

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

**HELD IN THE COUNCIL CHAMBERS
BANKSTOWN**

ON WEDNESDAY 3 APRIL 2019

PANEL MEMBERS

PRESENT: Mr Grant Christmas - Chairperson
Ms Helen Deegan - Expert Member
Mr Stephen Kerr- Expert Member
Ms Inaam Tabbaa - Community Representative Bass Hill
Ms Margaret Fasan - Community Representative Canterbury
Mr Ian Stromborg OAM - 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 George Gouvatsos (Coordinator Planning - East, not present for the closed session)
Mr Mauricio Tapia (Team Leader Strategic Planning, not present for the closed session)
Ms Shona Porter (Senior Planner, not present for the closed session)
Ms Alice Pettini (Senior Planner, not present for the closed session)
Mr Aidan Harrington (Town Planner, not present for the closed session)
Mr Benjamin Leavy (Development Assessment Officer, 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 and providing advice to Council on planning proposals.

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 1 April 2019** be confirmed.

DECISION

- 1 33 IAN CRESCENT, CHESTER HILL: USE OF THE EXISTING OUTBUILDING AS A SECONDARY DWELLING AND ASSOCIATED FITOUT.**

Site Visit

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

Public Addresses

There were no public addresses for this item.

Panel Assessment

Inaam Tabbaa was the Community Panel member present for the deliberation and voting for this matter.

The Panel considered that the amended plans satisfied the previous issues that were raised, and the amendments were consistent with the Panel's recommendation.

The development was a reasonable proposal.

CBLPP Determination

THAT Development Application DA-856/2018 RE: Use of the existing outbuilding as a secondary dwelling and associated fitout be **APPROVED** in accordance with the Council staff report recommendation.

Vote: 4 – 0 in favour

DECISION

- 2 49 McCROSSIN AVENUE, BIRRONG: DEMOLITION OF EXISTING GARAGE, CONSTRUCTION OF A DETACHED SECONDARY DWELLING AND A DETACHED TRIPLE CAR GARAGE WITH ASSOCIATED CONCRETE DRIVEWAY**

Site Visit

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

Public Addresses

There were no public addresses for this item.

Panel Assessment

Inaam Tabbaa was the Community Panel member present for the deliberation and voting for this matter.

The development was satisfactory and met the relevant planning controls.

Issues originally raised by the community during the notification period and by the Council officers were addressed by the submission of amended plans.

A condition should be imposed to move the window to Bedroom 1 of the secondary dwelling from the southern elevation to the eastern elevation, to improve future residents amenity, aspect and to reduce possible amenity impacts on the adjoining property.

CBLPP Determination

THAT Development Application DA-856/2018 RE: Demolition of existing garage, construction of a detached secondary dwelling and a detached triple car garage with associated concrete driveway be **APPROVED** in accordance with the Council staff report recommendation, subject to the following additional condition:

The window to Bedroom 1 of the secondary dwelling is to be relocated from the southern elevation to the eastern elevation.

Vote: 4 – 0 in favour

DECISION

- 3 67-69 BALMORAL AVENUE, CROYDON PARK: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF AN AFFORDABLE HOUSING DEVELOPMENT FOR NINE MULTI DWELLINGS WITH BASEMENT CAR PARKING, STRATA SUBDIVISION AND ASSOCIATED WORKS PURSUANT TO STATE ENVIRONMENTAL PLANNING POLICY (AFORDABLE RENTAL HOUSING) 2009**

Site Visit

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

Written Submission

- A written submission was received for this matter from Matthew Cheng.

Public Addresses

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

- Lakhwinder Brar (objector)
- Matthew Cheng (objector)
- Cathy Quigley (objector)
- Hany Mohammed (objector)
- Joseph Kizana (building designer on behalf of Applicant).

Panel Assessment

Margaret Fasan was the Community Panel member present for the deliberation and voting for this item.

The Panel acknowledge that the site is within Zone R3 and that in the future a medium density character may result in the locality.

However, the quality of the application and the deficiencies therein make a proper assessment of the application uncertain. As such, the application cannot, in the Panel's opinion, be approved.

CBLPP Determination

THAT Development Application No. 231/2018 for the demolition of existing structures and construction of an affordable housing development for a multi dwelling development comprising nine dwellings with basement car parking, strata

subdivision and associated works pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009 be **REFUSED** in accordance with the Council staff report recommendation (except reason 7).

