



**REZONING REVIEW  
RECORD OF DECISION**

STRATEGIC PLANNING PANEL of the  
SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DECISION</b>	26 September 2023
<b>DATE OF BRIEFING</b>	20 September 2023
<b>PANEL MEMBERS</b>	Stephen Murray (Acting Chair), Helen Lochhead and Paul Mitchell
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	<p>Abigail Goldberg (Chair), David Ryan and Stephen O'Connor had previously declared an interest and withdrew themselves from being able to sit on a Panel to hear the Review. Clare Brown &amp; Nicole Gurran declared a conflict of interest and withdrew themselves from the Panel for this Review.</p> <p>The City of Parramatta's six local members were deemed by the Acting Chair to have a conflict of interest. Councilors Sameer Pandey, Dan Siviero, Michelle Garrard, and Georgina Valjak voted at the Council meeting of 28 November 2022 not to support the planning proposal (PP-2021-3409). Jane Fielding and Richard Thorpe were members of the Panel who heard the first Review on 2 May 2023.</p>

**REZONING REVIEW**

RR-2022-31 – City of Parramatta – PP-2021-3409 at 361-365 North Rocks Road, North Rocks (as described in Schedule 1)

**Reason for Review:**

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The council has failed to indicate its support 115 days after the proponent submitted a request to prepare a planning proposal.
- Council has subsequently notified the proponent that the request to prepare a planning proposal has not been supported

**PANEL CONSIDERATION AND DECISION**

The Planning Minister's delegate requested that the Panel of 2 May 2023 reconvene to reconsider the Rezoning Review and the Panel's decision, as documented in the Panel's Record of Decision, 11 May 2023. The Panel is to have regards to the capacity of the proposal to deliver housing in light of the changing circumstances in accordance with the Minister's letter to councils asking them to deliver additional housing.

The Acting Panel Chair of 2 May 2023 advised the Department on 13 August 2023 that a review of the Panel's decision could not be undertaken by the same Panel as they previously considered and voted on the matter, and as such the three State members stepped aside. The two local Council members made themselves available for the new Panel however as they previously voted on the previous review had a conflict of interest.

A new Panel of three State members was constituted. The City of Parramatta's request to nominate two new local council members to the Sydney Central City Planning Panel in order to sit on this Rezoning Review Panel was noted.

The Panel considered: the material listed at item 4 and the matters raised and/or observed at briefings and the site inspection listed at item 5 in Schedule 1.

Based on this Review, the Panel resolved to defer its decision on whether the proposal has strategic merit and site specific merit pending the following:


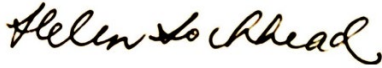

1. The Panel be provided with a response to the City of Parramatta's letter to the Minister, Department of Planning and Environment and Strategic Planning Panel of Sydney Central City Planning Panel (dated 19 September 2023) seeking clarification on the process for a Review of the Rezoning Review.
2. The City of Paramatta being given an opportunity to brief the Panel following receipt of the forthcoming advice.

The decision was unanimous.

#### REASONS FOR THE DECISION

The Panel had the benefit of a comprehensive site visit and presentations from the Department and the applicant on the planning proposal (as submitted June 2021).

In the spirit of transparency and procedural fairness the Panel felt that it was appropriate that City of Parramatta Council brief the Panel and provide an overview of the Council's position in regard to the proposed rezoning.

