

DATE OF DETERMINATION	7 February 2018
PANEL MEMBERS	Mary-Lynne Taylor, Paul Mitchell, Lindsay Fletcher and Clr Sameer Pandey
APOLOGY	Clr Steven Issa
DECLARATIONS OF INTEREST	Nil

Public meeting held at Rydalmere Operations Centre, City of Parramatta, 316 Victoria Road, Rydalmere on Wednesday 7 February 2018 opened at 3.05pm and closed at 6.30pm.

MATTER DETERMINED

Panel Reference – 2016SYW114, LGA – City of Parramatta, DA/485/2016, Address: 44-48 Oxford Street Epping, demolition of all existing structures including the heritage listed dwelling on site, tree removal, construction of a mixed-use development in the form of 2 towers (15 & 18 Storeys tall) over a podium and basement car parking.

VERBAL SUBMISSIONS:

Support – Nil

Object –

- Damien Tudehope (MP for Epping)
- Clr Lorraine Wearne
- Clr Donna Davies
- Clr Bill Tyrrell
- Graham Medhurst on behalf of the Epping Civic Trust
- Margaret McCartney on behalf of 'Save Epping's Forest Park' community group
- Jan Primrose
- Laurence Lee
- Dr Kam Seng Wong on behalf of 13 owners of adjoining sites
- Brett Bennett
- John McFadden
- Mike Moffat
- Sean Johnson
- Eve Lee
- Karen Sly
- On behalf of the applicant – Marian Higgins, Jeremy Bishop, James Phillips and Craig Sinclair
- On behalf of Council – Mark Leotta, Liam Frayne

Panel Decision

The Panel unanimously decided to defer consideration of the application until legal advice had been received regarding:

- Necessity of the use of Planning Proposal when it is proposed to demolish a heritage item.
- Whether the activities concerning Isolation of the site meet the requirements of the Court's Planning Principle;
- Response from Design Excellence Panel and City Architect Office in relation to height variation, the zone boundary interface and feasibility of development on the isolated site in terms of whether that represents the orderly and economic use of the sites;
- Clarification whether in the circumstances here the concurrence of the Secretary of the Department of Planning can be assumed for the extent of the variation to the standard i.e. greater than 10%.


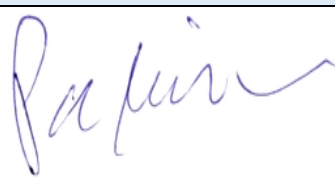

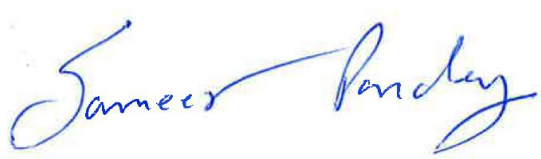
The Panel encourages a further report to:

- address the justification for determination of this application prior to the outcomes of the traffic study of Epping being available which will take into account cumulative impact.
- provide a summary of the issues raised and outcomes of Council's community conciliation meeting held on 24 January 2018.

As this reporting may take some little time the Panel encourage adjoining owners and the applicant to consider some form of mediation to resolve the isolation question.

When this information has been received, the panel will hold another public determination meeting.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Paul Mitchell
 Lindsay Fletcher	 Sameer Pandey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Reference – 2016SYW114, LGA – City of Parramatta, DA/485/2016
2	PROPOSED DEVELOPMENT	Demolition of all existing structures including the heritage listed dwelling on site, tree removal, construction of a mixed-use development in the form of 2 towers (15 & 18 Storeys tall) over a podium and basement car parking.
3	STREET ADDRESS	44-48 Oxford Street Epping
4	APPLICANT/OWNER	Applicant - Pirsata Pty Ltd Owner - Pirsata Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value >\$20million.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 Hornsby Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Holroyd Development Control Plan 2013 Planning agreements: Nil <ul style="list-style-type: none"> <i>Environmental Planning and Assessment Regulation 2000</i>: Section 92 of the EP&A Regulation The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report, draft conditions of consent and written submissions. Written submissions during public exhibition: 50
8	MEETINGS AND SITE INSPECTIONS BY THE	<ul style="list-style-type: none"> Briefing Meeting – 19 October 2016

	PANEL	<ul style="list-style-type: none"> • Final Briefing Meeting – 7 February 2018 from 2.20 pm to 3.05 pm • Public Meeting – 7 February 2018 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor, Paul Mitchell, Lindsay Fletcher and Cllr Sameer Pandey ○ <u>Council assessment staff</u>: Liam Frayne, Mark Leotta and Myfanway McNally
9	COUNCIL RECOMMENDATION	Deferred commencement approval
10	DRAFT CONDITIONS	Submitted with report