

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	22 September 2021
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Noni Ruker, Martin Zaiter and Sameer Pandey
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 17 September 2021.

MATTER DETERMINED

PPSSCC-239 - DA/249/2021 – City of Parramatta, Lots 5, 8 and 9 DP 1228764, 4 Uhrig Road, Lidcombe, 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 (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.

In arriving at its decision, the Panel discussed several matters, including:

- Requirements for the charging of electrical vehicles, noting that Government and planning policy is evolving with regard to this technology. In relation to this, the Panel sought the advice of Council's Sustainability Advisor, who is expert in this matter, and the views of the applicant were canvassed.
- Design iteration to date, noting that there are no further outstanding design issues based on:
 - The Panel's previous comments having been addressed.
 - Several reviews by Council's Design Excellence Advisory Panel (DEAP), subsequent to which the applicant amended plans. DEAP have confirmed that the final DA plans satisfactorily resolve their concerns, with minor amendments addressed in conditions regarding:
 - Improvements to the common open space / pool area
 - Grazier Street boundary.
 - Council has advised that it is satisfied with the design proposed, subject to conditions.
 - Compliance with the Apartment Design Guide has been achieved either directly or on merit.
 - Compliance has been achieved with the Child Care and Educational Establishment SEPP.
- Technical and/or administrative amendments required to conditions as detailed below.

The Panel determined to **approve** the application for the reasons outlined in the Council Assessment Report, subject to amendments to conditions as below.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments –

Condition 5 is amended to read as follows –

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. For clarity, this condition permits the doors of the 3 ground floor substations to open over the site boundary if such is necessary to meet the requirements of the relevant energy provider.

Reason: To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

Condition 34 is amended to read as follows –

Prior to the issue of the public domain civil construction certificate the developer should engage with and obtain endorsement from TfNSW to confirm the development's civil works provides appropriate provisions for Parramatta Light Rail (PLR) Stage 2. Including, provision of acceptable clearances for curvature, track geometry; and, appropriate property setbacks to accommodate the future infrastructure.

Condition 36 is amended to read as follows –

Prior to the issue of the relevant Construction Certificate and should the development not start within 12 months, the developer should obtain endorsement from TfNSW to confirm that the development's construction activities will not have an impact on Parramatta Light Rail (PLR) Stage 2 development and may have to prepare a Construction Pedestrian Traffic Management Plan (CPTMP) in consultation with TfNSW. Please contact the TfNSW Light team at da.plr@transport.nsw.gov.au to confirm whether a CPTMP is required. This condition is only applicable if the construction works for this development are being completed at the same time as the light rail works on Uhrig Road.

Condition 53 is amended to read as follows –

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. An EV Ready Connection is the provision of a cable tray and a dedicated spare 15A 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.
- (b) Provide EV Distribution Board(s) 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 15A 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 decision was **unanimous**.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that there were seven written submissions received during the public exhibition. All submissions raised concerns regarding the scale and impact of the proposal. The Panel considers that concerns raised by submitters have been adequately addressed in the assessment report and Panel determination.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Noni Ruker	 Sameer Pandey
 Martin Zaiter	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-239 - DA/249/2021 – City of Parramatta
2	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
3	STREET ADDRESS	Lots 5, 8 and 9 DP 1228764, 4 Uhrig Road, Lidcombe
4	APPLICANT/OWNER	Applicant – Karimbla Constructions Services (NSW) Pty Ltd Owner - Karimbla Properties (No. 51) 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 (Infrastructure) 2007 State Environmental Planning Policy No. 55 (Remediation) State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development) & Apartment Design Guide State Environmental Planning Policy (Educational Establishment & Childcare Facilities) 2017 Auburn Local Environmental Plan 2010 Draft environmental planning instruments: <ul style="list-style-type: none"> Draft Consolidated City of Parramatta Local Environmental Plan Design and Place State Environmental Planning Policy EIE Development control plans and like considerations:

		<ul style="list-style-type: none"> • Carter Street Precinct Development Framework 2020 <p>Planning agreements: Nil</p> <p>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i></p> <ul style="list-style-type: none"> ○ 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: September 2021 • Council revised wording for Condition 5 and Condition 53 • Applicant revised wording for Condition 34 and Condition 36 • Council response to applicant submission dated 21 September 2021 • Letter from Mills Oakley on behalf of the applicant dated 20 September 2021 • Written submissions during public exhibition: 7
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 17 September 2021. • Briefing to discuss Council's recommendation, 21 September, 4.00pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Noni Ruker, Martin Zaiter and Sameer Pandey (Suzie Jattan and George Dojas on behalf of Panel Secretariat). ○ <u>Council assessment staff</u>: Brad Roeleven – Executive Planner – City Significant Development, Myfanwy McNally – City Significant Development Manager, Mark Leotta – Director, Planning and the Wall, Sustainability Advisor ○ <u>Points discussed were</u> – <ul style="list-style-type: none"> ○ Resolution of design matters supported by Council and Council's DEAP ○ Condition 53 regarding charging for electric vehicles and related State Government and Council policy and administrative position in this regard ○ Condition 5 regarding substations ○ Conditions 34 and 36 as put forward by Transport for NSW. • Applicant briefing to discuss Council's recommendation, 21 September, 4.30pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Noni Ruker, Martin Zaiter and Sameer Pandey (Suzie Jattan and George Dojas on behalf of Panel Secretariat).

		<ul style="list-style-type: none"> ○ <u>Council assessment staff:</u> Brad Roeleven – Executive Planner – City Significant Development, Myfanwy McNally – City Significant Development Manager, Mark Leotta – Director, Planning and Che Wall, Sustainability Advisor ○ <u>Applicant representatives:</u> Walter Gordon – Head of Planning and Development, Meriton Group, Mathew Lennartz, Planner, Frank Ru – Head of Architecture, Nir Lazor – Project Management and Cameron Greatbatch – Landscape Architect. ○ <u>Points discussed were –</u> <ul style="list-style-type: none"> ○ Condition 53 regarding charging for electric vehicles and the applicant's position in this regard ○ Condition 5 regarding substations, clarifying that the applicant's specific concern is that substation doors should be able to open outwards ○ Conditions 34 and 36 as put forward by Transport for NSW, with clarification of the applicant's concerns in this regard to follow ○ Confirmation from the Panel that they considered there to have been a resolution of design matters, which is supported by Council and Council's DEAP.
9	COUNCIL RECOMMENDATION	Approval subject to conditions
10	DRAFT CONDITIONS	As provided by Council