

Minutes of the Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday 12 February 2020.

PRESENT:

The Hon. Paul Stein AM (Chairperson) QC, Marjorie Ferguson, Michael Ryan and Allan G Ezzy AM APM.

IN ATTENDANCE:

Karl Okorn, Anthony Attard, Elma Sukurma, Esra Calim 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 opened here at 11:34a.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>
Niko Milic	Development Application for 49 Martin Street, Lidcombe
Sarah Lee	Development Application for 49 Martin Street, Lidcombe
Jung Soon Bae	Development Application for 49 Martin Street, Lidcombe
Rhonda Tanti	Development Application for 49 Martin Street, Lidcombe
Diep Tran	Development Application for 49 Martin Street, Lidcombe
Hang Tran	Development Application for 49 Martin Street, Lidcombe
Brad Delapierre	Development Application for 327 Merrylands 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.

Speakers

Item No. Subject

Kamal Jammal Development Application for 49 Martin Street, Lidcombe

The open session of the meeting here closed at 12:16p.m.

The closed session of the meeting here opened at 12:17p.m.

ITEM LPP001/20 - DEVELOPMENT APPLICATION FOR 149 AUBURN ROAD,
AUBURN

RESOLVED:

- 1. That the Local Planning Panel approve the variation to the Development Standard relating to floor space ratio as contained within Clause 4.4 of the Auburn Local Environmental Plan 2010 as the applicant's Clause 4.6 objection has adequately addressed the matters required to be demonstrated by Clause 4.6 (3) and the development will be in the public interest because it is consistent with the objectives of the Floor Space Ratio standard and the objectives of the zone.**
- 2. That Development Application No. DA2019/271 for construction of toilet cubicles within the existing college on land at 149 Auburn Road Auburn be granted deferred commencement consent subject to attached conditions in Attachment 4.**

For: The Hon. Paul Stein AM (Chairperson) QC, Marjorie Ferguson, Michael Ryan and Allan G Ezzy AM APM.

Against: Nil.

Reasons for Decision:

1. The Panel is in agreement with the Planning Officer's report

ITEM LPP002/20 - DEVELOPMENT APPLICATION FOR 57 - 61 TOONGABBIE ROAD,
TOONGABBIE

RESOLVED:

- 1. That the Local Planning Panel approve the variation to the Development Standard relating to building height as contained within Clause 4.3 of the Holroyd Local Environmental Plan 2013 as the applicant's Clause 4.6 objection has adequately addressed the matters required to be demonstrated by Clause 4.6 (3) and the development will be in the public interest because it is consistent with the objectives of the Height Standard and the objectives of the R4 – High Density Residential zone.**

2. That Development Application 2019/124/1 for the demolition of existing structures and construction of a four (4) storey residential flat building, comprising 34 residential units, over basement car parking containing 43 car parking spaces and 1 carwash bay, be approved as a Deferred Commencement consent, subject to the attached conditions, provided at Attachment 4.
3. That the applicant and those persons who lodged a submission in respect to the application be notified of the determination of the application.

For: The Hon. Paul Stein AM (Chairperson) QC, Marjorie Ferguson, Michael Ryan and Allan G Ezzy AM APM.

Against: Nil.

Reasons for Decision:

1. The Panel is in general agreement with the Planning Officer's report.

ITEM LPP003/20 - MODIFICATION APPLICATION FOR 5 - 7A OCTAVIA STREET,
TOONGABBIE

RESOLVED:

That modification application No. 2014/163/3 which seeks alterations and additions to an approved residential flat building development including amendment to basement layout, internal configuration of units and addition of two residential units; totalling 26 units is approved subject to the conditions within the draft Notice of Determination provided at Attachment 4.

For: The Hon. Paul Stein AM (Chairperson) QC, Marjorie Ferguson, Michael Ryan and Allan G Ezzy AM APM.

Against: Nil.

Reasons for Decision:

1. The Panel generally agrees with the Planning Officer's Report.

ITEM LPP004/20 - MODIFICATION APPLICATION FOR 9-19 MARY STREET,
AUBURN

RESOLVED:

That Modification Application No. MOD2019/5286 for alterations and additions to an approved 12 storey mixed use building (DA-92/2019) at 9-19 Mary Street, Auburn to include a 5 bedroom penthouse apartment, relocate a rooftop common open space area by introducing a secondary communal open space on the podium, modify the existing communal open space and convert a 1 bedroom unit

on the ground floor to a communal room at 9-11 Mary Street, AUBURN NSW 2144 be approved subject to the conditions in Attachment 1 as amended by the Panel.

For: The Hon. Paul Stein AM (Chairperson) QC, Marjorie Ferguson, Michael Ryan and Allan G Ezzy AM APM.

Against: Nil.

Reasons for Decision:

1. The Panel agrees with the Planning consultant's report. The Panel notes that the condition relating to Section 7.11 has been amended to reflect the additional unit in the building.

ITEM LPP005/20 - DEVELOPMENT APPLICATION FOR 49 MARTIN STREET,
LIDCOMBE

RESOLVED:

1. **That Development Application No. DA-274/2019 for demolition of existing structures and construction of a two storey 56 place centre-based child care facility with signage and at-grade car parking on land at 49 Martin Street, LIDCOMBE NSW 2141 be approved subject to attached conditions listed in attachment 1 as amended by the Panel.**
2. **The insertion of Condition 18A to read as follows:**

The western boundary of the property is to be amended to relocate the acoustic fence two (2) metres from the rear boundary. The space between the acoustic fence and the rear boundary of the property shall be planted with a minimum of four (4) canopy trees. The species of which is to be to the satisfaction of the Executive Manager Development & Building. The acoustic fence shall be provided with maintenance access to the canopy trees. Details shall be submitted to Council prior to Construction Certificate.

(Reason: To improve the visual and acoustic amenity).
3. **The Insertion of Condition 18B to read as follows:**

This consent does not give approval to any exterior signage.
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, Marjorie Ferguson, Michael Ryan and Allan G Ezzy AM APM.

Against: Nil.

Reasons for Decision:

1. The Panel is in general agreement with the Planning Officer's report. However, the Panel has added a Condition to provide a landscape buffer to assist in minimising any potential noise concerns to the rear of the property. The landscaping and relocation of the acoustic fence to two (2) metres from the rear boundary also will mitigate the visual impact.

ITEM LPP006/20 - DEVELOPMENT APPLICATION FOR 327 MERRYLANDS ROAD, MERRYLANDS

RESOLVED:

1. That Development Application 2019/121/1 for the demolition of existing structures and construction of a 4 storey mixed use development comprising 8 residential units and 1 ground floor commercial tenancy over two levels of basement parking accommodating 15 car parking spaces and 1 car wash bay be approved as a Deferred Commencement Consent, subject to the attached conditions, provided at Attachment 4.
2. That the applicant and those persons who lodged a submission in respect to the application be notified of the determination of the application.

For: The Hon. Paul Stein AM (Chairperson) QC, Marjorie Ferguson, Michael Ryan and Allan G Ezzy AM APM.

Against: Nil.

Reasons for Decision:

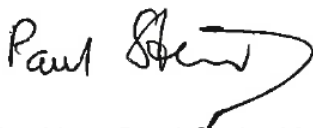
1. The Panel generally agrees with the Planning Officer's report.

The closed session of the meeting here closed at 1:41 p.m.

The open session of the meeting here opened at 1:42 p.m. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 1:47 p.m.

Signed:



The Hon. Paul Stein AM
Chairperson