



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

**RE: 355 & 375 CHURCH STREET, PARRAMATTA –
GATEWAY DETERMINATION REVIEW (GR-2022-5)**

DEPARTMENT MEETING AGENDA

COMMISSION PANEL: CHRIS WILSON (Panel Chair)

OFFICE OF THE IPC: BRADLEY JAMES
 PHOEBE JARVIS

DPE: JAZMIN VAN VEEN
 JORGE ALVAREZ

LOCATION: VIA VIDEO CONFERENCE

DATE: 10.00AM, MONDAY, 4 APRIL 2022

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MR WILSON: Before we begin, I would like to acknowledge the traditional owners of the land from which we virtually meet today, pay my respects to their Elders, past, present and emerging. Welcome to the meeting today to discuss the Gateway Determination Review of 355 and 375 Church Street, Parramatta currently before the Commission for advice. The objective of the planning proposal seeks to introduce a site-specific maximum car parking rate for takeaway food and drink premises. My name is Chris Wilson and I'm the Chair of this Commission panel. We're also joined by Phoebe Jarvis and Brad James from the Office of the Independent Planning Commission.

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In the interests of openness and transparency and to ensure the full capture of information today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website. This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its advice. It is important for the Commission to ask questions of attendees and to clarify the issues whenever it is considered appropriate. If you are asked a question and not in a position to answer, please feel free to take the question on notice and provide any additional information in writing which we will then put on our website. I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin.

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So, Jazmin, who's going to give a bit of an opening statement on behalf of the department?

MS VAN VEEN: Yes, I can do that. Sorry, it's Jazmin Van Veen, Acting Director of the Central GPOP team in Strategic Planning and Land Use. I think that's what we're called today. Sorry, we've had a bit of restructure.

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MR WILSON: So I've heard.

MS VAN VEEN: Would you mind if I shared a couple of slides?

MR WILSON: Of course not.

MS VAN VEEN: Hopefully that's come up for you now.

MR WILSON: Yes.

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MS VAN VEEN: Yes. So there is quite a bit of history with this proposal but I'm focusing primarily on the proposal that we're looking at today and the Gateway Review but if you would prefer that we delve into some of the history please let me know.

MR WILSON: Jaz, as you know, I was the Commission on the previous advice - - -

MS VAN VEEN: Great.

10 MR WILSON: - - - so I don't think we need to go back over that. There might be some questions coming out of that though. We'll wait and see, yes.

MS VAN VEEN: Yes, no problem. Okay. So as you know there is already a McDonald's, a fast food restaurant, on site. The long term plan is to redevelop and the previous proposals had in some ways sought to deliver that. The proposal before us is seeking to introduce some site-specific maximum car parking rates which in – depart from the Parramatta CBD planning proposal parking rates and also to prohibited drive-through facility on the site. At the gateway determination the department included a condition to remove the drive-through facility. Our view was that this isn't a land use
20 and it can be dealt with through other mechanisms if council was of a view to have some concerns around the traffic movements to do with that. So they could look at a DCP and that can be assessed through the DA process when there is more certainty around access and the numbers to do with trip generation.

So, yes, as I said, we've conditioned that removal and council has requested the gateway determination review in relation to that condition. So we've just done a little bit of a summary here on the various views of stakeholders involved in this process. I'm not sure if you've yet had a chance to meet with council and the proponent. Council suggests that a drive-through has the potential to create adverse local traffic
30 impacts. It's quite a key corner in the CBD so they're worried that that's an inappropriate use on the site and has the potential to create environmental impacts. Council sought that the prohibition be introduced in the LPP and they believe that's the best means of controlling that development because it does give more weight than a DCP.

Obviously the proponent does not agree with that position. They've provided some traffic advice to support that the drive-through would have minimal impacts and I would just also say that to my recollection there was no evidence to support council's view that there would be adverse - - -

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MR WILSON: That was one of my questions.

MS VAN VEEN: Yes. I don't – George, please step in if that's incorrect but I don't recall there being any evidence to support that position. So the proponent believes that any impacts could be mitigated through any future development application. We did also reach out to Transport for New South Wales to seek their views. They did have some concerns with the drive-through facility being there but of note they did say it's really DPE's decision to work out the best mechanism to address their concerns and I've sort of hinted to you, our position is that this can be addressed through a DCP and a DA, it shouldn't be in LEP and we'd also note that there is already a drive-through facility operating on site so that does suggest that any impacts could be managed. So we'd recommend that the gateway determination condition be upheld and that's all I have. I thought I'd just keep it quite simple but happy to answer any questions the Commission might have.