Vote: 4 – 0 in favour

DECISION

4 92 & 92A BAYVIEW AVENUE, EARLWOOD: BOUNDARY ADJUSTMENT BETWEEN 92 & 92A BAYVIEW AVE, EARLWOOD

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:

- Arthur Barber (owner)

Panel Assessment

Margaret Fasan was the Community Panel member present for the deliberation and voting for this item.

The Panel considered that approval of the application would be an improved outcome for the site. There would be a better outcome because the existing undersized allotment (Lot A) would be increased in area (while not increasing development entitlement). The proposed lots would also result in a more consistent existing cadastral pattern.

CBLPP Determination

THAT

- A. The Clause 4.6 request to the non-compliance with the lot size development standard in clause 4.1(3) of the Canterbury Local Environmental Plan be supported as the Panel is of the opinion that the request satisfies the relevant considerations.
- B. Development Application DA-388/2018 Boundary adjustment between 92 & 92A Bayview Ave, Earlwood be **APPROVED** in accordance with the Council staff report recommendation.

Vote: 4 – 0 in favour

DECISION

5 599-603 CANTERBURY ROAD, BELMORE: DEMOLITION OF EXISTING BUILDINGS AND ASSOCIATED STRUCTURES AND THE CONSTRUCTION OF A FIVE STOREY RESIDENTIAL FLAT BUILDING OVER TWO LEVELS OF BASEMENT 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:

- Julie Horder (town planner for the Applicant)
- Perry Savidis (architect for the Applicant)

Panel Assessment

Margaret Fasan was the Community Panel member present for the deliberation and voting for this item.

The Panel notes the Applicant's request for a deferral of determination. However, the Panel considers that further design refinements and/or further information is required such as:

- (a) Adequate building separation
- (b) A reduction in the glazed facades to Canterbury Rd
- (c) Addressing the poor internal circulation to the lift lobby and the presentation of the building entrance
- (d) Documented evidence regarding the efforts made to avoid isolation of 605 Canterbury Rd
- (e) The adequacy and location of the communal open space (potential may exist for the roof to be used for such a purpose).

CBLPP Determination

THAT Development Application DA-163/2018 Demolition of existing buildings and associated structures and the construction of a five storey residential flat building over two levels of basement parking be **REFUSED** in accordance with the Council staff report recommendation.

Vote: 4 – 0 in favour

DECISION

6 67 BURBANK AVENUE, PICNIC POINT: ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING

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:

- Richard Smyth (Applicant's planning consultant)
- Michael Wong (Applicant's architect)

Panel Assessment

Ian Stromborg was the Community Panel member present for the deliberation and voting for this item.

The Panel considered that the wall height on the side elevations complied with the 7 metre wall height standard.

The non-compliance with the 7 metre development standard on the rear elevation was acceptable as no privacy or overshadowing impacts would result. The proposal was therefore reasonable in the circumstances.

There were no objections to the proposal and it would not be visible from the street. Further, it would be barely discernible when viewed from the Georges River especially as the existing vegetation on the site (which would not be affected) would screen the proposal.

CBLPP Determination

THAT

1. Pursuant to the provisions of clause 4.6 of Bankstown Local Environmental Plan 2015, the Panel is satisfied that the written request in relation to the contravention of clause 4.3(2B(b) of the LEP adequately addresses the required matters in clause 4.6(3) of the LEP. The Panel agreed that the clause 4.6 request demonstrated that compliance with the wall height development standard was unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard. Further, the Panel considered that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
2. Development Application DA-643/2017 RE: Alterations and additions to the existing dwelling at 67 Burbank Ave Picnic Point be **APPROVED** in accordance with the conditions at Annexure A to this report.

Vote: 4 – 0 in favour

DECISION

7 1-17 SEGERS AVENUE, PADSTOW: APPLICATION TO AMEND BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015: 1-17 SEGERS AVE, PADSTOW

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:

- Anthony Betros (Applicant's town planner)
- Peter Smith (Applicant's urban designer)

Panel Assessment

Ian Stromborg was the Community Panel member present for the deliberation and voting for this item.

CBLPP Recommendation

THAT

1. The Panel recommends that the planning proposal not proceed to Gateway determination.
2. The Panel considers that the proposal is premature.
3. The proposal should be considered in light of (a) the Council's local strategic planning statement; and (b) future town centre studies.
4. The proposal does not have site specific merit when looked at in isolation with the surrounding neighbourhood.
5. A development control plan is required to be prepared before further consideration of the proposed rezoning of the site. That DCP must ensure delivery of the widening of the through site link.

Vote: 4 – 0 in favour

The meeting closed at 9:20 pm