR LLOYD: Your view, Tam?

MR REED: Yes.

MR LLOYD: Yes?

5 MR JOHNSON: Yes. I think 10.00 would be good.

MR LLOYD: Ten o'clock.

MR BREWER: Thank you.

10 MR JOHNSON: A good compromise. It doesn't give him all night. But just - - -

MR LLOYD: No.

15 MR JOHNSON: - - - makes it a little bit easier.

MR LLOYD: So condition eight refers to this change from 9.00 am to 7.00 pm. To 9.00 am to 10.00 pm. Anything else?

20 MR BREWER: The hour of operation in condition 22 over the page.

MR LLOYD: Yes?

MR BREWER: Actually – sorry – I'll jump to number 23, which is the capacity.
25 I'm assuming that the 257 seats is a typo. We're not proposing to change it. It was 275. And that was in the CDC - - -

MR LLOYD: Council.

30 MR BREWER: - - - that was issued.

UNIDENTIFIED MALE: I've got the CDC here. I'll just check So the does say 257. And that's where I got that number from.

35 MR JOHNSON: Where's that from?

UNIDENTIFIED MALE: Did you want to see it, sir? So this is the CDC form

40 MR LLOYD: Well, that's what you've got – that's what you've nominated, apparently.

MR BREWER: Right. Okay. That's - - -

45 MR LLOYD: We've just adopted the number you nominated.

MR BREWER: Okay.

MS TURNER:

MR BREWER: The – both Council’s report and the SEE both state 275.

5 MS TURNER: Well, let’s add them up.

MR BREWER: Because there was to be zero change with seating.

MS TURNER: Let’s do the maths.

10 MR LLOYD: Yes. Can I ask you to do that?

MS TURNER: fourteen - - -

15 MR LLOYD: We’re just doing - - -

MS TURNER:

MR LLOYD: Some sums here.

20 MS TURNER: I can’t add that up at all.

MR LLOYD:

25 MR BREWER: Yes.

MS TURNER: Somebody else

30 MR BREWER: Page 7 of 16 of Council’s assessment report notes that the outdoor seating area was numbered to 78 seats. Under CD172 of 2015, the approved plans limit the internal seating capacity to 275 seats.

UNIDENTIFIED MALE: report the condition

35 MR LLOYD: Well, the report says that. But then the actually nominated on your application, 257.

UNIDENTIFIED MALE: But that is the approved CDC plan. This application

40 MR BREWER: Look, if it’s on the application form, I won’t raise that any – raise the matter any further.

MR LLOYD: All right. We’ll leave that as is.

45 MS TURNER: All right.

MR LLOYD: Are you going to refer to 22, hours of operation?

MR BREWER: Hours of operation, yes. The – since the restaurant has operated –
so this is perhaps a very typical example of – as shops have closed, this restaurant
5 has enlarged over time. Originally, one of the shops there – shop 4, and part of suite
10 – was approved under DA1095 of 2007 for a café and patisserie known as Sea
Sweet. Now, that had approved training hours Monday to Thursday up to midnight,
Friday and Saturday to 2.00 am, and Sunday up to midnight. Again, my client is not
seeking to change that, although the hours that have been nominated in the
10 conditions change with what they've been operating since the very first day. Again,
we haven't sought to change the approved hours of operation. But there's a
development consent that grants those hours. And we feel that this - - -

MR REED: Can I clarify what you're actually saying? You're – you've indicated
15 that the operating hours you're after was one that was for a coffeeshop and cake
shop, virtually. So the Chinese restaurant component of the original development,
what was their operating hours?

MR BREWER: I couldn't actually tell you what they are because that information's
20 - - -

MR REED: I would guess that - - -

MR BREWER: Not available.
25

MR REED: They're the ones that are before us. A 2.00 am operating time frame?

MR BREWER: I don't believe that's what my client actually operates for – at
30 present.

MR REED: That's what you indicated.

MR BREWER: That's what the approved hours are.

MR REED: No. The approved hours you're referring to was a café that was
35 subsequently taken over by the restaurant. Different operation. And then absorbed
by the restaurant. I don't think the hours of operation apply.

MR BREWER: I will leave that in the panel's hands.
40

MR LLOYD: Well, before we do that panel, what's the decision on the hours of
operation?

