

STRATHFIELD COUNCIL

# MINUTES

Of the meeting of the

## STRATHFIELD LOCAL PLANNING PANEL MEETING

Held on:

Thursday 14 December 2023

Commencing at 10:00am at Town Hall (Supper Room), 65  
Homebush Road, Strathfield



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The meeting of the Strathfield Local Planning Panel Meeting was held in the Town Hall (Supper Room), 65 Homebush Road, Strathfield on Thursday 14 December 2023.

The meeting commenced at 9am and closed at 1.07pm.

The Public Meeting commenced at 10.16am and closed at 11.37am.

The Panel Members conducted site inspections for the purpose of considering items included on the Agenda-

Site inspection time commenced: 09:10am

Site inspection time concluded: 09:53am

#### **PRESENT**

Marcia Doheny – Chair

Stephen Pearse - Expert

Jason Perica - Expert

Ashwin Garg - Community Representative

#### **ALSO PRESENT**

Dylan Porter, Manager, Planning, Place & Development

Joseph Gillies, Senior Planner

Louise Gibson, Executive Planner

Branko Jaric, Urban Designer

Mai Ngo, Business Support, Landuse, Place and Development

Mary Carboni, Business Support, Landuse, Place and Development

#### **DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

The Chairperson opened the meeting at 11.51am

1. Acknowledgement of Country: Strathfield Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.
2. Apologies: There were no apologies received
3. Declarations of pecuniary interest / conflict of interest: NIL

TO: Strathfield Local Planning Panel Meeting - 14 December 2023  
 REPORT: SLPP – Report No. 9  
 SUBJECT: DA2023.55- 7-23 WATER STREET STRATHFIELD SOUTH  
 LOT: 1 DP: 603465, LOT: 2 DP: 603465, LOT: 3 DP: 217450  
 DA NO. DA2023.55

**PROPOSAL**

Development Application No. DA2023.55 for demolition of existing structures and construction of a two storey industrial unit development, associated parking and landscaping at 7-23 Water Street STRATHFIELD SOUTH.

The Panel carried out a site inspection of the property and had regard to the assessment report and all accompanying documentation as well as any submissions. The following people addressed the Panel at the Public Meeting:

Daniella Sicurella, Rochelle Fox, Josine Townsend, Michael Beale, Stephen White, Peter Mullen, William Lam, Nash Gonzalez.

**DETERMINATION**

The Panel determined to **APPROVE** the development application as described in item 9 pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 subject to the conditions in the assessment report for this application dated 20 November 2023, except where amended and added to below:

**Approved Development**

The approval is limited to warehouse and distribution use.

**Condition 9 - Required Design Changes**

Noise wall along northern boundary	The noise wall along the northern boundary is to be a total of 2.4m high comprising the 0.3m hinged area at the bottom and 2.1m wall above. The wall is to be consistent with the design requirements recommended in the Acoustic Assessment approved under Condition 1 (other than height noting this condition requires the wall to be higher).
Northern driveway access	The northern most driveway access/vehicle crossing is to be modified to remove the splay that brings it in close proximity to street tree (Tree 2). The alignment of this crossing shall be outside the Structural Root Zone (SRZ) of the Street Trees. Prior to issue of the construction certificate, root investigation for the street trees shall be undertaken by the project arborist and proposed alternative vehicle crossing construction methods provided. Root investigation and vehicle crossing construction methods are to be approved by Council's Tree Officer and Development Engineer prior to commencement of works.
Street Tree Replacement	There are 5 immature, recently planted street trees (as well as 2 mature) along the Water Street verge. The location of the immature trees has not been recorded on the site survey and therefore assessment of

	<p>impact of proposed driveway entrances and vehicle crossings on these trees has not been established. Removal of the immature trees is acceptable if required for vehicle crossings in the approved design layout. Any removed immature street tree is to be replaced with new street tree plantings to council's specification and to locations agreed with Council.</p> <p>Full details of the street trees proposed for retention, those proposed for removal and replacement planting as per the above is to be provided to Council's Tree Officer prior to issue of the Construction Certificate.</p>
<p>Privacy screens to level 1 windows on the northern elevation</p>	<p>Perforated screens or horizontal/vertical blade privacy devices are to be attached to the first floor windows. The privacy screens must be designed to complement the finishes and materials schedule and must be perforated or angled to achieve privacy and light for the industrial units. The screens must only cover the windows (i.e. not other parts of the facade).</p> <p>The design of the above is to be endorsed by Council's Manager of Planning, Place and Development prior to CC.</p>

