

Minutes of the Electronic Cumberland Local Planning Panel Meeting held on Tuesday 3 September 2019.

PRESENT:

Julie Walsh (Chairperson), Brian Kirk, Larissa Ozog and Alan Ezzy.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

ITEM LPP051/19 – DEVELOPMENT APPLICATION FOR 9-19 MARY STREET, AUBURN

BACKGROUND

1. By electronic determination made on 14 August 2019 the Local Planning Panel determined as follows:

“The Panel defers the application and requests the following:

1. The Council provide a supplementary report specifying how the conditions of the first consent need to be amended by the second consent (i.e. what specific conditions on the first consent need to be amended and how). For example, condition 2 of the first consent regarding plans requires amendment to refer to the new plans with the coloured modifications.
 2. When that report has been provided, Council obtain legal advice that the pathway proposed is legally permissible and this advice be provided to the Panel.
 3. This is to ensure that both consents can work together in a cohesive and practical way and achieve the form of development contemplated, i.e. a combined development of both sites.”
2. On 23 August 2019 the Panel was provided with an addendum report on the application including legal advice and an amended list of conditions.

Panel Decision

1. The Panel approves the variation to the development standard relating to height contained in clause 4.3 of the Auburn Local Environmental Plan 2010 as the applicant’s clause 4.6 objection has adequately addressed the matters required to be demonstrated by clause 4.6 (3) and the development will be in the public interest because it is consistent with the objectives of the height standard and the objectives of the B4 Mixed Use zone.
2. Development application DA 92/2019 for alterations and additions to approved 12 storey mixed use building (DA-52/2017) at 13-19 Mary Street, Auburn including the construction of an additional 12 storey mixed use building component at 9-11

Mary Street, Auburn which will accommodate a total of 157 residential units (41 x 1 bedroom, 90 x 2 bedroom and 26 x 3 bedroom units), 5 x commercial suites, 1 x office suite over part 4 part 5 level basement for 285 vehicles be granted development consent subject to the conditions contained in appendix "A" to the addendum report by Council staff submitted to the Panel on 23 August 2019 subject to amendment of condition 7 to read as follows:

"7. The individual lots comprising 9 – 19 Mary Street Auburn are to be consolidated into a single lot. Written evidence of registration of the plan of consolidation by NSW Land Registry Service is to be submitted to Council prior to the issue of the construction certificate.

Reason: to ensure the orderly development of the site as a whole."

3. Persons whom have lodged a submission in respect of the application be notified of the determination of the application.

For: Julie Walsh (Chairperson), Brian Kirk, Larissa Ozog and Alan Ezzy.

Against: Nil.

Reasons for Decision

1. The Panel generally agrees with the Council Officer's original and addendum reports, and notes the legal advice that the proposed pathway is legally permissible. The Panel has amended condition 7 to ensure orderly development of the site as a whole.

Signed:



Julie Walsh
Chairperson