MR JOHNSON: Under 22 - - -
45

MR LLOYD: Mr Johnson?

MR JOHNSON: Yes, I tend to think that's the case, too, unless - - -

MS TURNER:

5 MR REED: You've got two midnight operations and the rest are at 10.00 pm.

MR JOHNSON: Yes.

MS TURNER: Yes.

10

MR LLOYD: All right. Well, the decision of the panel is to leave the hours of operation as stated in condition 22. Anything else?

MR BREWER: I believe that's it, sir.

15

MR LLOYD: All right. So the only change to the conditions is in condition 18: changing the hours from 9.00 am to 7.00 pm to 9.00 am to 10.00 pm. There is an additional condition which we've been asked to impose. I'll read it: "Prior to the issue of the occupation certificate, evidence is to be shown to the PCA indicating that all unauthorised work on the subject site have been regularised by way of a building certificate approved by council."

20

MR BREWER: No. That's - - -

25 MR LLOYD: That will be an additional - - -

MR BREWER: That follows the normal process that we would expect.

MR LLOYD: All right. That will be an additional condition.

30

MR BREWER: Yes.

MR LLOYD: So the determination of the panel - - -

35 MR BREWER: If I may – sorry – I do wish to seek the panel's indulgence just once further. Condition 5, which is the outdoor dining area facing Palmer Street – I do apologise – I had overlooked that matter. The area referred to is – do you have a copy of the SEE prepared in – for the section 8.2 review?

40 MR JOHNSON: I don't think we do.

MR BREWER: So - - -

MR JOHNSON: No.

45

MR BREWER: - - - there's an area of seating outside the corner of the restaurant.

MR LLOYD: In Palmer Street?

MR BREWER: In Palmer Street there.

5 MR LLOYD: Not shown on your application? Not shown on your application?

MR BREWER: On the plans, no. It's actually shown in figure 7. There's some tables. I believe that my client has since replaced them with smaller tables as they've refreshed their furnishings. And photo 21 shows the previous furniture. That's on
10 page 58 of the SEE. That area there did actually have approval under DA1095 of 2007, I believe. It wasn't in that configuration. There were ten seats that were approved on the – around the perimeter of the building, along both Church and Palmer Streets. So again, over time, my client has consolidated them in that area. It's a bit of a cut-in on the façade – on the Palmer Street façade.

15 MR LLOYD: Yes.

MR BREWER: They've put them there out of the way of, basically, the foot traffic along Church Street, to keep Church Street moving clearly – freely. Because if they
20 have people sitting out there, tripping over people walking along, it causes no end of problems.

MS TURNER: What are they saying? They had ten approved here - - -

25 MR LLOYD: This - - -

MS TURNER: - - - and then they've

MR LLOYD: Would you – come and have a look at this. This is your application.
30 Where is this seating?

MR BREWER: No, that was the approved CDC

35 MR BREWER: No, that was the approved CDC

MR BREWER: So the CDC specifically – my understanding is the certifier said, "I can't deal with this under the terms of the CDC."

MR LLOYD: Yes.

MR JOHNSON: Mmm.

40 MR BREWER: This was never built in that way. It was approved but never built. And so the seating is in this area here. So the DA that I've mentioned did allow a number of tables around the outside there. So my client has decided to keep – in the interest of keeping Church Street footpath clear, to consolidate them in that area.

45 MS TURNER: As well as these tables here - - -

MR BREWER: That was what was - - -

MS TURNER: - - - you would never walk past?

MR BREWER: That was approved. Yes.

5 MS TURNER: Good grief.

MR BREWER: And that was why my client moved them, is because it just congested the footpath.

10 MR LLOYD: The applicant says he has approval to put tables there.

UNIDENTIFIED MALE: Yes. So this CDC plan is the latest plan.

MR LLOYD: Yes.

15

UNIDENTIFIED MALE: But prior to this DA being in for this area, the CDC plan does not show any tables there.

MR LLOYD: Mmm.

