

**CITY OF CANTERBURY BANKSTOWN**

**MINUTES OF THE**

**CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING**

**HELD IN THE COUNCIL CHAMBERS  
BANKSTOWN**

**ON MONDAY 3 DECEMBER 2018**

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**PANEL MEMBERS**

**PRESENT:** Mr Anthony Hudson - Chairperson  
Ms Jan Murrell - Expert Member  
Ms Barbara Perry - Expert Member  
Mr Allan Winterbottom - Community Representative Bankstown  
Mr Graeme Wilkinson - Community Representative Revesby

**STAFF IN**

**ATTENDANCE:** Ms Maryann Haylock (Local Planning Panel Administration Officer)  
Mr Brad McPherson (Manager Governance, not present for the closed session)  
Mr Ian Woodward (Manager Development, not present for the closed session)  
Mr Stephen Arnold (Coordinator Planning - West, not present for the closed session)  
Mr Nicholas Aley (Team Leader Planning – West, not present for the closed session)  
Ms Fiona Kordahi (Senior Planner, not present for the closed session)

**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.00 PM.**

**INTRODUCTION**

The Chairperson welcomed all those present and explained the functions of the Canterbury Bankstown Local Planning Panel and that the Panel would be considering the reports and the recommendation from the Council staff and the submissions made by objectors and the applicant and/or the applicant's representative(s) and determining the development applications.

**APOLOGIES**

There were no apologies received.

**DECLARATIONS OF INTEREST**

The Chairperson advised that all Panel Members had submitted written Declarations of Interest returns prior to the meeting.

The Chairperson also asked the Panel if any member needed to declare a conflict of interest in any of the items on the agenda. There were no declarations of interest.

**CBLPP Determination**

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

THAT the minutes of the Canterbury Bankstown Local Planning Panel Meeting held on Monday 19 November 2018 be confirmed.

## DECISION

- 1      **324 HUME HIGHWAY, BANKSTOWN: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A THREE STOREY MIXED USE DEVELOPMENT COMPRISING OF 14 RESIDENTIAL UNITS, GROUND FLOOR COMMERCIAL PREMISES AND ASSOCIATED BASEMENT CAR PARKING.**

### **Site Visit**

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

### **Public Addresses**

The following people addressed the meeting in relation to this item:

- Mr Gerard Turrisi – Town Planner (Representing Applicant)

### **Panel Assessment**

The Panel agrees with the report and the recommendation.

The Panel understands that the site is constrained and given the previous approval for the adjoining property there is no opportunity for amalgamation as discussed in the report.

The proposed development meets the height standard of 11 metres.

The blank wall on the western side of the development is to be treated in accordance with the details shown on the Architectural plans.

The Panel agrees with the proposed conditions subject to a minor change to condition 58 regarding car parking spaces being allocated to units.

The Panel has considered the clause 4.6 variation for the minimum lot size control and formed the necessary opinions of satisfaction under Clause 4.6 of the LEP, and the Panel uphold the proposed variation.

### **CBLPP Determination**

THAT Development Application DA-24/2017 be **APPROVED** subject to the proposed conditions with an amendment to Condition 58 as follows: -

*Each residential and commercial car space is to be allocated to and form part of the relevant strata residential or commercial unit.*

Delete Condition 16

**Vote: 4 – 0 in favour**

## DECISION

- 2      **88-98 FAIRFORD ROAD, PADSTOW: SECTION 4.55(2) PROPOSAL: MODIFY APPROVED MASTERS HOME IMPROVEMENT AND BULKY GOODS TENANCIES TO ACCOMMODATE A BUNNINGS WAREHOUSE. MODIFICATIONS INCLUDE A CHANGE IN THE DEVELOPMENT DESCRIPTION TO CONSTRUCTION AND USE OF A HARDWARE AND BUILDING SUPPLIES DEVELOPMENT INCLUDING CAR PARKING, TRAFFIC LIGHTS, EARTHWORKS, ROAD WORKS, LANDSCAPING AND BUSINESS IDENTIFICATION SIGNAGE, RECONFIGURATION OF BUILDINGS ON SITE, INCREASE IN GROSS FLOOR AREA, REDUCTION IN CAR PARKING, MODIFIED VEHICLE ACCESS ARRANGEMENTS AND MODIFICATION TO LANDSCAPING.**

**Site Visit**

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

**Written Submission**

- Two written submissions were received for this matter dated 21 August 2018 and considered by the Panel.

