

DATE OF DETERMINATION	17 May 2021
PANEL MEMBERS	Abigail Goldberg (Chair), Gabrielle Morrish, David Ryan and Ned Attie
APOLOGIES	Eddy Sarkis
DECLARATIONS OF INTEREST	None

Papers circulated electronically 5 May 2021.

MATTER DETERMINED

PPSSCC-115 – Cumberland - DA2020/0310 - 276-282 Parramatta Road, Auburn and 54-68 Hampstead Road, Auburn, Concept Development Application for building footprints, basement car parking and massing envelopes for a mixed-use development comprising specialised retail premises, hotel and motel accommodation, office premises, child care facilities, cafe and open space (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at items 7 and 8 in Schedule 1.

The Panel determined to **approve** the application for the reasons outlined in the Council Assessment Report, supplemented by conditions as explained and detailed below.

The decision was unanimous.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with additional conditions as explained and detailed below –

Solar Access –

The Panel introduced a condition to ensure solar access to the park / forecourt 1 area:

Solar Access to the Park

Any future Development Applications/s for buildings on the site are to ensure that the 'Park/Forecourt 1' area receives solar access of no less than 3 hours (11-2pm) for 50% of its site area in mid-winter.

Design Principles –

In relation to through-site links:

The Panel requires that through-site links are actual connections rather than routes to a dead-end. The Panel has also introduced a condition to ensure that through-site links are sufficiently wide to enable solar access and surveillance:

Courtyard/Forecourt 2 western link

As part of any future Development Application/s for the site, the Courtyard/Forecourt 2 area is to be designed to also function as a link that is capable of being continued through the adjoining property to the west. The Courtyard/Forecourt 2 link is to be sufficiently wide, in the order of 10m, to enable adequate visual connection, solar access and surveillance.

In relation to Specialised Retail:

The Panel proposes that specialised retail to the west (at the back of the site) should be regularised in design, and opened up to improve connection to its forecourt area as well as to improve visual links and surveillance opportunities, and to optimise solar access:

Reconfiguration of Specialised Retail

As part of any future Development Application/s for the site, the specialised retail to the west (at the back of the site) shall be designed to facilitate a future connection to the adjoining property at 290 Parramatta Road, Auburn to the west and its forecourt area to improve visual links and surveillance opportunities, and to optimise solar access.

As part of any future Development Application/s for the site, the future built form of the specialised retail area in the western-most portion of the site, specifically the portion adjacent to the 'Courtyard/Forecourt 2' area and the 'Lobby/Loading to ground' area, is to be designed so as to present a positive relationship with the 'Courtyard/Forecourt 2' area and the adjoining existing building to the west.

In relation to the outdoor play area and public domain:

The Panel notes that in amended plans provided by the applicant the outdoor play area for the child-care centre was cantilevered over the through-site link. The Panel considers that this undermines the benefit of widening of the link. The design of this space and other public domain areas is required to be revised to improve the quality of the outdoor play areas and public domain as well as to enhance opportunities for surveillance, solar access and accessibility:

Outdoor Play Area – Child Care Centre

As part of any future Development Application/s for the site, the child care centre outdoor play area shall be designed so as not to cantilever over any portion of the 'Courtyard/Forecourt 2' area below in order to enhance opportunities for surveillance, solar access and accessibility.

The Panel notes that the park was reduced in size in amended plans provided by the applicant, as well as being impacted by a bridge which bisects the space and separates one area from the other. The size of the park, as well as its design integrity, is to be retained:

Park Area

As part of any future Development Application/s for the site, the Park is to maintain a minimum area of 1,812sqm and is to present and function as a cohesive space.





CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 2 written submissions made during the public exhibition.

The Panel notes that issues of concern in the written submissions included:

- Noise
- Pollution
- Parking
- Access to green space

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and through conditions.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Gabrielle Morrish
 David Ryan	 Ned Attie

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-115 – Cumberland - DA2020/0310
2	PROPOSED DEVELOPMENT	Concept Development Application for building footprints, basement car parking and massing envelopes for a mixed-use development comprising specialised retail premises, hotel and motel accommodation, office premises, child-care facilities, cafe and open space
3	STREET ADDRESS	276-282 Parramatta Road, Auburn and 54-68 Hampstead Road, Auburn
4	APPLICANT/OWNER	Applicant - J Matthews Owner – Raad Property Acquisition No. 65 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	CIV >\$ 30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (State and Regional Development) 2011 (State and Regional Development SEPP 2011) • State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005) • Auburn Local Environmental Plan 2010 • Draft environmental planning instruments: Nil • Development control plans: • Auburn Development Control Plan 2010 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: • 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</i>

		<i>Planning and Assessment Act 1979</i> or regulations <ul style="list-style-type: none"> 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: 11 March 2021 Written submissions during public exhibition: 2 Applicant response dated 21 April 2021 Council addendum report dated 5 May 2021
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Papers were circulated electronically 21 March 2021. Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspection individually.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report