20

MR BREWER: No, but that's because - - -

UNIDENTIFIED MALE: Previous - - -

25 MR BREWER: - - - the CDC specifically ignored anything outside.

UNIDENTIFIED MALE: But the reason I that up was because the CDC says how much the outdoor So all the outdoor has been incorporated their plan. And internal has been incorporated into their plan. So those seats that are currently there now haven't - - -

30

MR BREWER: Wasn't the ambit of the CDC to discuss the external seating?

UNIDENTIFIED MALE: because the latest

35

MR LLOYD: This supersedes – I have to say, this supersedes any development consent.

40 MS STEPHENS: And that development consent was related to the previous DA that also had those hours of operation. It was for that use as well.

MR LLOYD: Yes. This supersedes it.

MR BREWER: Yes. But the CDC didn't deal with any seating outside.

45

UNIDENTIFIED MALE: But it specifically says the number of seating that they are approving.

MR JOHNSON: And that number is contained in that area there; is that right?

UNIDENTIFIED MALE: Correct.

5 MR JOHNSON: So, in theory, that should be the outdoor seating?

UNIDENTIFIED MALE: Correct. That's why - - -

MR JOHNSON: That's what you're saying?

10

UNIDENTIFIED MALE: That's why I've asked them to delete it.

MS STEPHENS: And these days, outdoor dining isn't actually a development application matter; it's an exempt development. And you then go through council for the licence and all that sort of stuff. So it's not generally something - - -

15

MR JOHNSON: Mmm.

MS STEPHENS: - - - we deal with in a DA matter anymore.

20

MR JOHNSON: Okay.

MR BREWER: Yes.

25 MR REED: It's actually under the footprint of the building, isn't it?

MR BREWER: It's within - - -

MS STEPHENS: Yes. That one.

30

MR REED: So it's not in the - - -

MS STEPHENS: Yes. Okay. So it's not on the public - - -

35 MR REED: - - - footprint.

MR JOHNSON: Mmm.

MR BREWER: The seating I'm referring to is within - - -

40

MR REED: I know where it is. I looked at it - - -

MR BREWER: - - - the confines of the allotment.

45 MR REED: I commented about it today, that they were still sitting there.

MR LLOYD: All right. What's the decision, panel? Do we delete condition 5 or maintain condition 5?

MR JOHNSON: the seating.

5

MS TURNER: Well, are they willing to give up that many places here to put the
- - -

MR BREWER: So the DA1469, modified by section 96, was specifically for the
10 awning and the outdoor seating area. And they nominated these tables in these
locations here. But obviously that's within the movement of people through the area.
So my client has taken it from there and kept them in here. I guess that's all I can,
sort of, submit on that - - -

15 MR LLOYD: All right.

MR BREWER: - - - in that regard.

MR LLOYD: We'll make a decision. All right. Panel, what's your decision?
20 What is the decision of the panel?

MR JOHNSON: I don't have any problem with that, moving them into here. But is
that exceeding the number of outdoor approved - - -

25 MR LLOYD: No. The condition I knew refers to the seating - - -

MR JOHNSON: Yes.

MR LLOYD: - - - area facing Palmer Street to cease.
30

MR REED: To me, it wasn't obstructing any pedestrians.

MR JOHNSON: That's right.

35 MR LLOYD: You're happy?

MR REED: I'm happy with it.

MR LLOYD: Mr Johnson?
40

MR JOHNSON: I feel the same way. Yes.

MS TURNER: It wasn't obstructing.

45 MR JOHNSON: No.

MR LLOYD: So you're happy with condition 5 deleted?

MS TURNER: Yes.

MR REED: Yes.

5 MR JOHNSON: Yes, I'm happy to delete it.

MR LLOYD: All right.

10 MR BREWER: Thank you.

MR LLOYD: You've got condition 5 deleted.

MR JOHNSON:

15 MR LLOYD: Got it. All right. Thank you very much. You can take your plans – can have your plans back. They're yours?

MR JOHNSON: may actually be a better solution.

20 MR LLOYD: They're yours. All right. The decision of the panel is adopt the recommendation subject to deletion of condition 5 - - -

MR JOHNSON: 5.

25 MR LLOYD: - - - amendment of condition 18 - - -

MR JOHNSON: 18. Yes.

30 MR LLOYD: - - - to change the hours from 9.00 am to 7.00 pm to 9.00 am to 10.00 pm, and an additional condition which I have read out.

