



DATE OF DEFERRAL	Wednesday 17 October 2018
PANEL MEMBERS	Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Paul Moulds and Susan Budd
APOLOGIES	Paul Stein
DECLARATIONS OF INTEREST	None

Public meeting held at Cumberland Council on 17 October 2018, opened at 11.15am and closed at 12.55pm.

MATTER DEFERRED

2017SWC144 – Cumberland – DA-503/2017 AT 2 Mark Street, 1A Marsden Street, 1 and 3 Marsden Street, Lidcombe (AS DESCRIBED IN SCHEDULE 1)





REASONS FOR DEFERRAL

The Panel defers the application to enable a modified design to be provided as the Panel is concerned that this development would adversely affect the amenity of recently approved development in a new town centre. The modification is to follow the mid-point option in the attached Johannsen & Associates Plan (as marked “remove 10 units”). The modification is to achieve compliance with the ADG solar access requirements in at least 65% of the units in the approved building at 4-14 Mark Street.

The modifications are also to comply with the ADG’s communal open space provisions noting that some reduction to the currently proposed roof-top communal open space may be necessary and this may require a new cl 4.6 variation request. The Panel notes that a large part of the roof-top remains available for use as communal open space.

When this information has been received and assessed, a further Public meeting may be necessary.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Paul Mitchell (Acting Chair)	 Mary-Lynne Taylor
 Susan Budd	 Paul Moulds

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC144 – Cumberland – DA-503/2017
2	PROPOSED DEVELOPMENT	Demolition of the existing structures, tree removal and construction of a ten storey mixed use development comprising one ground floor commercial tenancy and 153 residential units over four levels of basement car parking
3	STREET ADDRESS	Lot 7 to 12 in DP846 being – 2 Mark Street, 1A Marsden Street, 1 and 3 Marsden Street, Lidcombe
4	APPLICANT OWNER	Zhinar Architects Marque Eight Pty Ltd
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 No 55 – Remediation of Land ○ State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and associated Apartment Design Guide ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ Auburn Local Environmental Plan 2010 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Auburn Development Control Plan 2010 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</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

		<ul style="list-style-type: none"> • 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 addendum report – October 2018 • Council assessment report: 31 May 2018 • Council assessment report – 14 August 2018 • Written submissions during public exhibition: Nil • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Email dated 15 October 2018 by Ms Heather Cooper <ul style="list-style-type: none"> ○ On behalf of the applicant – Jeremy Swan, Mairead Hawes, Andre Mulder and Yenny Handra • On behalf of Council – Karl Okorn and Michael Lawani
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection, Final Briefing and Public Meeting - 14 June 2018 • Meeting – 30 August 2018 • Final briefing meeting to discuss council’s recommendation, 17 October 2018, 10.35am to 11.13am. • Public Meeting – 17 October 2018 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Paul Moulds and Susan Budd ○ <u>Council assessment staff</u>: Michael Lawani and Karl Okorn
9	COUNCIL RECOMMENDATION	Deferred commencement consent subject to conditions
10	DRAFT CONDITIONS	Attached to the council assessment report