



MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING HELD ON THURSDAY, 11 JULY 2024 AT 1PM

Present:

Chairperson:	Sue Francis
Expert Members:	David Epstein & James Lidis
Community Representatives:	Richard Horton

Council Officers present:

Coordinator Major Assessments	Mr F Macri
Executive Planner	Ms A Manahan
Personal Assistant	Ms Andrea Halcro

Acknowledgement of Country

The Acknowledgement of Country was read by the Chair.

Declarations of Pecuniary and Non-Pecuniary Interests

- A) James Lidis declared a non significant, non pecuniary interest as his son Dean Lidis is employed as a Town Planner at Randwick City Council. Dean Lidis has had no involvement in any of the matters before the Panel.

Address of RLPP by Councillors and members of the public

Deputations were received in respect of the following matters:

D53/24 8-14 MCCAULEY STREET, MATRAVILLE (DA/250/2024)

Councillor	Councillor Noel D'Souza
Objector	Peter West - 1st objector
Objector	Stephen Andrews - 2nd objector
Objector	Steve McAndrew - 3rd objector
Objector	Husband on behalf of Leanne Fuller - 4th objector
Applicant	Luke Zajac, Tom Cook & Kevin Malouf

D54/24 12 TODMAN AVENUE, KENSINGTON (DA/791/2023)

Objector	James Turner - 1st objector
Objector	David Park - 2nd objector
Objector	Dorothy Crisford - 3rd objector

Applicant Phillip Bull on behalf of applicant
Hannah Gandevia - applicant

After the above speakers had addressed the panel, the public meeting was closed at 2:08pm. The Panel then moved to the Coogee Room to deliberate and vote on each matter.

The resolutions, reasons and voting outcomes for each item on the agenda are detailed below:

Development Application Reports

**D53/24 Development Application Report - 8-14 McCauley Street, Matraville
(DA/250/2024)**

RESOLUTION:

That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/250/2024 for the use of the site as a truck depot, installation of two pre-fabricated buildings (for vehicle maintenance, administration and driver amenities), erection of boundary fencing, an acoustic barrier, associated civil and landscaping works at Nos. 8-14 McCauley Street, Matraville, subject to the development consent conditions attached to the assessment report and amendment to condition 65 as follows:

- Amend Condition 65 to read as follows:
 65. Notwithstanding the description in the application to the use of the premises inter alia as a truck depot, the premises are to operate as truck parking with ancillary servicing and activities. The use and operation of the premises shall accord with the following:
 - (a) The operator(s) shall ensure that no on-street queuing or parking of vehicles occurs outside the premises.
 - (b) A maximum of 8 trucks and 10 vehicles are to be accommodated on the site at any one time in accordance with the endorsed plans.
 - (c) All trucks must turn off engines when vehicles are stationary, other than required for servicing. All trucks must turn off stationary external motors such as refrigeration units if attached to the vehicle.
 - (d) Approved traffic routes shall be complied with at all times.
 - (e) There is to be no air brake or compression brake testing for trucks on the site.
 - (f) The site shall be provided with clear signage outlining site vehicle movement requirements to minimise noise in accordance with acoustic requirements and operational management plans.
 - (g) All truck repairs/ servicing shall be undertaken in proposed work areas.
 - (h) There is to be no container storage or container transfer on the premises. The premises shall be used for the storage and repair/servicing of empty trucks only.
 - (i) All work/repair areas shall be graded and drained to sewer in accordance with Sydney Water requirements. If required Sydney Water licence shall be obtained prior to commencement of operational work on the site.
 - (j) All repair areas or storage areas for chemicals shall be stored and provided with bunding in accordance with NSW EPA and Safe work requirements.
 - (k) Emergency spill kits for pollution incidents shall be kept on the site adjacent to work areas. Staff shall be instructed in their location and use.

REASON:

The Panel has visited the site, considered the submissions (oral and written) and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

The Panel supports the application for the following reasons:

- The Panel has heard from the community and appreciates their concerns and considers that with appropriate conditions to mitigate noise through acoustic wall construction and operation of the activity, that the use of the premises as a truck parking facility is satisfactory. In this respect, the Panel notes that the applicant, in the public meeting confirmed, that the description of the proposed use was better defined NOT as a 'truck depot' but rather as 'truck parking' Whilst the definition under the Act of "truck Depot" is "a building or place used for the servicing and parking of trucks, earthmoving machinery and the like", the Panel prefers to use the term described by the applicant in this case.
- The Panel is aware of the statutory provisions available to the proposal on the site through the Port SEPP but prefers to consider this application for 24 hour operation with conditions of consent, limitation on hours of operation, and monitoring and management provisions to better mitigate potential environmental harms.
- Notwithstanding the above, the proposal is consistent with the relevant objectives contained within the Transport and Industry SEPP and the relevant requirements of RDCP 2013.
- The proposal is consistent with the specific objectives of the IN1 zone in that the proposed truck parking facility is an industrial land use, will provide employment opportunities, and will contribute to the growth and diversification of trade through Port Botany.
- Subject to the suitable monitoring through the trial period and management of the operations through conditions of consent, the proposal has been designed to minimise any adverse effect on surrounding residential land uses.

CARRIED UNANIMOUSLY.**D54/24 Development Application Report - 12 Todman Avenue, Kensington
(DA/791/2023)**

RESOLUTION:

That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/791/2023 for change of use of first floor tenancy to a medical centre with hours of operation 8:00am to 6pm Monday to Sunday, internal fit out works, signage and associated works, at No. 12 Todman Avenue, Kensington, subject to the development consent conditions attached to the assessment report, and amendment to condition 53 as follows:

- Amend Condition 53 to read as follows:
53. The hours of operation of business and commercial premises are restricted to 8.00am to 6.00pm on Monday to Sunday. Women's health education seminars may operate once every 2 weeks for 2-3 hours from 6 pm, for around 30-40 people, including staff. The occasional seminars must be the subject of a coordinated approach with Menzies Art to ensure seminars do not overlap with Menzies Art Auctions and other uses after 6pm.

REASON:

The Panel has visited the site, considered the submissions (oral and written) and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

The Panel supports the application for the following reasons:

- The Panel understands the historic commercial use of the premises and the existing parking and access provisions available on site..
- The proposal is consistent with the relevant objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013.
- The Panel has read the Council's traffic engineer's assessment of the proposal and is satisfied that the proposed traffic generation can be accommodated within the existing road network and that the parking provision, access and functionality of the existing parking area and any amendments thereto remains satisfactory.
- The nature of proposed works to the heritage item including signage is suitable for the location and is compatible with the desired future character of the locality.
- The development will not detract from the visual quality of the public domain/streetscape.

CARRIED UNANIMOUSLY.

The meeting closed at 2:40pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Sue Francis (Chairperson)	David Epstein
James Lidis	Richard Horton