

Minutes of the Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday 12 June 2019.

PRESENT:

The Hon. Paul Stein AM (Chairperson) QC, Brian Kirk, Larissa Ozog and Bruce Simpson.

IN ATTENDANCE:

Karl Okorn, Sohail Faridy, Michael Lawani, Bismark Opoku-Ware, Harley Pearman, Esra Calim, Bianca Chiu, Sifa Kc, Harley Pearman, Somer Ammar and Laith Jammal.

NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

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

DECLARATIONS OF INTEREST:

Mr Bruce Simpson declared two interests in the Development Applications LPP041/19 Ajacent 28A Campbell Street, Berala and LOO042/19 Ajacent 174 Woodburn Road, Berala as Mr Simpson holds Telsra shares. Mr Simpson believes that this is a potential conflict of interest that is non-significant and will therefore continue his duty on the Panel for both items.

ADDRESS BY INVITED SPEAKERS:

The following persons had made application to address the Cumberland Local Planning Panel meeting:

<u>Speakers</u>	<u>Item No. Subject</u>
Brad Delapierre	Development Application for 20-24 Bridge Street, Lidcombe
George Gregoire	Development Application for 9 McCredie Road, Guildford West
Jim Murray	Development Application for 9 McCredie Road, Guildford West
Brad Delapierre	Development Application for 14 Hilltop Road, Merrylands
Jonathon Wood	Development Application for 14 Hilltop Road, Merrylands
Michael Trinh	Development Application for 14 Hilltop Road, Merrylands

Morgan Stanbury

Development Application for 14 Hilltop Road, Merrylands

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel and no further persons presented themselves.

The open session of the meeting here closed at 12:35.p.m.

The closed session of the meeting here opened at 12:36.p.m.

ITEM LPP039/19 - DEVELOPMENT APPLICATION FOR 20-24 BRIDGE STREET,
LIDCOMBE

RESOLVED:

- 1. The Panel is of the opinion that the Clause 4.6 variation relating to the Height of Buildings development standard is well founded and in the public interest.**
- 2. Development Application No. DA-263/2018 for demolition of existing structures and the construction of an 11 storey shop top housing development, comprising of 3 commercial tenancies and 60 residential units over 4 levels of basement parking and lot consolidation on land at 20-24 Bridge Street, Lidcombe be granted deferred commencement approval subject to attached conditions in the attached schedule as amended by the Panel:**

Add the following deferred commencement condition under Schedule A;

1. In order to satisfy the requirements of SEPP 65 in providing a suitable mix of apartments (Part 4K of the Apartment Design Guide) and to improve the internal acoustic amenity of the apartments (Part 4H of the Apartment Design Guide) and their layout. Amended plans are to be submitted for approval which facilitate the following;
 - i. The master bedroom of units 104 to 1004 shall be redesigned to become part of the adjoining unit to the South (Units 105 to 1005) and units 104 to 1004 become one bedroom apartments.
 - ii. The master bedroom to units 105 to 1005 shall become part of the adjoining unit to the south (units 106 to 1006) and units 105 to 1005 to remain as two bedroom apartments.
 - iii. The modified master bedrooms shall be relocated to the west to obtain a window and natural ventilation to this space and associated amenities relocated centrally.
 - iv. From this new arrangement units 106 to 1006 shall become three bedroom units.
 - v. An updated Basix Certificate shall accompany the amended plans.

These changes may alter the section 7.11 contributions (condition 4), parking arrangements (condition 90) and storage requirements (Condition 92). The amended plans shall be to the satisfaction of the Executive Manager of Development and Building.

In accordance with clause 95(3) of the Environmental Planning and Assessment Regulation 2000, you must produce evidence to the Council within a period of **2 years**, sufficient enough for Council to be able to be satisfied of the above matters.

If evidence is produced within the specified period, in accordance with Clause 95(5) of the Regulation, Council will notify you whether or not it is satisfied as to the above matters and whether or not the consent will operate.

2. Insertion of a new standard condition as follows:

3. Common wall construction

Prior to the issue of the Construction Certificate, construction drawings shall be submitted to the Principle Certifying Authority for approval to indicate that common party walls between the dwellings being constructed from solid masonry materials and not being lightweight construction.

Reason: To ensure adequate acoustic separation between dwellings within the development.

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

For: The Hon. Paul Stein AM (Chairperson) QC, Brian Kirk, Larissa Ozog and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The Panel is of the view that a combination of internal design inadequacies and lack of unit mix required a deferred commencement approval. The deferred commencement condition addresses the unit mix and internal amenity of the units. Other than the deferred commencement condition, the Panel generally agrees with the Officer's report.

ITEM LPP040/19 - DEVELOPMENT APPLICATION FOR 9 MCCREDIE ROAD, GUILDFORD WEST

RESOLVED:

1. **That Development Application No. 2018/481/1 for the demolition of existing structures and construction of 3 x 2 storey attached dwellings on land at 9**

McCredie Road, Guildford West be granted deferred commencement approval subject to attached conditions in the attached schedule as amended by the Panel.