**Public Addresses**

The following people addressed the meeting in relation to this item: -

- Robert McDacy (Objector from 27/94 Bryant St Padstow)
- Bruce Hogg (Objector from Central Strata Management)
- Jacqueline Parker – Urbis (Representing Applicant/Owner)
- Travis Reid – Blue Print Australia (Representing Applicant/Owner)
- Tim Rogers – CBRK Coston Budd Hunt & Kafes (Traffic Consultant) (Representing Applicant/Owner)
- Nick Metcalf – Site Image Landscape Architects (Representing Applicant/Owner)

**Panel Assessment**

The Panel generally agrees with the report and the recommendation that the modification application be approved.

The Panel agrees with the report regarding the issues raised by this modification application.

The Panel agrees that the proposed changes do not offend the substantially same development test of Clause 4.55.

The Panel proposes some minor changes as follows: -

- a) A second window to the lunch room above the kitchen sink.
- b) Staff parking of 30 spaces (as advised by the applicant's traffic expert) to be designated in no more than two areas.
- c) Changes to the condition 6 to include new landscape plans and to clarify that the street tree replacement planting is for Bryant Street.

The Panel was advised that the integrity of the cap for the rear remediated area is under repair and that these works will be completed in early 2019. Further there will be low scale landscaping through this area. These works are being carried out in accordance with the contaminated lands legislation. However, the Panel is of the opinion that a condition can be imposed to require these works be completed prior to any occupation certificate being issued for the development.

The Applicant also requested that the proposed condition regarding the café be amended to refer to a separate consent being obtained only if the proposed café had food preparation on site. The panel does not agree with this suggestion and agrees with the proposed condition because the Panel is of the opinion that the final layout of the café should be considered and approved to ensure appropriate refrigeration and food health and safety requirements are adequately addressed.

### **CBLPP Determination**

THAT Development Application DA-1145/2013/2 be **APPROVED** subject to the following changes to the proposed conditions: -

a) Proposed new condition 6 to be amended to read: -

- Landscape Details. Drawing No. 103 Issue F Job No. SS18-3747, dated 24.10.2018, prepared by Site Image Landscape Architects;
- Landscape Details. Drawing No. 501 Issue G Job No. SS18-3747, dated 24.10.2018, prepared by Site Image Landscape Architects;
- **Landscape Sections. Drawing No. 601 Issue C Job No. SS18-3747, dated 24.10.2018, prepared by Site Image Landscape Architects;**
- **Landscape Sections. Drawing No. 602 Issue C Job No. SS18-3747, dated 24.10.2018, prepared by Site Image Landscape Architects;**
- **Landscape Elevations. Drawing No. 603 Issue B Job No. SS18-3747, dated 23.10.2018, prepared by Site Image Landscape Architects;**

The landscape plan is to be prepared in accordance with the relevant DCP and is to show all features, built structures including retaining walls, irrigation, mulch and natural features such as significant gardens, landscaping, trees, natural drainage lines and rock outcrops that occur within 3 metres of the site boundary. The landscape plan shall consider any stormwater, hydraulic or overland flow design issues where relevant.

The landscape plan shall make provision for a 50% tree canopy throughout the car park. All plantings are to be super advanced specimens.

Approval is required from Council's Tree Management Officer for replacement by the applicant at the applicant's expense of street tree planting in Bryant Street and such approval is to be obtained prior to the issue of the Construction Certificate. The landscape plan is to be amended to include required street tree replacement plantings, prior to the issue of the construction certificate. With regards to all street trees that are to be retained, particular construction methods are required to be implemented to ensure there are no adverse impacts on the street trees, including their root systems, during the construction of the development. The approved landscape plan shall include a notation to this effect.

