



DATE OF DETERMINATION	9 December 2025
DATE OF PANEL DECISION	9 December 2025
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Steve Murray, Glenn Elmore
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 4 December 2025.

MATTER DETERMINED

PPSSCC-679 – Cumberland – DA2025/0095 – 2 Mark Street, Lidcombe - Demolition of existing structures and construction of a mixed-use development comprising of 6 commercial tenancies, 107 co-living rooms and 306 boarding rooms and 3 levels of basement car parking pursuant to State Environmental Planning Policy (Housing) 2021.

PANEL CONSIDERATION AND DECISION

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

Application to vary a development standard:

Following consideration of written requests from the applicant, made under cl 4.6 (3) of the Cumberland Local Environmental Plan 2021 (LEP), the Panel is satisfied that the applicant has demonstrated that:

- a) compliance with LEP cl. 4.3 (Height of Building); and State Environmental Planning Policy (Housing) 2021 s.24(2)(h)(i) Communal open space (Boarding house) and s.68(2)(d)(i) Communal open space (Co-living housing), is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standards

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 development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979

The proposed development is appropriately located within the E1 Local Centre under the relevant provisions of the Cumberland Local Environmental Plan 2021, however some variations under the State Environmental Planning Policy (Housing) 2021, Cumberland Local Environmental Plan 2021 and Cumberland Development Control Plan are sought.

Having regard to the assessment of the proposal from a merit perspective, the Panel is satisfied that the development has been appropriately designed and provides for acceptable levels of amenity for future residents. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent

with the intentions of Council's planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

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.

The panel determined to uphold the Clause 4.6 variations to building height, communal open space – boarding house, communal open space – Co-living housing; and approve the application for the reasons outlined in the council assessment report.

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:

- Traffic and parking concerns
- Construction distraction
- Loss of privacy and sunlight
- Local Infrastructure not ready
- Overdevelopment
- Excessive height
- Poorly communicated and deadline to oppose application

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 	Glenn Elmore 

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSSCC-679 – Cumberland – DA2025/0095
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a mixed-use development comprising of 6 commercial tenancies, 107 co-living rooms and 306 boarding rooms and 3 levels of basement car parking pursuant to State Environmental Planning Policy (Housing) 2021.
3	STREET ADDRESS	2 Mark Street, Lidcombe
4	APPLICANT/OWNER	Applicant: The Planning Hub Owner: Marque Eight Pty. Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development 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 (Planning System) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Housing) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Sustainable Buildings) 2022 ○ Sydney Regional Environmental Plan XXX (Deemed SEPP) ○ Cumberland Local Environmental Plan 2021 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Cumberland Development Control Plan 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: 24 November 2025 • Written submissions during public exhibition: 10 • Total number of unique submissions received by way of objection: 9
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report