

RECORD OF DEFERRAL

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DEFERRAL	21 July 2022
PANEL MEMBERS	Abigail Goldberg (Chair), Roberta Ryan, Brian Kirk, Richard Thorp
APOLOGIES	None
DECLARATIONS OF INTEREST	Clr Sameer Pandey advised that he was in Council's Chamber when the Epping Commercial Floorspace planning proposal was considered by Council on 8 th Feb 2021. As a conservative approach to potentially perceived conflicts of interest is taken by the Panel, it was agreed that Clr Pandey would not participate in this matter.

Papers circulated electronically on 28 June 2022.

MATTER DEFERRED

PPSSCC-359 - City of Parramatta - DA/314/2017/A - 37-41 Oxford Street, Epping - Section 4.55(2) modification to approved mixed use tower concept, specifically changes to building envelope, landscaping and conditions of consent.



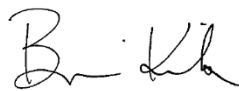

REASONS FOR DEFERRAL

As the question was raised late on 20 July 2022 as to whether the Panel is the appropriate determining authority or if it is Council, having regard to the Instruction on Functions Exercisable by Council on Behalf of Sydney District or Regional Planning Panels – Applications to Modify Development Consents the Panel agreed to defer the determination of the matter for 2 weeks while it considers the issue.

The Panel notes that for reasons of procedural equity, the applicant may wish to seek and consider its own advice on this issue within the 2 week period.

Once the Panel has considered its position, should the Panel be confirm it is the determining authority it will determine the matter electronically.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Roberta Ryan
 Brian Kirk	 Richard Thorp

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-359 - City of Parramatta - DA/314/2017/A
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification to approved mixed use tower concept, specifically changes to building envelope, landscaping and conditions of consent
3	STREET ADDRESS	37-41 Oxford Street, Epping
4	APPLICANT/OWNER	Meriton/Karimbla Properties No. 59 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment (EP&A) Act 1979 • EP&A Regulations 2021 • SEPP (Transport & Infrastructure) 2021 • SEPP (Planning Systems) 2021 • SEPP No. 65 (Design Quality of Residential Apartment Development) (SEPP 65) & Apartment Design Guide (ADG) • Hornsby Local Environmental Plan (HLEP) 2013 • Hornsby Development Control Plan (HDCP) 2013
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 28 June 2022 • Written submissions during public exhibition: 3 • Total number of unique submissions received by way of objection: 3
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Kick Off Briefing: 2 June 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair) ○ <u>Council assessment staff</u>: Alex McDougall, Myfanwy McNally ○ <u>Applicant representatives</u>: Walter Gordon • Final briefing to discuss Council's recommendation: 21 July 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Roberta Ryan, Brian Kirk, Richard Thorp ○ <u>Council assessment staff</u>: Mark Leotta and Myfanwy McNally ○ <u>Key issues discussed</u>: <ul style="list-style-type: none"> ▪ Legal advice regarding determination authority ▪ Parallel Court proceedings ▪ Architectural design ▪ Parking requirements with regard to apartment mix and basement depth ▪ Building envelope in relation to setback, landscaping and height ▪ FSR. • Final briefing by Applicant: 21 July 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Roberta Ryan, Brian Kirk, Richard Thorp ○ <u>Council assessment staff</u>: Mark Leotta and Myfanwy McNally ○ <u>Applicant representatives</u>: Walter Gordon, Aaron Gadiel, Matthew Lennartz, Miriam Singh, Frank Ru, Nigel Dickson ○ <u>Key issues discussed</u>: <ul style="list-style-type: none"> ▪ Legal advice regarding determination authority ▪ Parallel Court proceedings

		<ul style="list-style-type: none">▪ Parking requirements with regard to apartment mix and basement depth▪ Building height and FSR▪ Applicant preparing response to Council’s RFI. Estimated that specialist reports will be provided in approximately six weeks.
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not Applicable