**Lighting Strategy - Additional Prior to Construction Certificate Condition**

A lighting strategy is to be submitted to Council's Manger of Planning, Place and Development prior to issue of the Construction Certificate. The lighting strategy must address light spill from all parts of the site that will affect residential areas including but not limited to the residents along Water Street and adjoining the site to the north on William Street.

**Lighting Strategy - Additional Prior to Ongoing Condition**

The Council endorsed lighting strategy be implemented as part of the Plan of Management for the site.

**Condition 1 – Approved Plans & Documents**

External Finishes plan reference number - 11557\_DA-052.

**Condition 4 – Vehicular Crossing – Major Development**

The following vehicular crossing and road frontage works will be required to facilitate access to and from the proposed development site:

The following vehicular crossing and road frontage works will be required to facilitate access to and from the proposed development site:

- a) Construct a 1.2 metre-wide footpath for the full length of the frontage of the site in Water Street in accordance with Council's Specifications applying at the time construction approval is sought.
- b) The thickness and design of the driveway shall be in accordance with Council's Specifications applying at the time construction approval is sought.
- c) Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant. The

work shall be carried out in accordance with Council's specification, applying at the time construction approval is sought.

- d) Any relocation of existing utilities must be in accordance with the utility owner and Council's specification, applying at the time construction approval is sought.
- e) Any disturbed verge landscaping be made good to the satisfaction of Strathfield Council's Urban Forest Supervisor.

Constructing a vehicular crossing and/or footpath requires separate approval under Section 138 of the [Roads Act 1993](#), prior to the commencement of those works.

To apply for approval, complete the Works Permit Application Form which can be downloaded from Strathfield Council's Website at [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au). Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Civic & Urban Services Section in Council's adopted Fees and Charges for the administrative and inspection charges associated with Works Permit applications.

An approval for civil works will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out in accordance with Council's specifications applicable at the time, prior to the issue of an Occupation Certificate.

### Condition 23 - Geotechnical Report

Geotechnical Reports: The applicant must submit a Geotechnical Report, prepared by a professional engineer specialising in geotechnical engineering who holds the relevant Certificate of accreditation as required under the *Building Professionals Act 2005* in relation to dilapidation reports, all site works and construction. This is to be submitted before the issue of the Construction Certificate to the Principal Certifying Authority and is to include:

- (a) Investigations certifying the stability of the site and specifying the design constraints to be placed on the foundation, any earthworks/stabilization works and any excavations.
- (b) Dilapidation Reports on the adjoining all neighbouring buildings likely to be affected by excavation or any works as determined by the consulting engineer prior to any excavation of site works. The Dilapidation Report is to include assessments on, but not limited to, the dwellings at those addresses and any external paths, grounds etc. This must be submitted to the Principal Certifier and the adjoining residents as part of the application for the Construction Certificate. Adjoining residents are to be provided with the report five (5) working days prior to any works on the site.
- (c) On-site guidance by a vibration specialist during the early part of excavation.
- (d) Measures to minimise vibration damage and loss of support to other buildings. Where possible any excavation into rock is to be carried out with tools such as rock saws which reduce vibration to adjoining buildings and associated structures. Where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence) the report shall detail the maximum size of hammer to be used and provide all reasonable recommendations to manage impacts.
- (e) Sides of the excavation are to be pierced prior to any excavation occurring to reinforce the walls of the excavation to prevent any subsidence to the required setbacks and neighbouring sites.

### **Condition 70 - Final Subdivision Plan Requirements**

A final Subdivision Plan shall be prepared by a Registered Surveyor and include (but not be limited to) the following easements and/or covenants created by Section 88B of the [Conveyancing Act 1919](#) on the Final Subdivision Plan.

