



SYDNEY CENTRAL CITY PLANNING PANEL

DISCUSSION OF DRAFT CONDITIONS

Panel reference	PPSSCC-239
DA number	DA/249/2021
Proposed development	Construction of a mixed use building comprising 546 residential apartments; 8 retail tenancies; a 75 place childcare facility; a community facility; associated parking, landscaping and public domain works and subdivision to create a new lot for the purposes of securing the corridor for Parramatta Light Rail Stage 2.
Property	Lots 5, 8 and 9 DP 1228764 4 – 8 Uhrig Road, LIDCOMBE
Applicant	Karimbla Constructions Services (NSW) Pty Ltd
Owner	Karimbla Properties (No. 51) Pty Ltd

Introduction

The applicant has agreed to all of the draft conditions provided at Attachment B to the DA assessment report, except for the following:

- Condition 5
- Condition 53

The reasons for the applicants for objections, and Council's response, are provided below.

It is requested that the Panel consider whether or not these conditions should be included in any Notice of Determination, should the Panel elect to approve this application.

Condition 5

This condition states:

The development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties, unless approved in this consent.

The applicant has requested that the words "*excluding substation as required by the Energy Provider*" be added into this condition because this is a requirement of energy providers when they are on the rare occasion required for maintenance.

Council does not agree because:

- Condition 5 is a standard condition
- Condition 18 from Ausgrid indicates that any required substation will be located on site
- Condition 43 provides that substations are not permitted outside the site.
- DAs are regularly approved substations located on site, or within buildings, which does

obviously does not preclude future maintenance.

Condition 53

This condition states:

Prior to the issue of the relevant construction certificate, the following must be demonstrated to the satisfaction of the certifying authority:

- (a) *All multi-unit residential car parking must provide an EV Ready Connection to each and every space allocated to residents*
 - (b) *Provide EV Distribution Board(s) in of sufficient size to allow connection of all EV Ready Connections.*
 - (c) *Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.*
 - (d) *Each EV Ready Connection is served from a cable tray and a dedicated spare 32A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.*
 - (e) *EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard.*
 - (f) *EV Load Management System is to be capable of:*
 - *Reading real time current and energy from the electric vehicle chargers under management;*
 - *Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged;*
 - *Scale to include additional chargers as they are added to the site over time.*
- Reason:** *To provide all necessary infrastructure for residents to install Electrical Vehicle charging without significant technical or financial barriers.*

The applicant objects to this condition as follows:

We do not agree at all with condition 53 as we should have been made aware 12 months ago as it effects the design of the development with overloading substation designs.

The requirement is not even contained a DCP or LEP that is applicable to this site regardless of whether other developers have accepted. It is not a matter for consideration under S4.15 of the Act.

Council considers the condition must be retained for the following reasons:

- Control C.9 of Section 12.5 (Sustainability) of the Carter Street Precinct Development Framework 2020 states:

Movement trends and technology advancement should be considered and incorporated, including provision of:

- i. *Car share spaces;*
- ii. *Dedicated 15A power for each residential car parking bay to allow for future installation of Electronic Vehicle (EV) charging; and*
- iii. *Some 50% of visitor and shared parking bays to be provided with charging bays to cater for EV charging.*

Condition 53 is the implementation of that provision.

Section 4.15(1)(a)(iii) of the EPA Act 1979 requires the consideration of any Development Control Plan.

- The Carter Street Precinct Development Framework 2020 came into force 4 months before DA/249/2021 was lodged
- Condition 53 reflects the same obligations that are already, or will be, included DCPs for other parts of the LGA
- Sustainability is clearly ingrained into the “Objects” of the EPA Act 1979 (section 1.3)