

RECORD OF DEFERRAL

SYDNEY CENTRAL CITY PLANNING PANEL

| | |
|---------------------------------|--|
| DATE OF DEFERRAL | Thursday, 14 June 2018 |
| PANEL MEMBERS | Mary-Lynne Taylor (Chair), Paul Mitchell, Susan Budd, Paul Stein and Paul Moulds |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | None |

Public meeting held at Cumberland Council Chambers on Thursday, 14 June 2018, opened at 12:15pm and closed at 1:00 pm.

MATTER DEFERRED

2017SWC144 – Cumberland – DA-503/2017 AT 2 Mark Street and 1, 1A & 3 Marsden Street, Lidcombe (AS DESCRIBED IN SCHEDULE 1)






REASONS FOR DEFERRAL

The Panel decided to defer its determination of this application until the applicant has submitted further information that addresses the following concerns:

1. The Panel does not accept that the requirements of Clause 7 of State Environmental Planning Policy No 55 – Remediation of Land have been satisfied and requires the additional testing suggested in the STS report of March 2017 (page 12) be carried out and an amended report supplied.
2. The present proposal is not satisfactory in terms of the overshadowing of the adjoining development at 10 – 14 Marsden St and is likely to impact on the future redevelopment of 4-14 Mark St. Accordingly, the building should be redesigned to comply with Auburn Development Control Plan 2010 requirements for solar access and the maximum height allowed for the site under the Auburn LEP.
3. The Panel is not satisfied with the complete lack of deep soil planting and requires provision of an appropriate amount of deep soil landscaping taking into account the requirements of the Apartment Design Guide in that respect.
4. There is a need for the provision of further detail of the roof-top communal open space to show seating and barbeque areas.
5. The amended landscape plan shall show the manner in which tree 2 and tree 7 (as numbered in the applicant's arborist report) are to be retained.

When this information has been received and assessed, the Panel will consider whether another public determination meeting is necessary.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

| PANEL MEMBERS | |
|---|---|
|  Mary-Lynne Taylor (Acting Chair) |  Paul Mitchell OAM |
|  Susan Budd |  Paul Stein AM |
|  Paul Moulds AM | |

| SCHEDULE 1 | | |
|------------|--|---|
| 1 | PANEL REF – LGA – DA NO. | 2017SWC144 – Cumberland – DA-503/2017 |
| 2 | PROPOSED DEVELOPMENT | Demolition of existing structures, tree removal and construction of a ten storey mixed use development comprising one ground floor commercial tenancy and 149 residential units over four levels of basement car parking |
| 3 | STREET ADDRESS | 2 Mark Street and 1, 1A & 3 Marsden Street, Lidcombe |
| 4 | APPLICANT OWNER | Zhinar Architects Marque Eight Pty Ltd |
| 5 | TYPE OF REGIONAL DEVELOPMENT | General development over \$30 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 and associated Apartment Design Guide ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ Auburn Local Environmental Plan 2010 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Auburn Development Control Plan 2010 • 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: 31 May 2018 • Written submissions during public exhibition: Nil • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – Heather Cooper ○ On behalf of the applicant – Jeremy Swan, Mairead Hawes and Andre Mulder |
| 8 | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> • Site inspection on 14 June 2018 • Final briefing meeting to discuss council's recommendation, 14 June 2018, 11:20 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Chair), Paul Mitchell, Susan Budd, Paul Stein and Paul Moulds ○ <u>Council assessment staff</u>: Nicole Lennon, Michael Lawani and Karl Okorn |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Attached to the council assessment report |