MR JOHNSON: Yes. That's right.

35 MR LLOYD: And the reasons for the termination are set out in the – in the recommendation.

MR JOHNSON: Correct.

40 MR LLOYD: All right. Anything else?

MR JOHNSON: No.

MR LLOYD: Good. Are you ready, Mr Delapierre?

45 MR DELAPIERRE: I'm ready, Mr Chair.

MR LLOYD: Are you happy with those conditions?

MR DELAPIERRE: Yes. No, we're ready to go. We, first off we'd like to surprise the panel for – it's pleasantly surprising – and being supportive of this document in the public interest. And we have reviewed the – the two condition documents that were provided to us by the panel. And we are accepting of all proposed conditions
5 today. Again, we'd like to thank the panel - - -

MR LLOYD: All right.

MR DELAPIERRE: For being supportive of both.
10

MR LLOYD: So the determination of the panel therefore is to – is to grant consent.

MR JOHNSON: Grant consent.

MS STEPHENS: Yes.
15

MR LLOYD: Subject to the recommended conditions.

MS STEPHENS: Yes.
20

MR LLOYD: Okay

MS STEPHENS: Yes.

MR LLOYD: Good. All happy?
25

MR DELAPIERRE: Thank you.

MR LLOYD: Next is item number 5.3, this is the strata subdivision of part of the
30 Parramatta Square development. We have someone here on behalf of the applicant, Madeline Lloyd.

MS M. LLOYD: Yes, myself.

MR LLOYD: We don't wish to hear from you. We're happy with it. We're happy to adopt the recommendation. Unless you're not happy with it?
35

MS LLOYD: No. Okay. All good.

MR LLOYD: All right. Then the determination of the panel is to adopt the recommendation. Which is to grant consent. And in doing so, the reason for the determination is the panel supports the findings contained in the assessment report and endorses the reasons contained in that report. All right. Good. Thank you. All right. Planning proposals.
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MS STEPHENS: We've got to wait aren't we?
45

MR LLOYD: All right. We can move onto the panel proposals. The first one, item 6.1, the Planning Proposal for Land at 14-16 Hill Road, Wentworth Point. I can advise that the panel inspected the site earlier in the day. The panel is inclined to unanimously adopt the recommendation as set out in the Assessment Report. Does anyone want to persuade us to a contrary view?

UNIDENTIFIED MALE: Not today.

UNIDENTIFIED MALE: No, certainly not.

MR LLOYD: No? No. Then all we have to do is adopt the recommendation.

UNIDENTIFIED MALE: Correct.

MR LLOYD: Does that keep everyone happy?

UNIDENTIFIED MALE: Yes. That's wonderful.

MR LLOYD: And the reason for the determination is that – we have to set out the reason for the determination at the end of all that. You have got it.

UNIDENTIFIED MALE: Yes.

MR LLOYD: It's all there. Thank you very much.

UNIDENTIFIED MALE: Brilliant. Thank you very much.

UNIDENTIFIED MALE: Okay.

UNIDENTIFIED MALE: Thank you.

UNIDENTIFIED MALE: Thank you.

MR LLOYD: Item 6.2 is the Planning Proposal at 18-40 Anderson Street, Parramatta. At present occupied by a Holiday Inn. We have some people here for that.

UNIDENTIFIED MALE: Yes. We're here if there's any questions. But otherwise, we're in your hands.

MR LLOYD: You're here to answer questions.

UNIDENTIFIED MALE: Hopefully it's like the last one.

MR LLOYD: Well, the answer is exactly the same.

UNIDENTIFIED MALE: Yes.

MR LLOYD: The panel inspected the site. We're happy with the recommendation and are prepared to adopt it as set out in the Assessment Report.

UNIDENTIFIED MALE: Thanks.

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MR LLOYD: Unless you want to persuade us to the contrary?

UNIDENTIFIED MALE: Absolutely not.

10 MR LLOYD: All right.

UNIDENTIFIED MALE: We're happy with that recommendation. Thank you.

15 MR LLOYD: All right. So that's the determination. And it's all there. Good. No other business? Meeting is closed, 6 minutes past 4.00. Thank you very much.

RECORDING CONCLUDED

[4.06 pm]