

Minutes of the Extraordinary Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday 28 August 2019.

PRESENT:

Julie Walsh (Chairperson), Gabrielle Morrish, Michael Ryan and Bruce Simpson.

IN ATTENDANCE:

Karl Okorn, Sohail Faridy, William Attard, Nighat Aamir, Esra Calim, Diep Hang 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 11:33a.m.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

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>
Natalie Bakri	Development Application - 79-91 Betts Road, Smithfield
Hadi Maatouk	Development Application - 79-91 Betts Road, Smithfield
Alan Doughty	Development Application - 123 Magowar Road, Girraween
Joe El-Sabbagh	Development Application - 123 Magowar Road, Girraween
Brent Winning	Development Application - 123 Magowar Road, Girraween
Brad Delapierre	Development Application for 44 (Lot 123) Winnima Circuit, Pemulwuy & Part Lot 124, Butu Wargun Drive, Pemulwuy
Brad Delapierre	Development Application for 38 - 42 (Lot 101) Winnima Circuit and Part Lot 124, Butu Wargun Drive, Pemulwuy

Brad Delapierre	Development Application for 46 (Lot 122) Winnima Circuit and Part Lot 124 Butu Wargun Drive, Pemwulwuy
Anthony El-Hazouri	Development Application for 44 (Lot 123) Winnima Circuit, Pemulwuy & Part Lot 124, Butu Wargun Drive, Pemulwuy
Anthony El-Hazouri	Development Application for 38 - 42 (Lot 101) Winnima Circuit and Part Lot 124, Butu Wargun Drive, Pemulwuy
Anthony El-Hazouri	Development Application for 46 (Lot 122) Winnima Circuit and Part Lot 124 Butu Wargun Drive, Pemwulwuy

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 12:35p.m.

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

ITEM LPP058/19 - SECTION 4.56 MODIFICATION APPLICATION - 20-22, 24, 24R & 27 DRESSLER COURT, HOLROYD

RESOLVED:

1. That Section 4.56 Application 2016/496/7 seeking internal and external alterations to Buildings 3 and 4, including reconfiguration of car parking arrangement, balcony reconfiguration on the southern elevation of Building 3, rearrangement of apartments on the northern elevation of Building 4 to introduce 8 dual key apartments and relocation of substation kiosk on land at 20-22, 24, 24R & 27 Dressler Court, Holroyd, be Approved, subject to the conditions contained in Attachment 2 of the Council Officer's report.
2. The Panel notes that the Section 7.11 Contribution referred to at Page 22 is incorrect and the correct figure is in Condition 13A

For: Julie Walsh (Chairperson), Gabrielle Morrish, Michael Ryan and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The Panel generally agrees with the Council Officer's report.

ITEM LPP059/19 - DEVELOPMENT APPLICATION - 79-91 BETTS ROAD,
SMITHFIELD

RESOLVED:

1. That Development Application 2019/136/1 seeking use of Unit 1 for the purpose of a waste transfer station at 79-91 Betts Road, Smithfield, be Approved, subject to the conditions contained in Attachment 2 of the Council Officer's report amended as follows:

2. **Amendment to Condition 2 to read:**

Development shall take place in accordance with the following plans and information, except where amended by the conditions of this consent:

- Loading / Parking Plan prepared by RJK Architects, Job Number 2015-03, Issue A, 28 August 2019;
 - Site Plan prepared by RJK Architects, 28 August 2019;
 - Existing elevation plan prepared for Rentobin Pty Ltd job no. 2015-03 Issue A, undated;
 - Waste Management Plan, undated;
 - Amended Loading Dock Management Plan prepared for Rentobin Pty Ltd, 28 August 2019;
 - Acoustic Report prepared by Acoustic Logic, Document Reference 20150910.1/2708A/R0/MF, Revision 0, dated 27 August 2015; and
 - Correspondence from the Roads and Maritime Services, Reference Number SYD19/00753/01, dated 1 July 2019, and all conditions contained therein;
- a) As amended in red by Council. All amendments are to be incorporated in the Construction Certificate plans.

3. **Amendment to wording of the heading "Prior to Occupation of the Premises to read as follows:**

The following conditions are to be complied with prior to occupation of the premises:- or within 90 days of this consent whichever shall occur first

4. **The Insertion of Condition 68 A to read as follows:**

- No operation of bobcats, forklifts and truck movements before 7am and after 5pm Monday to Friday or 7am-12pm Saturday.
- No more than 8 truck movements per hour.
- No more than one bobcat in operation at any time.
- No more than one forklift in operation at any time.
- When a truck is waiting the engine is to be switched off.
- Speed limit signs are to be installed at entry of the proposed site to ensure a speed limit of 15km/hour is to be used.

