

<b>DATE OF DETERMINATION</b>	5 November 2020
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Martin Zaiter and Sameer Pandey
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

Papers circulated electronically on 20 October 2020.

#### **MATTER DETERMINED**

PPSSCC-24 – City of Parramatta – DA/501/2019, Lots 5, 8 and 9 DP 1228764, 4-8 Uhrig Road, Lidcombe, Construction of a mixed- use building comprising 403 residential apartments, 16 retail tenancies, centre-based childcare facility, and associated parking, landscaping 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.

#### **Application to vary a development standard**

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Parramatta Local Environmental Plan 2011 (LEP), that has demonstrated that:

- a) compliance with cl. 4.3 is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

the Panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 of the LEP and the objectives for development in the B2 zone; and
- c) the concurrence of the Secretary has been assumed.

The Panel determined to uphold the Clause 4.6 variation to building height; and approve the application for the reasons outlined in the Council Assessment Report.

The decision was **unanimous**.






#### **CONDITIONS**

The development application was approved subject to the conditions of consent under Attachment B, noting that the Panel supported the addition of the following condition drafted by Council regarding external finishes, with clarification as highlighted:

"Prior to the issue of the relevant construction certificate, a revised finishes board shall be submitted to Council demonstrating a change to the **external materials to reduce the reliance on painted concrete and increase the reliance on higher quality materials**. The revised finishes board must be submitted to, and approved by, Council's Group Manager Development and Traffic Services Unit (DTSU) prior to the issue of the relevant construction certificate."

## CONSIDERATION OF COMMUNITY VIEWS

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

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Gabrielle Morrish	 Sameer Pandey
 Martin Zaiter	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-24 – City of Parramatta – DA/501/2019
2	PROPOSED DEVELOPMENT	Construction of a mixed- use building comprising 403 residential apartments, 16 retail tenancies, centre-based childcare facility, and associated parking, landscaping and public domain works
3	STREET ADDRESS	Lots 5, 8 and 9 DP 1228764, 4-8 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"><li>Environmental planning instruments:<ul style="list-style-type: none"><li>State Environmental Planning Policy (State and Regional Development) 2011</li><li>State Environmental Planning Policy (Infrastructure) 2007</li><li>State Environmental Planning Policy No. 55 – Remediation of Land</li><li>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li><li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li><li>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li><li>State Regional Environmental Plan (Sydney Harbour Catchment) 2005</li><li>Auburn Local Environmental Plan 2020</li></ul></li></ul>

		<ul style="list-style-type: none"> <li>○ Draft environmental planning instruments: Nil</li> <li>○ Development control plans: <ul style="list-style-type: none"> <li>○ Carter Street Precinct Development Control Plan 2016</li> <li>○ Auburn Development Control Plan 2010</li> </ul> </li> <li>○ Planning agreements: Nil</li> <li>○ Provisions of the Environmental Planning and Assessment Regulation 2000</li> <li>○ Coastal zone management plan: [Nil]</li> <li>○ The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>○ The suitability of the site for the development</li> <li>○ Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>○ The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>● Council Assessment Report: 15 October 2020</li> <li>● Clause 4.6 written request</li> <li>● Written submissions during public exhibition: 0</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b>	<ul style="list-style-type: none"> <li>● Briefing – 16 October 2019</li> <li>● Site inspection - Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually.</li> <li>● Papers circulated electronically on 20 October 2020</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report.