

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	17 December 2020
PANEL MEMBERS	Abigail Goldberg (Chair), Ken McBryde, Martin Zaiter and Sameer Pandey
APOLOGIES	Nil
DECLARATIONS OF INTEREST	David Ryan advised that his company has recently provided town planning services for major DAs lodged on the site directly adjoining this site.

Papers circulated electronically on 6 December 2020.

MATTER DETERMINED

PPSSCC-63 – City of Parramatta - DA/739/2019, Lot 101 DP 123910 - 5 Uhrig Road Lidcombe, Mixed use development comprising 583 residential apartments across five buildings, a commercial building (office suites), ground level retail, subdivision to enable dedication of future public roads, 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 attached to the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

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

- Transport;
- Number of parking spaces;
- Insufficient parks in the area;
- Height control of the site.

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Ken McBryde
 Martin Zaiter	 Sameer Pandey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-63 – City of Parramatta - DA/739/2019
2	PROPOSED DEVELOPMENT	Mixed use development comprising 583 residential apartments across five buildings, a commercial building (office suites), ground level retail, subdivision to enable dedication of future public roads, and associated parking, landscaping and public domain works.
3	STREET ADDRESS	Lot 101 DP 123910 - 5 Uhrig Road Lidcombe
4	APPLICANT/OWNER	Applicant - Uhrig Road Developments Pty Ltd Owner – JQZ Ten Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$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 (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • SREP (Sydney Harbour Catchment) 2005 • Auburn Local Environmental Plan 2010 ○ Draft environmental planning instruments: <ul style="list-style-type: none"> ▪ Draft Parramatta Local Environmental Plan 2020 <p>Development control plans:</p> <ul style="list-style-type: none"> ○ Auburn Development Control Plan 2010 ○ Carter Street Precinct Development Control Plan 2016

		<ul style="list-style-type: none"> ○ Planning agreements: Nil ○ Provisions of the Environmental Planning and Assessment Regulation 2000 ○ 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: 1 December 2020 ● Clause 4.6 exception written request ● Written submissions during public exhibition: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> ● Briefing – 1 April 2020 ● Site inspection - Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. ● Papers circulated electronically on 6 December 2020.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report.