

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 16 November 2016
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Bruce McDonald, Louise Camenzuli and Julie Walsh
APOLOGIES	Gary Shiels
DECLARATIONS OF INTEREST	None

Public meeting held at Cumberland Council offices in Auburn on Wednesday, 16 November 2016, opened at 11:15 pm and closed at 11:30 am.

MATTER DETERMINED

2015SYW210 - Cumberland - DA-410/2015 - 21-23 James St, Lidcombe (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. The proposed development will add to the supply and choice of housing within the West Central Metropolitan Subregion and the Cumberland local government area in a location with ready access to the services and amenities available from Lidcombe Town Centre and metropolitan transport services available from Lidcombe Rail Station.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including State Environmental Planning Policy No. 55 – Remediation of Land, State Environmental Planning Policy (Infrastructure) 2007 and State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and its associated Apartment Design Guide. The Panel notes a number of departures from the Apartment Design Guide and considers that these are acceptable in consideration of the site's location in a relatively dense urban town centre context planned for further intensification.
3. The proposal adequately satisfies the applicable provisions and objectives of Auburn LEP 2010 and Auburn DCP 2010. Here too the Panel notes a number of departures from the DCP provisions and considers these to be acceptable in this relatively dense urban town centre context.
4. The proposed development is considered to be of appropriate scale and form adequately consistent with the planned character of the locality in which it is placed.
5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity of adjacent and nearby residential premises or the operation of the local road system.
6. In consideration of conclusions 1 to 5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments:

Add three conditions:

1. Addition of the following three conditions:

Glass brick on Northern Elevation.

The Northern wall of the building shall be provided with glass bricks in the kitchen area of units. G.03 on ground level, L.03 levels 1 to 7. Details to be submitted to the Manager, Development Assessment, Cumberland Council for approval prior to the issue of any Construction Certificate.

Reason: to allow daylight access to the kitchen area.

2. Gate Design

The design of the gates associated with the ground level pedestrian access shall be submitted to the Manager, Development Assessment, Cumberland Council for approval prior to the issue of any Construction Certificate.

Reason: to ensure appropriate designed pedestrian entries to the building.

3. Removal of litter and graffiti

In addition to Council's street sweeping and cleansing operations, the owner/manager of the building shall ensure that the footpath, gutter, building entry and surrounds are kept clean and clear of litter at all times.


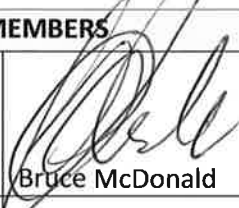


The owner of the building shall also be responsible for the prompt removal of any graffiti from the building.

Reason: to maintain a satisfactory level of amenity in the locality.

- Condition 64 – change 'footpat' in second last dot point to 'footpath' and remove last dot point.

Special Panel comment:

The Chair stated that this was the last meeting of the Sydney West Joint Regional Planning Panel in the Cumberland LGA, as the Sydney West Central Planning Panel would commence on 21 November 2016. The Chair, on behalf of the Panel, extended the appreciation of the Panel to the staff at Holroyd Council, Auburn Council and the new Cumberland Council for the assistance and co-operation over the seven years of the Panel's operation.

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Bruce McDonald
 Louise Camenzuli	 Julie Walsh

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYW210 - Cumberland - DA-410/2015
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a 10 storey residential building comprising 90 units with three levels of basement parking and strata subdivision
3	STREET ADDRESS	21-23 James St, Lidcombe
4	APPLICANT/OWNER	Applicant: Urban Link Pty Limited Owner: James Group Properties Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • Auburn Local Environmental Plan 2010 • Auburn Development Control Plan 2010 • 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 received on 31 October 2016 • Verbal submissions to Council at public meeting on 15 December 2015: four (4) • Verbal submissions at the panel meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Mairead Hawes, Tony Jreige and Ziad Boumelhem
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Site visit and final briefing meeting on 16 November 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report