MR WILSON: Well, it's not a very complicated matter, I guess, in one sense in terms of there's not a lot of information supporting the decision or the recommendation. So there was no – council – just trying to get some understanding of the process. Was there a resolution of council or not?

MS VAN VEEN: Yes. So the council report that was provided didn't include a recommendation on the drive-through facility. That came from a resolution of council directly.

MR WILSON: So it's councillors' concerns?

MS VAN VEEN: Yes.

MR WILSON: Yes. And then the decision was made not to send it back to the local planning panel, is that right?

MS VAN VEEN: I believe so. I'm not sure, George, if you want to step in. I don't recall that decision being made to send it back to the LEP.

MR WILSON: Look, it's okay, I think I read it somewhere that it didn't go back to the local planning panel. There was a DA that was – well, it wasn't determined but I don't know if you – you may not be aware, it's probably a question more aptly directed at council but there was a DA that went to the Regional Planning Panel back in 2015/16 where they sent it back on the basis that it probably needed to be of a greater FSR to utilise the site. I'm just wondering whether the drive-through was part of that application.

MS VAN VEEN: I can't speak to that.

MR WILSON: I think, Jazmin, it's probably more appropriate that I ask council that one so don't try to answer that. Sorry, I just thought you might've known, that's all.

MS VAN VEEN: No problem.

MR WILSON: So in terms of land use what would you normally put in a – you wouldn't normally put these provisions LEPs would you?

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MS VAN VEEN: It wouldn't be typical. It would – this is a permissible use. I suppose in cases where there is significant concerns for a particular use and that was justified, the department could consider that but for – this isn't really an outline-specific use, it's a subset, it's a function of permissible use. So it isn't something that we would recommend be in the LEP.

MR WILSON: Would you call it an ancillary use or - - -

MS VAN VEEN: Yes, I think it's ancillary to the use.

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MR WILSON: So you wouldn't normally prohibit ancillary uses in an LEP, would you?

MS VAN VEEN: No, it's not typical.

MR WILSON: Just in terms of Transport for New South Wales advice you because they originally advised that they didn't have a problem so is it more the proximity of the drive-through to the light rail?

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MS VAN VEEN: Yes, that's right. And in advice that they provided in 2021 I believe they spoke to potentially being involved in the DCP process that council was pursuing and that potentially there could be some further detail in that DCP and as I've suggested, that's what we recommend is a more appropriate approach.

MR WILSON: So your position – the bottom line is that the department thinks that the real work should be done in preparation of any DCP for the site?

MS VAN VEEN: Yes, that's correct.

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MR WILSON: I presume design excellence might come into it as well?

MS VAN VEEN: Yes.

MR WILSON: But there needs to be a thorough TIA and other matters considered as part of the preparation of the DCP which may or may not support the inclusion of the drive-through?

MS VAN VEEN: Yes, I'd agree with that.

10 MR WILSON: What about the relationship between the bespoke parking rate and the drive-through? What happens if the drive-through – see, one of the council's justifications for the bespoke parking rate and the drive-through, because they mentioned the drive-through at the time, was that they were concerned that the site wouldn't be redeveloped if McDonald's didn't have some incentive to – because it's a joint venture, I understand, between Stocklands and McDonald's.

MS VAN VEEN: Yes.

20 MR WILSON: But if the drive-through and the bespoke parking rate weren't part of the LEP, or at least the bespoke parking rate, it did mention the drive-through but not as part of the LEP, that the site might remain as it is at the moment and may not be redeveloped, can you comment on that?

MS VAN VEEN: Yes. That could potentially be the case. I would suggest the proponent may be in a better position to provide discussion on whether that would affect their feasibility but, yes, it would certainly - - -

MR WILSON: The other question is if you don't have a drive-through do you need the bespoke parking rate?

30 MS VAN VEEN: That is an interesting question.

MR WILSON: I'm just trying to work out what the bespoke parking rate is for if you don't have the drive-through. There might be a valid answer, I'm just trying to understand it, that's all, but then again, that's something for the applicant.

MS VAN VEEN: Yes, that would be something for the applicant and council, I would suggest.

40 MR WILSON: Yes. I don't think there's much more I can ask of you, Jazmin. As I said, it's not overly complicated, it's just whether it's appropriate or not.

MS VAN VEEN: Yes.

MR WILSON: So look, I don't think – unless my colleagues Phoebe and Brad have any questions I can't think of anything else I need to ask the department.

MS JARVIS: Nothing from me, thanks, Chris.

MR JAMES: Nothing from me, Chris.

10 MR WILSON: Well, look, thank you very much. I appreciate it and, yes, we hope to wrap this up pretty quickly this one.

MS VAN VEEN: Great. Thanks so much for your time.

MR WILSON: Thanks. Cheers. Bye.

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