2. The amendment of condition 11 as follows:

Amended plans shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate addressing the following issues:

- i. The rear first floor balcony of the dwelling on Lot 60 shall be reduced to a maximum of 10m² in area and the width reduced to 2m wide.
- ii. 3x 1.5m high fixed privacy screens shall be attached to the north elevations of the 3 first floor rear balconies as shown in red on the approved plans to protect privacy of adjoining sites.
- iii. 300mm high lattice screen to be added on top of the western side of the boundary fencing of Lot 59 from the rear boundary to the rear wall of the new garage.

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

For: The Hon. Paul Stein AM (Chairperson) QC, Brian Kirk, Larissa Ozog and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The Panel is in agreement with the Planning Officer's report and has added a new condition to address the privacy issues of the adjoining neighbour to the west.

ITEM LPP041/19 - DEVELOPMENT APPLICATION FOR ADJACENT TO 28A CAMPBELL STREET, BERALA

RESOLVED:

1. **That Development Application Number 63/2019 for use of a digital display sign affixed to a Telstra payphone for third party advertising on land adjacent to 28A Campbell Street Berala be approved subject to attached conditions.**
2. **Persons whom have lodged a submission in respect to the application be notified of the determination of the application.**

For: The Hon. Paul Stein AM (Chairperson) QC, Brian Kirk, Larissa Ozog and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The Panel generally concurs with the Officers report. The Panel is satisfied in relation to the pedestrian/traffic issues. In addition the Panel is of the view that the Council should continue to consider the appropriateness and design of private advertising in public domain spaces.

ITEM LPP042/19 - DEVELOPMENT APPLICATION FOR ADJACENT TO 174 WOODBURN ROAD, BERALA

RESOLVED:

1. **That Development Application Number 83/2019 for use of a digital display sign affixed to a Telstra payphone for third party advertising on land adjacent to 174 Woodburn Road Berala be approved as deferred commencement consent subject to attached conditions.**
2. **Persons whom have lodged a submission in respect to the application be notified of the determination of the application.**

For: The Hon. Paul Stein AM (Chairperson) QC, Brian Kirk, Larissa Ozog and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The Panel generally concurs with the Officers report. The Panel is satisfied in relation to the pedestrian/traffic issues. In addition the Panel is of the view that the Council should continue to consider the appropriateness and design of private advertising in public domain spaces.

ITEM LPP043/19 - DEVELOPMENT APPLICATION FOR 14 HILLTOP ROAD, MERRYLANDS

RESOLVED:

1. **That Development Application 2018/416/1 for demolition of existing structures; construction of a 4 storey shop top housing development comprising 50 place child care centre on the ground floor; 1 commercial tenancy, and 14 residential units above 2 levels of basement parking accommodating 41 car parking spaces on land at 14 Hilltop Road,**

Merrylands, be Approved, subject to the deferred commencement conditions, provided at Attachment 1 as amended by the Panel:

2. Amendment to deferred commencement condition 9 as follows:

Plan of Management

The Plan of Management shall be amended to include safety measures for children using the same lift as visitors for the commercial premises and to change the number of children in the childcare centre to 50.

3. Amendment to standard condition 16 as follows:

Amended Plans

Amended plans shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate addressing the following issues:

- i. The outdoor play area shall detail any shade structures and play equipment.
- ii. 1.5m privacy screen shall be installed along the southern, eastern and western elevation of the communal open space areas on the 3rd and 4th storey.
- iii. The proposed screening around the sub station shall be removed to open up this space and landscaping is to be provided around the sub station to improve its appearance.
- iv. The planter boxes surrounding the areas of communal open space are to have a minimum width of 1 metre.

4. That the applicant and those persons who lodged a submission in respect of the application be notified of the determination of the application.

For: The Hon. Paul Stein AM (Chairperson) QC, Brian Kirk and Bruce Simpson.

Against: Larrisa Ozog.

Reasons for Decision:

1. The majority of the Panel generally concur with the Planning Officer's report but have added to the deferred commencement and standard conditions recommended by the Officers.
2. One member of the Panel voted against the resolution for the following reasons:
 - a) The proposed development its site planning and general layout is considered to be a poor planning and design outcome.
 - b) The currently approved Development Application is considered to be a more suitable solution for the site.

- c) The relationship and design of the childcare centre to the residential component of the development is considered to be poor.
3. Mr Simpson considered that the footway crossing should be perpendicular, rather than splayed, to improve safety and amenity for pedestrians.

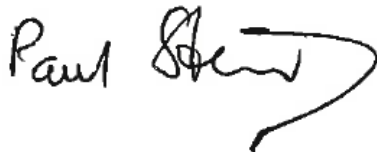
The closed session of the meeting here closed at 2:53.p.m

The open session of the meeting here opened at 2:54.p.m.

The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 2:56.p.m.

Signed:



Hon. Paul Stein AM (Chairperson) QC
Chairperson