

DATE OF DETERMINATION	15 December 2017
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Paul Mitchell, Lindsay Fletcher
APOLOGIES	Sameer Pandey, Steven Issa
DECLARATIONS OF INTEREST	None

Electronic meeting held between 6 December 2017 and 15 December 2017.

MATTER DETERMINED

2017SWC003 – Parramatta – DA 1269/2016 at 5 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:

- (a) uphold the applicant's request to vary Clause 4.3 Height of Buildings pursuant to Clause 4.6 Auburn LEP 2010; and
- (b) approve the development application as described in Schedule 1 subject to the recommended conditions of consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979.

The reasons for the Panel's decision are set out below.

The decision was unanimous.

REASONS FOR THE DECISION

1. The Panel has considered the Applicant's request to vary the development standard contained in Clause 4.3 Height of Buildings of Auburn LEP 2010 and considers that:
 - i. the applicant's submissions adequately address the matters required under cl.4.6;
 - ii. the development remains consistent with the objectives of the standard and the objectives of the zone;
 - iii. there are sufficient environmental planning grounds to justify the variation; and
 - iv. compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed variations are acceptable from a streetscape perspective, will not generate unacceptable impacts on adjoining or nearby properties and will not result in development inconsistent in form and scale with that planned for the locality.




For the above reasons, the Panel is satisfied that the variation from the LEP development standard is in the public interest.
2. The proposed development will add to the supply and choice of housing within the Sydney Central City Planning District and the Parramatta local government area in a location with good access to services and amenities.
3. The proposed development adequately satisfies the relevant State and Regional Environmental Planning Policies including SEPP 55 - Remediation of Land, SEPP (Infrastructure) 2007, SEPP (BASIX) 2004, Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 and SEPP 65- Design Quality Residential Apartment Development and its associated Apartment Design Guide.

4. The proposal adequately satisfies the applicable provisions and objectives of Auburn LEP 2010 and Carter Street Precinct DCP 2016.
5. 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.
6. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the local ecology, the amenity of adjacent and nearby premises and the operation of the local road system.

In consideration of conclusions 1-6 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.

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Paul Mitchell
 Lindsay Fletcher	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC003 – Parramatta – DA 1269/2016
2	PROPOSED DEVELOPMENT	Construction of four residential flat buildings (3 x 16 storey and 1 x 12 storey) containing 561 residential apartments above 3 basement levels plus all associated civil and landscaping works; construction of new roads and all associated public domain works; subdivision and dedication of public roads to Council.
3	STREET ADDRESS	5 Uhrig Road, Lidcombe
4	APPLICANT/OWNER	Uhrig Road Developments 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 instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development) State Environmental Planning Policy (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (Building Sustainable Index: 2004) State Environmental Planning Policy (Infrastructure) 2007 Auburn Local Environment Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Carter Street Precinct Development Control Plan 2016 Carter Street Precinct Development Contributions Plan 2016 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: 22 November 2017 Written submissions during public exhibition: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting 1 March 2017 Site inspection by Lindsay Fletcher 7 December 2017 Electronic meeting between 6 December and 15 December 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report