

## RECORD OF DEFERRAL

SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DEFERRAL</b>	Thursday 29 November 2018
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Louise Camenzuli, John Roseth
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	George Mannah, Bruce MacDonnell, Sue Francis

Public meeting held at Fraser Suites Sydney 488 Kent Street Sydney on 29 November 2018, opened at 1.05pm and closed at 1.45pm.

### MATTER DEFERRED




2017SCL021 – Burwood – DA27/2017 at 17 Deane Street Burwood (as described in Schedule 1)

### REASONS FOR DEFERRAL

While the Panel understands the reasons for the recommendation of the planning assessment report to refuse the application, the Panel is inclined to approve the application subject to a satisfactory set of conditions which should include a condition requiring one additional basement parking level. Since the conditions have not been prepared, the Panel requests the council to prepare without prejudice conditions (including the condition requiring the additional parking level) by 12 December 2018 and the applicant to comment on them by 17 December 2018. Following the receipt of the applicant's response, the Panel will determine the application by communicating by electronic means, unless the Chair considers that a further public meeting is necessary.

The additional condition should read as follows: "Prior to the issue of any Construction Certificate, the applicant must submit a revised basement car park plan that resolves the conflict between the five childcare centre parent drop-off spaces and two-way traffic, and endeavours to also locate any retail car spaces on the same level as the childcare centre spaces."

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Louise Camenzuli	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL021 – Burwood - DA27/2017
2	PROPOSED DEVELOPMENT	23 Level Mixed Use Development containing basement parking for 92 vehicles, mechanical car lift, ground floor retail, Child Care Centre, 101 room motel and 36 residential apartments.
3	STREET ADDRESS	17 Deane St Burwood
4	APPLICANT/OWNER	Urbis Pty Ltd/City Park Properties Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No.65 Design Quality of Residential Flat Buildings</li> <li>State Environmental Planning Policy No.55 Remediation of Contaminated Land</li> <li>Burwood Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Burwood Development Control Plan 2013</li> <li>VPA adopted by Council 30 October 2018</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 4 June 2018</li> <li>Council supplementary report: 14 November 2018</li> <li>Written submissions during public exhibition: nil</li> <li>Verbal submissions at the public meeting 14 June 2018: <ul style="list-style-type: none"> <li>On behalf of the applicant – Samantha Wilson, Alex Giyahi,</li> </ul> </li> <li>Verbal submissions at the public meeting 29 November 2018: <ul style="list-style-type: none"> <li>On behalf of the applicant – Samantha Wilson, Alex Giyahi, Robert Farrugia, Terry Smith, Tan Yiou</li> <li>On behalf of council: Roberto Di Federico, Brian Olsen</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> <li>Site inspection and briefing 13 July 2017</li> <li>Final briefing to discuss council's recommendation, 14 June 2018. Attendees: <ul style="list-style-type: none"> <li>Panel members: Carl Scully (Chair), John Roseth, Louise Camenzuli</li> <li>Council assessment staff: Brian Olsen, Julie Horder (Planning Ingenuity), Robert Toohey</li> </ul> </li> <li>Final briefing to discuss council's recommendation, 29 November 2018. Attendees: <ul style="list-style-type: none"> <li>Panel members: Carl Scully (Chair), John Roseth, Louise Camenzuli</li> <li>Council assessment staff: Brian Olsen, Roberto Di Federico, Julie Horder (Planning Ingenuity), Kimberly Everett</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report