5. The insertion of Condition 14 A to read as follows:

The area coloured red shown on Loading/Parking Plan job number 2015-03 Issue A dated 28 August 2019 prepared by RJK Architects shall be concreted and appropriately drained to the satisfaction of Council.

6. Amendment to Condition 38 as follows:

Deletion of the word “not” in the first line

For: Julie Walsh (Chairperson), Gabrielle Morrish, Michael Ryan and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The Panel generally agrees with the Council Officer’s report.
2. The Panel has refined the conditions to ensure that the external area of the unit is concreted to minimise dust and to update the plan reference to the most recent plans.

ITEM LPP060/19 - DEVELOPMENT APPLICATION - 123 MAGOWAR ROAD, GIRRAWEEEN

RESOLVED:

1. That Development Application 2019/14/1 which seeks consent for alterations and additions to existing industrial building for use as a waste transfer station to operate 7am-6pm Monday to Friday and 7am-Noon Saturday, and installation of a portable weighbridge; be approved subject to the conditions, provided at Attachment 5 of the Council Officer’s report.

2. The amendment to Condition 117 to read as follows:

Waste Monitoring

The occupier shall provide details of the quantity, type and source of wastes received on the site and these details to be provided to Council when requested.

3. The insertion of Condition 13 A to read as follows:

Acoustic Lapped and Capped Fence

A minimum 1.8m high lapped and capped timber fence is to be designed and installed in consultation with an accredited acoustic consultant to the satisfaction of Council’s Executive Manager Development and Building as marked in red on the plans. The subject fence is to extend the entire length of the Eastern boundary

with 119 Magowar Road, Girraween from the front building line to the wall of Warehouse 5.

For: Julie Walsh (Chairperson), Gabrielle Morrish, Michael Ryan and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The Panel generally agrees with the Council Officer's report.
2. The Panel notes the issues raised by the objectors and has included an additional condition requiring a fence providing acoustic attenuation and minor impact protection on the boundary with 119 Magowar Road, Girraween. Further, the Panel notes that the initial proposed hours of 24 hours, 7 days a week have been amended by the applicant to Monday to Friday 7am to 6pm and 7am to 12 pm on Saturdays with no work on Sundays or public holidays to mitigate noise impacts on surrounding properties and businesses.

ITEM LPP061/19 - DEVELOPMENT APPLICATION FOR 44 (LOT 123) WINNIMA CIRCUIT, PEMULWUY & PART LOT 124, BUTU WARGUN DRIVE, PEMULWUY

RESOLVED

1. **That Development Application 2018/380/1 is deferred to enable the Panel to consider the late submission of amended plans reducing Gross Floor Area to comply with the maximum Floor Space Ratio in Holroyd LEP 2013.**
2. **The Panel may determine the application electronically.**

For: Julie Walsh (Chairperson), Gabrielle Morrish, Michael Ryan and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The applicant lodged amended Plans too late to be assessed by the Panel at the meeting.

ITEM LPP062/19 - DEVELOPMENT APPLICATION FOR 38 - 42 (LOT 101) WINNIMA CIRCUIT AND PART LOT 124, BUTU WARGUN DRIVE, PEMULWUY

RESOLVED:

1. **That Development Application 2018/378/1 is deferred to enable the Panel to consider the late submission of amended plans reducing Gross Floor Area to comply with the maximum Floor Space Ratio in Holroyd LEP 2013.**

2. The Panel may determine the application electronically.

For: Julie Walsh (Chairperson), Gabrielle Morrish, Michael Ryan and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The applicant lodged amended Plans too late to be assessed by the Panel at the meeting.

ITEM LPP063/19 - DEVELOPMENT APPLICATION FOR 46 (LOT 122) WINNIMA CIRCUIT AND PART LOT 124 BUTU WARGUN DRIVE, PEMWULWUY

RESOLVED:

1. **That Development Application 2018/379/1 is deferred to enable the Panel to consider the late submission of amended plans reducing Gross Floor Area to comply with the maximum Floor Space Ratio in Holroyd LEP 2013.**

2. The Panel may determine the application electronically.

For: Julie Walsh (Chairperson), Gabrielle Morrish, Michael Ryan and Bruce Simpson.

Against: Nil.

Reasons for Decision:

1. The applicant lodged amended Plans too late to be assessed by the Panel at the meeting.

The closed session of the meeting here closed at 2:34p.m

The open session of the meeting here opened at 2:35p.m. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 2:40p.m.

Signed:



Chairperson