

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	6 September 2024
DATE OF PANEL DECISION	4 September 2024
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Steve Murray
APOLOGIES	None
DECLARATIONS OF INTEREST	The panel chair directed all councilors have a perceived conflict as the site is owned by council.

Papers circulated electronically on 2 September 2024.

MATTER DETERMINED

PPSSCC-545 – Cumberland – DA 2024/0085 – Percy Street, Lidcombe - Demolition of existing pergola and concrete slab, construction of a two storey dedicated training and performance indoor recreation facility known as the Auburn Basketball Centre including associated signage and landscaping works.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report.

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, the relevant environmental planning instruments including the Cumberland Local Environmental Plan 2021 and Cumberland Development Control Plan and is considered to be satisfactory subject to conditions.

The proposed development is appropriately located within the RE1 zone under the relevant provisions of the Cumberland LEP. The proposal is consistent with all statutory and non-statutory controls applying to the development. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and the development may be approved subject to conditions.

CONDITIONS




The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- More Recreational Facilities
- Promotion of healthy diet and physical activities
- Accessible bathrooms
- Naming of Centre
- The need for new facilities

The panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	David Ryan 
Steve Murray 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-545 – Cumberland – DA 2024/0085
2	PROPOSED DEVELOPMENT	Demolition of existing pergola and concrete slab, construction of a two storey dedicated training and performance indoor recreation facility known as the Auburn Basketball Centre including associated signage and landscaping works.
3	STREET ADDRESS	Percy Street, Lidcombe
4	APPLICANT/OWNER	Applicant: Cumberland Council Owner: NSW Department of Planning Housing and Infrastructure - Crown Lands
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Cumberland LEP 2021 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Cumberland DCP 2021 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil 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: 22 August 2024 Written submissions during public exhibition: 6 Total number of unique submissions received by way of objection: 6
8	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report