

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	16 June 2021
PANEL MEMBERS	Noni Ruker – Acting Chair, Ken McBryde, Nicole Gurran, Jane Fielding and Richard Thorp
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Martin Zaiter and Sameer Pandey participated in the original application on 23 December 2020.

Papers circulated electronically on 4 June 2021.

MATTER DETERMINED

PPSSCC- 223 - DA/528/2019 – City of Parramatta, 12-14 Birnie Avenue, Lidcombe, Section 8.2 Review of the decision to refuse DA/528/2019 which proposed the construction of 2 residential towers comprising 419 apartments over 4 levels of basement carparking; construction of a new road plus all associated landscaping, civil and public domain works (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.

The Panel is satisfied that the Conditions of Consent regarding wind mitigation can successfully be completed prior to issue of a Construction Certificate.

The Panel is satisfied that reflectivity mitigation measures and *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* requirements have been met.



CONDITIONS




The development application was approved subject to the conditions in the Council Assessment Report for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent at **Attachment 2**.

The decision was **unanimous**.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that there were no written submissions received during the public exhibition.

PANEL MEMBERS	
 Noni Ruker (Acting Chair)	 Nicole Gurran

	
Jane Fielding	Richard Thorp
	
Ken McBryde	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC- 223 - DA/528/2019 – City of Parramatta
2	PROPOSED DEVELOPMENT	Section 8.2 Review of the decision to refuse DA/528/2019 which proposed the construction of 2 residential towers comprising 419 apartments over 4 levels of basement carparking; construction of a new road plus all associated landscaping, civil and public domain works
3	STREET ADDRESS	12-14 Birnie Avenue, Lidcombe
4	APPLICANT/OWNER	Applicant – Altus Consulting Group Pty Ltd Owner - SLA Homebush Pty Ltd and YYS & Co. Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment value or more than \$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 (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Sydney Harbour Catchment) 2005 State Environmental Planning Policy No. 55 (Remediation) State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development) & Apartment Design Guide Auburn Local Environmental Plan 2010 Draft environmental planning instruments: <ul style="list-style-type: none"> Draft amendments to Auburn Local Environmental Plan 2010 Development control plans: <ul style="list-style-type: none"> Carter Street Precinct Development Control Plan 2016 Planning agreements: With DPIE, not CoPC Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> Clause 50(1)(a) Clause 98 Coastal zone management plan: [Nil] The likely impacts of the development, including environmental impacts on the natural and built environment and social and

		<p>economic impacts in the locality</p> <ul style="list-style-type: none"> ○ 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: June 2021 ● Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> ● Site inspection - Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. ● Papers were circulated electronically on 4 June 2021. ● Briefing to discuss Council's recommendation, 11 June 2021, 10.30am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Noni Ruker – Acting Chair, Ken McBryde, Nicole Gurran, Jane Fielding and Richard Thorp (Suzie Jattan and Sung Pak on behalf of Panel Secretariat). ○ <u>Council assessment staff</u>: Brad Roeleven – Executive Planner – City Significant Development ○ <u>Points discussed were</u> – <ul style="list-style-type: none"> ● The Panel was provided with a summary of the history of the application, and the issues which warranted the original DA being refused. ● The Panel was provided with a discussion of how those matters have subsequently been addressed via the section 8.3 Review. ● The Panel noted that Council had engaged the necessary technical specialists to inform its assessment and was satisfied that those issues (wind, reflectivity and Basix) were properly evaluated. ● The Panel noted that the conditions of consent, particularly in relation to wind mitigation, were appropriate.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Subject to conditions of consent at Attachment 2