

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 9 August 2017
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor, Lindsay Fletcher and Richard Thorp
APOLOGIES	Paul Mitchell
DECLARATIONS OF INTEREST	David Ryan declared a conflict of interest as his company, CityPlan, has an involvement with a development application directly across the road from this development application.

Public meeting held at Mantra Parramatta on Wednesday, 9 August 2017, opened at 2:00 pm and closed at 2:20 pm.

MATTER DETERMINED

2016SYW244 – Parramatta – DA1056/2016 AT 1-5 Carter Street, 7 Carter Street and 23 Uhrig Road, 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 District and the City of Parramatta.
2. The Panel has considered the applicant's request to vary the development standard contained in Auburn Local Environment Plan 2010 Clause 4.3 (2) relating to the maximum height of buildings and referring to a height of buildings map and is satisfied that the written request has adequately addressed the matters to be demonstrated by Clause 4.6 (3). The Panel considers compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation will not result in development inconsistent with the planned locality and the development as designed remains consistent with the underlying intent of the standard and the objectives of the zone. The Panel is therefore satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in clause 4.6(3) and that the proposed development will be in the public interest because it is consistent with the objectives of the building height control and the objectives for development within the zone and therefore there are sufficient environmental planning grounds for this variation.
3. The proposal adequately satisfies the applicable provisions and objectives of Auburn Local Environmental Plan 2010 and Auburn Development Control Plan 2010.
4. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the future residential premises or the future operation of the local road system. Further, the proposed development adequately satisfies the relevant State Environmental Planning Policies.
5. In consideration of the above conclusions 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 revised conditions provided by City of Parramatta Council on 8 August 2017.

PANEL MEMBERS	
 Edward Blakely (Chair)	 Mary-Lynne Taylor
 Lindsay Fletcher	 Richard Thorp OAM

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW244 – Parramatta – DA1056/2016
2	PROPOSED DEVELOPMENT	Construction of two high-density residential flat building towers with associated podium base, comprising 385 units
3	STREET ADDRESS	1-5 Carter Street, 7 Carter Street and 23 Uhrig Road, LIDCOMBE
4	APPLICANT OWNER	Karimbla Properties (No. 51) Pty Ltd The Trust Company Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulations 2000 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • State Environmental Planning Policy (State and Regional Development) 2011 • Auburn Local Environmental Plan 2010 • Auburn Development Control Plan 2010 • Carter Street Precinct Development Control Plan 2016 • Carter Street Precinct Development Contributions Plan 2016 • 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: 28 July 2017 • Written submissions during public exhibition: nil • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Walter Gordon
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection on 25 January 2017 • Briefing meeting with applicant present on 1 February 2017 • Site visit by Lindsay Fletcher 9 August 2017 • Final briefing meeting to discuss council's recommendation, 9 August 2017. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Edward Blakely (Chair), Mary-Lynne Taylor, Lindsay Fletcher and Richard Thorp ○ <u>Council assessment staff</u>: Brad Roeleven, Myfanwy McNally, Mark Leotta and Kim Crestani
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Revised conditions of consent provided by City of Parramatta Council on 8 August 2017