

Minutes of the Cumberland Independent Hearing and Assessment Panel held at Merrylands Administration Building, 16 Memorial Ave, Merrylands on Wednesday, 24 August 2016.

PRESENT:

Ms. J. Walsh (Chairperson), Mr. B. Kirk, Mr. S. McDonald and Mr. P. Moulds AM.

IN ATTENDANCE:

Monica Cologna, Michael Lawani, Karl Okorn and Michael Wearne.

The meeting here opened at 11:30 a.m.

DECLARATIONS OF INTEREST – There were no disclosures of interest.

ADDRESS BY INVITED SPEAKERS – The following persons had made application to address the Cumberland Independent Hearing and Assessment Panel meeting:

<u>Speakers</u>	<u>Item No./Subject</u>
Mr. Les Lee	C016/16 – 1-3 Dartbrook Road, Auburn.
Mr. Matthew Daniel	C017/16 – Auburn Shopping Village, 41 Auburn Road, Auburn – Application for a Planning Proposal.
Mr. Tim Stewart	C017/16 – Auburn Shopping Village, 41 Auburn Road, Auburn – Application for a Planning Proposal.
Mr. Robert Creed	C017/16 – Auburn Shopping Village, 41 Auburn Road, Auburn – Application for a Planning Proposal.
Mr. James Matthews	C017/16 – Auburn Shopping Village, 41 Auburn Road, Auburn – Application for a Planning Proposal.

Mr. H. Lee addressed the Panel on Item C016/16 - 1-3 Dartbrook Road, Auburn.

Mr. M. Daniel, Mr. T. Stewart, Mr. R. Creed and Mr. J. Matthews each in turn, addressed the Panel on Item C017/16 – Auburn Shopping Village, 41 Auburn Road, Auburn – Application for a Planning Proposal.

The public part of the Cumberland Independent Hearing and Assessment Panel meeting closed at 12:46 p.m.

The Panel remained in the Merrylands Council Chambers for consideration of the matters listed on the Business Paper and made its determinations as follows:

ITEM C016/16 - 1-3 DARTBROOK ROAD, AUBURN.

Resolved unanimously by the Cumberland Independent Hearing and Assessment Panel that Development Application No. 234/2015/A for use of unauthorised basement conversion into a gym to operate 24 hours a day 7 days a week and installation of external signage on land at 1-3 Dartbrook Road, Auburn be refused for the following reasons:

- The proposed development does not satisfy the objectives of the Auburn Development Control Plan – Parking and Loading, at Part 8.2 Off-street parking requirements that development shall be designed to ensure an acceptable level of parking is provided on-site to minimise adverse impacts on surrounding streets.
- The proposed development does not comply with the provisions of the Auburn Development Control Plan – Parking and Loading, at Part 8.2 Miscellaneous Development Parking Rates D1 that gymnasiums located within 500m walking distance from a train station shall provide 3 car parking spaces per 100sqm GFA.
- Insufficient information has been submitted with the development application to allow a proper and thorough assessment of the likely impacts of the proposed development or the suitability of the site to accommodate the proposed development.
- In the circumstances of the case, approval of the application is not in the public interest. The development will remove 13 car parking spaces from the existing basement car parking of the mosque which will impose an additional burden on existing on-street parking in the surrounding streets.

For: Ms. J. Walsh (Chairperson), Mr. B. Kirk, Mr. S. McDonald and Mr. P. Moulds AM.

Against: Nil.

ITEM C017/16 – AUBURN SHOPPING VILLAGE, 41 AUBURN ROAD, AUBURN – APPLICATION FOR A PLANNING PROPOSAL

Resolved unanimously that the Cumberland Independent Hearing and Assessment Panel (CIHAP) recommend that:

- i. The application for a planning proposal to amend the permissible height of building control for land at 41 Auburn Road, Auburn from 49m to 96m not be supported.
- ii. The application for a planning proposal to amend the permissible floor space ratio control for land at 41 Auburn Road, Auburn from 5:1 to 9:1 not be supported.
- iii. The draft investigation into height and zoning for Auburn and Lidcombe Town Centres be reported to the CIHAP for recommendation, prior to being reported to Council.
- iv. The Panel acknowledge that this is a significant site within the Auburn Town Centre and that in preparing the report identified in iii. above, undertake a review of the Planning Proposal as submitted to Council against the findings of the investigation, having particular regard to matters of public benefit.

For: Ms. J. Walsh (Chairperson), Mr. B. Kirk, Mr. S. McDonald and Mr. P. Moulds AM.

Against: Nil.

The meeting terminated at 1:40 p.m.

Signed:

A handwritten signature in blue ink, appearing to read 'Jui Walsh', is written in a cursive style.

Chairperson