

<b>DATE OF DETERMINATION</b>	16 June 2020
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Ned Attie and Eddy Sarkis
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

Public meeting held by public teleconference on 16 June 2020, opened at 11.00am and closed at 11.14am.

#### **MATTER DETERMINED**

PPSSCC-89 – Cumberland – MOD2018/210/B, Lot 9 Sec C DP 3431, Lot 10 Sec C DP 3431 65-71 Kerrs Road, Lidcombe, Section 4.55(2) modification application for alterations and additions to approved boarding house including an additional three (3) boarding rooms and a communal living room, reconfiguration of fire stairs and alterations to the external appearance and finishes of the building (as described in Schedule 1)

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

#### **Development application**

The Panel determined to **approve** the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was **unanimous**.

#### **REASONS FOR THE DECISION**

1. The modified development is substantially the same as that originally approved.
2. The number of residents within the development has declined due to the change in the mix of single and double occupancy rooms.
3. The internal amenity for the rooms has been improved in the amended proposal.
4. The proposed development will have no significant adverse environmental, social or economic impacts in the locality.
5. The development will have no significant adverse impacts on the public interest

#### **CONDITIONS**

The development application was approved subject to conditions listed in Council assessment report.

#### **CONSIDERATION OF COMMUNITY VIEWS**






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

- Scale of development
- Privacy and security of residents

The Panel notes that verbal issues of concern expressed at the public meeting included:

- Overdevelopment of the site
- Amenity of the internal rooms
- Number of occupants proposed in the development

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Gabrielle Morrish
 Ned Attie	 Eddy Sarkis
 David Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-89 – Cumberland – MOD2018/210/B
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification application for alterations and additions to approved boarding house including an additional three (3) boarding rooms and a communal living room, reconfiguration of fire stairs and alterations to the external appearance and finishes of the building
3	STREET ADDRESS	Lot 9 Sec C DP 3431, Lot 10 Sec C DP 3431 65-71 Kerrs Road, Lidcombe
4	APPLICANT/OWNER	Fuse Management Pty Ltd/Mr S M Allam
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) modification application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments:               <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (BASIX) 2004</li> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>○ Auburn Local Environmental Plan 2010</li> <li>○ State Environmental Planning Policy (Affordable Rental Housing) 2009</li> </ul> </li> <li>• Draft environmental planning instruments: Draft Cumberland Local Environmental Plan 2020</li> <li>• Development control plans:</li> </ul>

		<ul style="list-style-type: none"> <li>○ Draft Cumberland Development Control Plan 2020</li> <li>○ Auburn Development Control Plan 2010</li> <li>● Planning agreements: Nil</li> <li>● Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Regs 97, 97A</li> <li>● Coastal zone management plan: [Nil]</li> <li>● The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>● The suitability of the site for the development</li> <li>● Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>● The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>● Council assessment report: 22 May 2020</li> <li>● Written submissions during public exhibition: 1</li> <li>● Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Verica Josevska</li> <li>○ Council assessment officer – Roy Wong and Jai Shankar</li> <li>○ On behalf of the applicant – Alain Assoum, Rachid Andary, Anh Do, Greg Dowling, Sami Allam and Vicki Kennedy</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>● Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspection individually.</li> <li>● Final briefing to discuss council's recommendation, 16 June 2020, 10.30am (teleconference) Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Ned Attie and Eddy Sarkis</li> <li>○ <u>Council assessment staff</u>: Roy Wong and Jai Shankar</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval subject to draft conditions provided with council assessment report.
10	<b>DRAFT CONDITIONS</b>	Provided with council assessment report.