

Minutes of the Cumberland Local Planning Panel Meeting held at via Zoom on Wednesday 12 June 2024.

PRESENT:

Michael Leavey (Chairperson), Dennis Loether, Grant Christmas, and Virginia Sinclair

IN ATTENDANCE:

Jai Shankar, Mona Lababidi, Michael Lawani, Harley Pearman, Nighat Aamir, Roy Wong, Shaylin Moodliar, and Pamela MacIntyre (Minute Taker)

NOTICE OF LIVE STREAMING OF COUNCIL 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 at 11:32am.

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>
Mr Dominic Khoury	ELPP017/24 Development Application for 20 Myee Street, Merrylands
Mrs Najat Zeait	ELPP017/24 Development Application for 20 Myee Street, Merrylands
Mr Alex Ayoub	ELPP017/24 Development Application for 20 Myee Street, Merrylands
Mr Lenox Tweneboa	ELPP017/24 Development Application for 20 Myee Street, Merrylands
Mr Arthur Stamatiou	ELPP017/24 Development Application for 20 Myee Street, Merrylands
Mr Steven Giang	ELPP018/24 Development Application for 95-98 Blaxcell Street, Granville

Ms Anna Klimova	ELPP018/24 Development Application for 95-98 Blaxcell Street, Granville
Mr David Bradshaw	ELPP018/24 Development Application for 95-98 Blaxcell Street, Granville
Mrs Debra Bradshaw	ELPP018/24 Development Application for 95-98 Blaxcell Street, Granville
Mr Allan Caladine	ELPP018/24 Development Application for 95-98 Blaxcell Street, Granville
Mr Tom Steal	ELPP018/24 Development Application for 95-98 Blaxcell Street, Granville

The open session of the meeting closed at 12:32pm.

The closed session of the meeting opened at 12:35pm.

ITEM ELPP017/24 - DEVELOPMENT APPLICATION - 20 MYEE STREET, MERRYLANDS

PANEL DECISION:

1. That Development Application No. DA2023/0484 for demolition of existing structures and construction of a single storey community facility with basement car parking and tree removal on land at 20 Myee Street, Merrylands NSW 2160 be refused for the reasons listed in Council's assessment report.
2. Persons whom have lodged a submission in respect to the application be notified of the determination of the application.

For: Michael Leavey (Chairperson), Dennis Loether, Grant Christmas and Virginia Sinclair.

Against: Nil.

ITEM ELPP018/24 - DEVELOPMENT APPLICATION - 95-99 BLAXCELL STREET, GRANVILLE

PANEL DECISION:

1. That Development Application No. DA2023/0333 for the construction of a single storey food and drink premises including drive-through facility with vehicular entry/exit from Charles Street, at-grade parking for thirteen (13) vehicles, hours of operation 7.00a.m. to 12:00.am (midnight), seven (7) days a week and associated landscaping and stormwater drainage works on land at 95-99 Blaxcell Street, Granville NSW 2142 be refused for the reasons listed in the Council's assessment report.

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

For: Michael Leavey (Chairperson), Dennis Loether, Grant Christmas and Virginia Sinclair.

Against: Nil.

ITEM ELPP019/24 - DEVELOPMENT APPLICATION - 94-98 CHISWICK ROAD, AUBURN

PANEL DECISION:

That Development Application 2023/0586 for upgrades to public parkland involving removal of structures, tree removal, construction of footpaths, installation of new public furniture, installation of playground equipment and landscaping works on land at 94- 98 Chiswick Road Auburn be approved subject to conditions contained in the Council assessment report.

Reasons for Decision:

1. The Panel generally concurs with the Planning Officers report subject to the attached conditions within the report.
2. The Panel notes that the proposal is consistent with, and implements Duck River Parklands Strategic Plan 2022.
3. Subject to the recommended conditions of consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.
4. Taking into account reasons above, approval of the application will be in the public interest.

For: Michael Leavey (Chairperson), Dennis Loether, Grant Christmas and Virginia Sinclair.

Against: Nil.

ITEM ELPP020/24 - DEVELOPMENT APPLICATION - 37 CLAREMONT STREET, MERRYLANDS

PANEL DECISION:

That Development Application No. DA2024/0093 for use of part of the existing dwelling for a respite day care centre including alterations for the provision of new laundry window, construction of new carport, pergola and associated hard stand areas for parking on land at 37 Claremont Street, Merrylands NSW 2160 be approved subject to conditions listed in the Council's assessment report.

Reasons for Decision:

1. The Panel generally concurs with the Planning Officers report subject to the attached conditions within the report.
2. The Panel is satisfied that the Development Controls pertaining to landscape, parking, and building setbacks as contained in the Cumberland Development Control Plan 2021 are adequately addressed as the intent of the controls are able to be achieved.
3. Subject to the recommended conditions of development consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.
4. Taking into account reasons above, approval of the application will be in the public interest.

For: Michael Leavey (Chairperson), Dennis Loether, Grant Christmas and Virginia Sinclair.

Against: Nil.

ITEM LPP021/24 - DEVELOPMENT APPLICATION - 25 HAMPDEN ROAD, SOUTH WENTWORTHVILLE**PANEL DECISION:**

1. That Development Application No. DA2023/0705 for construction of a two storey, 100 place centre-based child care facility over basement parking for 23 vehicles and associated landscaping and stormwater works including land dedication on land at 25 Hampden Road South Wentworthville be approved subject to conditions listed in the Council's assessment report, with the following change to conditions:

a) Amend condition 7(d) to read as follows:

d)Plan of management

The plan of management shall be amended as follows:

- i. To incorporate the specific recommendations in part 10 of the Acoustic Report prepared by Acousticworks, reference, 1023020 R01D and dated 17 November 2023.*
- ii. To include an operational restriction specifying that staff shall arrive at the site no earlier than 7.00am, and;*
- iii. To be consistent with the terms of this development approval with respect to child and staff numbers*

(Reason: To confirm and clarify the terms of Council's approval)

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

Reasons for Decision:

1. The development is generally consistent with the objectives of the R3 Medium Density Residential zone of the Cumberland Local Environmental Plan 2021 and the relevant local and state policies.
2. The Panel has considered the matters raised in written submissions and has determined that these matters have either been adequately addressed in the design of the development or where not specifically addressed are not of such weight as to warrant refusal of the application.
3. Subject to the recommended conditions of consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.
4. With respect to carparking, the majority of the Panel acknowledges there is a minor shortfall of two carparking spaces and notes that the dedication of land at the rear of the site both represents material public benefit and prevents additional carparking being provided within the basement.
5. Taking into account reasons above, approval of the application will be in the public interest.

For: Michael Leavey (Chairperson), Dennis Loether, Grant Christmas*, and Virginia Sinclair.

Against: Nil.

* Grant Christmas supports the proposal however considers the maximum number of children should be reduced to 92 to accord with the Council's carpark requirements.

The meeting terminated at 1:31pm.

Signed:



Michael Leavey, Chairperson