PANEL MEMBERS	
 Stephen Murray (Acting Chair)	 Helen Lochhead
 Paul Mitchell	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2022-31 – City of Parramatta – PP-2021-3409 at 361-365 North Rocks Road, North Rocks.
2	LEP TO BE AMENDED	Parramatta Local Environmental Plan (2012)
3	PROPOSED INSTRUMENT	<p>The planning proposal seeks to facilitate the redevelopment of the site for residential development ranging from 2 to 7 storeys, 38,000m<sup>2</sup> for private and public open spaces, 2,700m<sup>2</sup> floor area for community facilities and 700m<sup>2</sup> floor area for retail and commercial uses, including childcare facilities, general stores, and medical centre.</p> <p>It is proposed to amend the Parramatta Local Environmental Plan 2012 by changing the zoning from R2 Low Density Residential to R3 Medium Density Residential and R4 High Density Residential; changing maximum height of building from 8m to 9m, 11m, 16m, 23m and 25m: inserting additional floor space ratio of 1.35:1; inserting additional permitted use clause to facilitate a restaurant or café and medical centre in the R4 High Density Residential zone; and inserting a local provision for design excellence.</p>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Rezoning review request documentation</li> <li>Briefing report from Department of Planning and Environment, April 2023</li> </ul>
5	SITE INSPECTION AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> <li><b>Site inspection:</b> 10:02am to 10.40am, 20 September 2023 <ul style="list-style-type: none"> <li><b>Panel members in attendance:</b> Stephen Murray (Acting Chair), Helen Lochhead &amp; Paul Mitchell</li> <li><b>Department of Planning and Environment (DPE) staff in attendance:</b> Peter Pham, Aoife Wynter, Lisa Kennedy &amp; Adam Williams</li> <li><b>Key issues discussed:</b> <ul style="list-style-type: none"> <li>Proposed development – building form &amp; heights and open space</li> <li>Local adjoining character/ interface, particularly with North Rocks Road and adjoining shopping centre and Motorway</li> <li>existing tree canopy, bushland and drainage areas</li> <li>Noise attenuation along Motorway</li> </ul> </li> </ul> </li> <li><b>Briefing with Department of Planning and Environment (DPE):</b> 11:33am to 12.02pm, 20 September 2023 <ul style="list-style-type: none"> <li><b>Panel members in attendance:</b> Stephen Murray (Acting Chair), Helen Lochhead &amp; Paul Mitchell</li> <li><b>Department of Planning and Environment (DPE) staff in attendance:</b> Allison Burton, Jazmin Van Veen, Peter Pham, Louise McMahon, Renee Ezzy, Aoife Wynter, Lisa Kennedy, Adam Williams &amp; Taylah Fenning</li> <li><b>Key issues discussed:</b> <ul style="list-style-type: none"> <li>ability of Panel to conduct another review of the Rezoning Review</li> <li>Panel confirmed it is reviewing the original planning proposal (June 2021) which has been considered by the Parramatta</li> </ul> </li> </ul> </li> </ul>

		<p>Local Planning Panel in October 2022 and Council November 2022</p> <ul style="list-style-type: none"> <li>• The material identified in the briefing report being the proposal, site location, background and identified key issues</li> <li>• Strategic merit – Parramatta Local Strategic Planning Statement, Parramatta Local Housing Strategy, Housing Diversity Precinct checklist and traffic</li> <li>• Site specific merit – building height, FSR, master planning for the site by proponent and Council</li> <li>• Draft letter of offer supporting the proposal relating to provision of community facilities and affordable housing which would need to be assessed and progressed by Council</li> </ul> <ul style="list-style-type: none"> <li>• <b>Briefing with City of Parramatta:</b> The City of Parramatta declined to attend the briefing</li> <li>• <b>Briefing with Mecone (Applicant) / EG Funds Management (Landholder):</b> 2.03pm – 3.07pm, 20 September 2023 <ul style="list-style-type: none"> <li>○ <b>Panel members in attendance:</b> Stephen Murray (Acting Chair), Helen Lochhead &amp; Paul Mitchell</li> <li>○ <b>Department of Planning and Environment (DPE) staff in attendance:</b> Allison Burton, Peter Pham, Louise McMahon, Renee Ezzy, Aoife Wynter, Lisa Kennedy, Adam Williams &amp; Taylah Fenning</li> <li>○ <b>Proponent representatives in attendance:</b> Georgia Sedgmen, Jordan Faeghi, Ben Hendriks, David Workman, Michael Easson, Brett Maynard, Chris Wilson, Jane Maze-Riley, David Tickle, Chris Kelly</li> <li>○ <b>Key issues discussed:</b> <ul style="list-style-type: none"> <li>• The Review process – Council has declined to present a briefing today; Panel confirmed it is reviewing the original planning proposal (June 2021) which has been considered by the Parramatta Local Planning Panel in October 2022 and Council November 2022</li> <li>• History of planning proposal &amp; background to proposal</li> <li>• Community benefits - open space, affordable housing, community facilities</li> <li>• Master Plan – built form, density &amp; height; open space, compatibility with local character; visual impact assessment</li> <li>• Strategic merit - Greater Sydney Plan, Central City District Plan, Parramatta Local Strategic Planning Statement, Parramatta Local Housing strategy, Housing Diversity Precinct Criteria, and housing targets</li> <li>• Traffic - provision of bus shuttle</li> <li>• Proposed land zonings – open space, oval, library,</li> <li>• Visual amenity &amp; impacts – proposed site benching, retention of trees, proposed building heights/site lines</li> </ul> </li> </ul> </li> <li>• <b>Panel Determination:</b> 3.14pm – 3.23pm, 20 September 2023 <ul style="list-style-type: none"> <li>○ <b>Panel members in attendance:</b> Stephen Murray (Acting Chair), Helen Lochhead &amp; Paul Mitchell</li> <li>○ <b>Department of Planning and Environment (DPE) staff in attendance:</b> Peter Pham, Louise McMahon, Renee Ezzy, Malcolm McDonald, Aoife Wynter, Lisa Kennedy, Adam Williams &amp; Taylah Fenning</li> </ul> </li> </ul>
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