

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Cumberland Council** (Former Auburn City Council Chambers) on  
**Thursday 23 June 2016 at 4.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Paul Mitchell, Bruce McDonald, Paul Stein and Julie Walsh

**Apologies:** Nil

**Declarations of Interest:** Nil

### Determination and Statement of Reasons

2014SYW024 – Cumberland Council - DA-24/2014, Demolition of existing structures and construction of 2 buildings, one 11 storeys and the other 10 storeys including a 2,300 m<sup>2</sup> supermarket located at the ground floor 103 residential apartments and basement car parking for 240 cars, including replacement public car parking, Lot 1 DP 233926, Lots 1, 2 & 3 DP 608751, 13-21 John Street, Lidcombe.

**Date of determination:** 23 June 2016

**Decision:**

The panel unanimously deferred the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

**Panel consideration:**



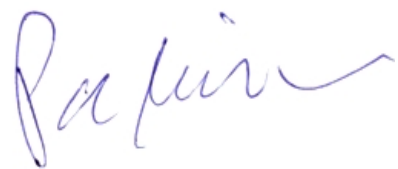


The panel considered: the matters listed at item 6 as addressed in the Council Assessment Report, the material listed at item 7 the matters presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

**Reasons for the panel decision:**

The Panel considers the following matters need to be addressed satisfactorily prior to a final decision being taken by the Panel.

1. The Panel is uncertain about whether the land owner's consent is in place and seek legal advice from the Department of Planning and Environment whether the Panel has the power to determine this development application as the owner's consent appears to have been withdrawn.
2. The Panel requires all matters proposed as deferred commencement conditions and the operational conditions 19 and 94 to be addressed in revised plans and council is to provide a report on the amended plans prior to a further meeting of the Panel.
3. A detailed assessment of the Clause 4.6 variation relating to the breach of the LEP height standard is to be provided by Council.
4. A plan is to be submitted demonstrating effective arrangements for the management of the retail, residential, public car parking on site.

**Panel members:**

 <b>Mary-Lynne Taylor</b>	 <b>Bruce McDonald</b>	 <b>Paul Mitchell</b>
 <b>Julie Walsh</b>	 <b>Paul Stein</b>	

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

### SCHEDULE 1

1	<b>JRPP Reference – 2014SYW024, LGA – Cumberland Council, DA-24/2014</b>
2	<b>Proposed development:</b> Demolition of existing structures and construction of 2 buildings, one 11 storeys and the other 10 storeys including a 2,300 m <sup>2</sup> supermarket located at the ground floor 103 residential apartments and basement car parking for 240 cars, including replacement public car parking.
3	<b>Street address:</b> Lot 1 DP 233926, Lots 1, 2 & 3 DP 608751, 13-21 John Street, Lidcombe.
4	<b>Applicant and Owner:</b> Sydney Project Group Pty Ltd.
5	<b>Type of Regional development:</b> Capital Investment Value > \$5M Council Interest
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>◦ State Environmental Planning Policy 55 – Remediation of Land</li> <li>◦ SEPP 65 – Design Quality of Residential Apartment Development</li> <li>◦ SEPP (Infrastructure) 2007</li> <li>◦ Auburn Local Environmental Plan 2010</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Auburn Development Control Plan 2010</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: <ul style="list-style-type: none"> <li>◦ Environmental Planning and Assessment Regulation 2000</li> </ul> </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 EPA Act or EPA Regulation.</li> <li>• The public interest, including the principles of ecologically sustainable development.</li> </ul>
7	<b>Material considered by the panel:</b> Council assessment report with draft recommended conditions and written submissions.  <b>Verbal submissions at the public meeting:</b> <ul style="list-style-type: none"> <li>• Cathy McDowell</li> <li>• Wenging Cai</li> <li>• Pavlo Dorochoy, Mohamed Eldardiry on behalf of the applicant</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 23 June 2016 – Site Inspection and Final briefing meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report