The Landscape Plan shall also include: -

- Tree planting in the open car park area shall be designed to provide a minimum of 50% shade cover of the car park within 15 years of planting. Trees used in the car park area shall be 400L container size specimens, and species known to thrive in the site conditions.
- Car parking bays adjacent to tree plantings in the open car park shall be constructed on structural soil cells (such as StrataCell® or equivalent **to Council's satisfaction**) to provide sufficient soil volume for long term tree growth. This shall be combined with permeable paving (such as Ecotrihex® or equivalent **to Council's satisfaction**) to provide stormwater harvesting for the trees and allow for gaseous interchange. This system will also contribute to Water Sensitive Urban Designs (WSUD) outcomes.

b) Amend condition 4A to read: -

- Prior to the issue of a construction certificate the Architectural plans are to be amended to include a second window in the lunch room above the kitchen sink.

c) Addition of a new condition 56A as follows: -

- Prior to the issue of an Occupation Certificate the works required to repair and reinstate the remediation cap (as referred to the report prepared by Matthew Junghans (Environmental Consultant), Environmental Resources Management Australia dated 29 March 2019 is to be completed to the satisfaction of the Council including appropriate landscaping and fencing of this section of the site.

**Vote: 4 – 0 in favour**

The meeting closed at 8:10 p.m.

## Declaration of Interest

MEETING DATE	3/12/18.
Agenda Item/Panel reference number	1 324 Hume Highway Bankstown

In relation to this matter, I declare that I have:

no known conflict of interest ☒

an actual<sup>1</sup> ☐, potential<sup>2</sup> ☐ or reasonably perceived<sup>3</sup> ☐ conflict of interest as detailed below:

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Signature

Date

Name

Please return this form to the Planning Panels Secretariat at  
[enquiry@planningpanels.nsw.gov.au](mailto:enquiry@planningpanels.nsw.gov.au)

<sup>1</sup> An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties.

<sup>2</sup> A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future.

<sup>3</sup> A 'reasonably perceived' conflict of interests is where a person could reasonably perceive that a panel member's private interests or other duties are likely to improperly influence the performance of their duties as a panel member, whether or not this is in fact the case.



MEETING DATE	3/12/18
Agenda Item/Panel reference number	2 88-98 Fairford Rd Bodstow

no known conflict of interest ☒

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Date \_\_\_\_\_

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## Declaration of Interest

MEETING DATE	3 December 2018
Agenda Item/Panel reference number	All agenda items

In relation to this matter, I declare that I have:

no known conflict of interest confirm

an actual<sup>1</sup> ☐, potential<sup>2</sup> ☐ or reasonably perceived<sup>3</sup> ☐ conflict of interest as detailed below:

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JSMurrell

..... 3 december 2018.....  
**Signature** **Date**

Jan Murrell

.....  
**Name**

Please return this form to the Planning Panels Secretariat at  
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## Declaration of Interest

MEETING DATE	3/12/2018
Agenda Item/Panel reference number	Agenda item 1 324 Hume Highway Bankstown " 2 89-98 Fairfield Rd, Padstow

In relation to this matter, I declare that I have:

no known conflict of interest ☒

an actual<sup>1</sup> ☐, potential<sup>2</sup> ☐ or reasonably perceived<sup>3</sup> ☐ conflict of interest as detailed below:

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Barbara Perry  
Signature

3/12/2018  
Date

Barbara Perry  
Name

Please return this form to the Planning Panels Secretariat at  
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## Declaration of Interest

MEETING DATE	3RD December 2018
Agenda Item/Panel reference number	324 Hume Highway BARKSTOWN ITEM I

In relation to this matter, I declare that I have:

no known conflict of interest ☒

an actual<sup>1</sup> ☐, potential<sup>2</sup> ☐ or reasonably perceived<sup>3</sup> ☐ conflict of interest as detailed below:

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Signature

3RD 12. 2018  
Date

ALLAN WINTERBOTTOM  
Name

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## Declaration of Interest

MEETING DATE	3 DECEMBER 2018
Agenda Item/Panel reference number	2

In relation to this matter, I declare that I have:

no known conflict of interest ☒

an actual<sup>1</sup> ☐, potential<sup>2</sup> ☐ or reasonably perceived<sup>3</sup> ☐ conflict of interest as detailed below:

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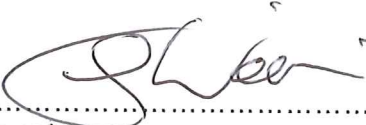
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Signature  Date 3/12/2018

Name GRAEME WILKINSON

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