

Minutes of the Cumberland Local Planning Panel Meeting held via Electronic Determination on Wednesday 09 October 2024.

PRESENT:

Michael Leavey (Chairperson), David Milliken, Sue Weatherley, and Yakubislam Comert.

IN ATTENDANCE:

Michael Lawani, Esra Calim, Bhavisha Sheth, Bernadette Barry, Emma Di Rita, Faisal Halla, Angus Coventry, and Pamela MacIntyre (Minute Taker)

The meeting opened at 11:35am.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

ITEM ELPP029/24 - DEVELOPMENT APPLICATION - 56 MONA STREET, AUBURN

PANEL DECISION:

1. That the Clause 4.6 variation request to vary the minimum lot size development standard, as contained in clause 53(2)(a) of SEPP (Housing) 2021, be supported.
2. That Development Application No. DA2024/0171 for the demolition of the existing shed and the construction of a secondary dwelling on land at 56 Mona Street AUBURN NSW 2144 be approved subject to conditions contained in the Council assessment report, with the following additional condition:

Pedestrian Access

2A. The architectural plans are to be amended to provide a sealed pedestrian path on the western side of the primary dwelling to enable unimpeded access from Mona Street to the secondary dwelling. Details are to be submitted for the approval of Council's Executive Manager City Planning and Development prior to the issue of the first Construction Certificate.

Reasons for Decision:

1. The Panel is satisfied that the applicant's written request to vary the Development Standard relating to minimum lot size as contained within Chapter 3, Part 1, Division 2, Clause 53 (2)(a) of State Environment Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 (3) and the development will be in the public interest because the application is consistent with the planning controls applicable to the site and the objectives of the development standard are achieved.
2. The proposed development complies in full with the Cumberland Local Environmental Plan 2021.

3. The proposed development complies in full with the Cumberland Development Control Plan 2021.
4. The proposed development complies with the remainder of clauses 52 and 53 of State Environmental Planning Policy (Housing) 2021.
5. The proposed development does not result in adverse amenity impacts towards adjoining properties.

For: Michael Leavey (Chairperson), David Milliken, Sue Weatherley and Yakubislam Comert.

Against: Nil.

ITEM ELPP030/24 - DEVELOPMENT APPLICATION - 77-85 STATION ROAD, AUBURN

PANEL DECISION:

1. That the Clause 4.6 variation request to vary the building height development standard, as contained within Clause 16 of SEPP (Housing) 2021, be supported.
2. That Development Application No. DA2024/0137 for the alterations and additions to the approved residential flat building pursuant to State Environmental Planning Policy (Housing) 2021 including the addition of two storeys comprising of 16 units and the incorporation of 12 affordable housing apartments across lower ground to level 4, common open space addition, changes to basement car parking, unit mix, layout and configuration on land at 77 - 85 Station Road Auburn NSW 2144 be approved subject to conditions contained in the Council assessment report, with the following additional condition:

Use of communal open space

109A. Use of the communal open space areas located on the ground floor and level 6 shall be limited to 7:00am to 10:00pm daily.

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

Reasons for Decision:

1. The Panel is satisfied that the applicant's written request to Vary the Development Standard relating to building height as contained within Clause 16 of State Environmental Planning Policy (Housing) 2021 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 of Buildings Standards and the objectives of the zone.

2. The development is generally consistent with the objectives of the R4 High Density Residential zone of the Cumberland Local Environmental Plan 2021 and also consistent with State Environmental Planning Policy (Housing) 2021 and the Apartment Design Guide.
3. Subject to the recommended conditions of consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.

For: Michael Leavey (Chairperson), David Milliken, Sue Weatherley and Yakubislam Comert.

Against: Nil.

ITEM ELPP031/24 - DEVELOPMENT APPLICATION - 149 AUBURN ROAD, AUBURN

PANEL DECISION:

1. That the Clause 4.6 variation requests to vary the floor space ratio and height of building development standards as contained in clauses 4.3 and 4.4 of Cumberland Local Environmental Plan 2021, be supported.
2. That Development Application No. DA2024/0205 for the construction of toilet cubicles on the rooftop and awning on the ground floor of the existing Al Faisal College on land at 149 Auburn Road, Auburn NSW 2144 be approved subject to the conditions listed in Council's assessment report, and the following additional condition:

External Finishes

3A. The external colours of the proposed building shall be recessive and complement the colours of the existing buildings.

Details shall be submitted to the Council or registered certifier prior to the issue of a Construction Certificate.

Reason: to ensure the development is sympathetic to the existing building.

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

Reasons for Decision:

1. The Panel is satisfied that the applicant's written request to vary the Development Standard relating to building height and floor space ratio as contained within Clause 4.3 and Clause 4.4 of Cumberland Local Environmental Plan 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 (3). The development will be in the public interest because it is consistent with the objectives of the Height of Buildings and Floor Space Ratio Standards and the objectives of the zone.

2. The development is generally consistent with the objectives of the R3 Medium Density Residential zone of Cumberland Local Environmental Plan 2021.
3. Subject to the recommended conditions of consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.

For: Michael Leavey (Chairperson), David Milliken, Sue Weatherley and Yakubislam Comert.

Against: Nil.

ITEM ELPP032/24 - DEVELOPMENT APPLICATION - CHURCH STREET, LIDCOMBE

PANEL DECISION:

That Development Application No. DA2024/0153 for the erection of demountable building and use as a gym adjoining to Lidcombe Oval at Wyatt Park on land at Church Street, Lidcombe NSW 2141 be approval subject to conditions listed in Council's assessment report, and the following additional conditions:

Scope of Consent

2A. This consent does not approve the additional fencing or carparking as shown on the approved plans.

External Finishes

5A. The external colours of the demountable shall be recessive and complement the colours of the adjoining utilities block and the heritage setting of the site.

Details are to be submitted for the approval of Council's Executive Manager City Planning and Development prior to the issue of a Construction Certificate.

Reason: to ensure the development is sympathetic to the heritage item

Protection of Infrastructure

5B. Prior to the issue of the Construction Certificate the applicant is to provide details to Council of measures to protect the 1200mm stormwater pipe during construction and the applicant shall be responsible to repair any damage that may be caused as a result of the development.

Reasons for Decision:

1. The Panel generally concurs with the Planning Officers report subject to the attached conditions within the report.
2. The proposal is consistent with the objectives of the RE1 Public Recreation zone and Wyatt Park Plan of Management and in particular will provide a recreation facility (indoor) that will facilitate greater provision of amenities for Lidcombe Oval in the Wyatt Park.

3. The development is consistent with the objectives of the Cumberland Development Control Plan 2021.
4. Subject to the recommended conditions of development consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.

For: Michael Leavey (Chairperson), David Milliken, Sue Weatherley and Yakubislam Comert.

Against: Nil.

The meeting terminated at 12:28pm.

Signed:



Michael Leavey, Chairperson