

DATE OF DEFERRAL	9 December 2022
PANEL MEMBERS	Abigail Goldberg (Chair), Roy Ah See, Robert Buckham, Jarrod Murphy
APOLOGIES	None
DECLARATIONS OF INTEREST	David Ryan

Papers circulated electronically on 1 December 2022.

MATTER DEFERRED

PPSSCC-150 – The Hills Shire – 488/2021/JP – 36 Carrington Road, Castle Hill - Demolition of Existing Structures and Construction of Three Mixed Use and Four Residential Flat Buildings of varying heights between 8 - 12 Storeys. The development comprises of 811 Units, Lower Ground Level Neighbourhood Shops and Three Level Basement Car parking (1048 Car Spaces).

The application is classified as 'Integrated Development' pursuant to Clause 4.47 of the Environmental Planning and Assessment Act 1979 and Clause 66 of the Environmental Planning and Assessment Regulations 2000. Written notice of the subject application has been given to the Natural Resources Access Regulator (NRAR).

REASONS FOR DEFERRAL

The panel agreed to defer the determination of the matter until 30 April 2023 at the latest, noting that this will require a report from Council by mid-April 2023. The panel has requested an update on progress in February 2023, as part of the monthly panel update reporting.



The panel considered refusal of the application considering the lengthy time already in the system, but has agreed to a deferral given the complexities of the site including the extent of flood modelling required by the applicant to identify the actual drainage system upgrades to mitigate flooding not realised when the precinct was rezoned, the substantial effort made by the applicant to work with Council's Waterways Team to resolve these issues and that other elements will follow the resolution of the flooding issues.

The panel notes that refusal may result in court action or a section 8.2 review process. Either process is likely to be time consuming, the section 8.2 less so, and require a commitment to Council resourcing which in this case may be better applied to resolution of the current application.

If revised information from the applicant is not provided within a deadline to be agreed with Council, the panel may move to determine the DA based on the information currently at hand.

The panel expects an addendum assessment report from Council responding to the material and the matters raised above.

The decision to defer the matter was unanimous. The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	Roy Ah See 

Robert Buckham

A stylized, handwritten signature in black ink, appearing to be 'RB' followed by a horizontal flourish.

Jarrold Murphy

A handwritten signature in black ink, appearing to be 'Jarrod Murphy' in a cursive script.

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-150 – The Hills Shire – 488/2021/JP
2	PROPOSED DEVELOPMENT	<p>Demolition of Existing Structures and Construction of Three Mixed Use and Four Residential Flat Buildings of varying heights between 8 - 12 Storeys. The development comprises of 811 Units, Lower Ground Level Neighbourhood Shops and Three Level Basement Car parking (1048 Car Spaces).</p> <p>The application is classified as 'Integrated Development' pursuant to Clause 4.47 of the Environmental Planning and Assessment Act 1979 and Clause 66 of the Environmental Planning and Assessment Regulations 2000. Written notice of the subject application has been given to the Natural Resources Access Regulator (NRAR).</p>
3	STREET ADDRESS	36 Carrington Road, Castle Hill
4	APPLICANT/OWNER	<p>Applicant: The APP Group</p> <p>Owner: Showground Corporation Pty Ltd</p>
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy 65 – Apartment Design of Residential Development ○ The Hills Local Environmental Plan 2019 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ The Hills Development Control Plan 2012 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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: 1 December 2022 • Clause 4.6 - The Hills LEP 2019, Clause 4.3 Height of Buildings development standard, R4 High Density zone • Written submissions during public exhibition: 2 • Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 18 February 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Noni Ruker, Mark Colburt ○ <u>Council assessment staff</u>: Cynthia Dugan, Paul Osborne, Cameron McKenzie

		<ul style="list-style-type: none"> • Briefing: 17 June 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Noni Ruker, ○ <u>Council assessment staff</u>: Cynthia Dugan, Paul Osborne, Cameron McKenzie • Briefing: 8 December 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Roberta Ryan (Acting Chair), Noni Ruker ○ <u>Council assessment staff</u>: Cynthia Dugan, Paul Osborne, Cameron McKenzie • Briefing: 17 March 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Roberta Ryan ○ <u>Council assessment staff</u>: Cynthia Dugan, Paul Osborne, Cameron McKenzie • Final briefing to discuss council's recommendation: 8 December 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Roy Ah See, Robert Buckham, Jarrod Murphy ○ <u>Council assessment staff</u>: Cynthia Dugan, Paul Osborne, Cameron McKenzie
9	COUNCIL RECOMMENDATION	Deferral
10	DRAFT CONDITIONS	Attached to the council assessment report