- i. Any necessary Easements to Drain Water, (minimum 1m wide).
- ii. Any necessary Easements for Services (minimum 300mm wide).
- iii. Any necessary Easements for overhanging roof structures.
- iv. The Environmental Management Plan required in the Site Audit Statement approved under Condition 1 as a covenant.
- v. A covenant limiting access to the northern driveway to small rigid vehicles only.

### **Condition 73 - Hours of Operation**

The approved hours of operation shall be restricted to the following:

- 7am – 7pm Monday to Friday
- 8am – 4pm Saturday
- No trade on Sundays and Public Holidays

### **Condition 90 - Maximum Vehicle Size**

Northern Driveway - Small Rigid Vehicle

The maximum size of truck using the northern driveway and all areas along the northern boundary shall be limited to Small Rigid Vehicle as denoted in AS2890.2-2002: Parking Facilities – Off-street commercial vehicle facilities.

Southern and central driveway - Heavy Rigid Vehicle

The maximum size of truck using the proposed development (other than the northern driveway and access areas) shall be limited to Heavy Rigid Vehicle as denoted in AS2890.2-2002: Parking Facilities – Off-street commercial vehicle facilities.

**FOR: Marcia Doheny, Stephen Pearse, Jason Perica, Ashwin Garg**

**AGAINST: Nil**

### **REASONS FOR THE DETERMINATION:**

The Panel adopts the reasons in the assessment report dated 20 November 2023. The Panel has carefully considered the submissions made in writing and in person at the Panel meeting and considers that the additional conditions imposed by the Panel, together with the original conditions recommended by Council staff, will appropriately address the issues raised and potential impacts of the proposed development. The Panel has made clear in the determination that the approved use is limited to warehouse and distribution.

\*\*\*\* End Minutes - Report No. 9\*\*\*\*

TO: Strathfield Local Planning Panel Meeting - 14 December 2023  
REPORT: SLPP – Report No. 10  
SUBJECT: DA2022.230 - 43-49 PARRAMATTA ROAD HOMEBUSH, 51 PARRAMATTA ROAD  
HOMEBUSH, 53 PARRAMATTA ROAD HOMEBUSH - LOT: 1-3 DP: 796920 & LOT 1 DP:  
111654  
DA NO. DA2022.230

#### PROPOSAL

Development Application No. DA2022.230 for demolition of existing structures and construction of 6 storey mixed use development with ground floor retail, 42 residential units and 2 levels of basement parking at 43-49, 51, 53 Parramatta Road Homebush.

The Panel carried out a site inspection of the property and had regard to the assessment report and all accompanying documentation as well as any submissions. The following people addressed the Panel at the Public Meeting:

David Barnes, Rachid Andary.

#### DETERMINATION:

Pursuant to Section 2.20(8) of the Environmental Planning and Assessment Act 1979, the Panel determined to **DELEGATE** to Council staff, being the Manager of Planning, Place and Development, determination of this development application. This is to allow the Applicant to provide written owner's consent to the Development Application by the owner of the land on which the right of way required for the development is located.

Owner's consent is required because the application proposes use of the right of way which therefore includes it as part of the proposed development.

FOR: Marcia Doheny, Stephen Pearse, Jason Perica, Ashwin Garg  
AGAINST: Nil

#### REASONS FOR THE DETERMINATION:

In the absence of written owner's consent, by the owner of the land on which right of way is located, the Panel has no power to grant consent to this development application.

#### COMMENT:

The Panel notes that a legal right of way exists that benefits the development site, however, the Environmental Planning and Assessment Act 1979 requires written owner's consent to the proposed development application from the owner of the land that is subject to the right of way because use of the right of way will be needed for the proposed development. Other than the absence of owner's consent, the Panel was generally supportive of the development subject to appropriate conditions.

We would expect Council to make a determination with or without owner's consent by 29<sup>th</sup> of February 2024.



\*\*\*\* End Minutes - Report No. 10\*\*\*\*



ENDORSED by Marcia Doheny:

The Chairperson closed the meeting at 1.07pm.