

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

**HELD IN THE COUNCIL CHAMBERS
BANKSTOWN**

ON MONDAY 4 NOVEMBER 2019

PANEL MEMBERS

PRESENT: Mr Anthony Hudson -Chairperson
Mr David Epstein- Expert Member
Ms Barbara Perry- Expert Member
Mr Ian Stromborg OAM - Community Representative Revesby
Mr Karl Saleh - Community Representative Roselands

STAFF IN

ATTENDANCE: Ms Robyn Winn (Coordinator Governance)
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)
Ms Shona Porter (Acting Team Leader, not present for the closed session)
Ms Samantha Mitchell (Executive Planner, not present for the closed session)

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.03 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 recommendations from the Council staff, and the submissions made by objectors and the applicant and/or the applicant's representative(s) in 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

The minutes of the Canterbury Bankstown Local Planning Panel Meeting held on Monday 14 October 2019 were confirmed.

DECISION

- 1. 175 EDGAR STREET, CONDELL PARK: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A TWO STOREY CHILD CARE CENTRE FOR A MAXIMUM OF 60 CHILDREN, (8 X 0-2 YEAR OLDS, 20 X 2-3 YEAR OLDS AND 32 X 3-5 YEAR OLDS) AND 12 EMPLOYEES WITH ASSOCIATED PLAY AREAS AND BASEMENT CAR PARKING**

Site Visit

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

Written Submission

Written submissions were received by the Panel for this matter from:

- Lorna and Louis Haddad (objectors)

Public Addresses

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

- Alison Allmark (objector)
- Lorna Haddad (objector)
- Louis Haddad (objector)
- Maria Canturi (objector)
- Bernard Moroz - Planner (representing applicant)
- Adrian Zenere - Architect (representing applicant)
- Noel Childs - Acoustic Engineer (representing applicant)
- Benny Chen - Traffic Engineer (representing applicant)

Panel Assessment

Ian Stromborg was the community panel member present for the deliberation and voting for this matter.

The Panel agrees with the report and the recommendation for approval.

The Panel noted a concern from one objector regarding the two storey arrangement for the child care centre. There is no restriction in the legislation regarding the number of storeys for child care centres especially in the State Environmental Planning Policy. The applicant will need to obtain licence approval under the Child Care legislation. The Panel notes the centre is serviced by a lift from the basement area to the top floor.

The main concern of the residents related to the information provided by the applicant regarding general traffic safety and noise.

In relation to the survey, the applicant has confirmed that the survey was carried out on a week day, Thursday 8 November 2018 in school term, between 8 and 9 am, and 4 and 5 pm.

While the Panel understands there are safety concerns from residents given that Edgar Street is a busy road, the Panel accepts the traffic engineering evidence provided by the applicant and more importantly as confirmed by Council's Traffic Engineer that the centre can operate appropriately.

The Panel notes while this is a busy road, there are many other busy roads in the Canterbury Bankstown area, and this road is not a classified road.

The Panel considered the design and appearance in the streetscape. While the Panel accepts the development doesn't have to reproduce exactly what is in the streetscape, the Panel is of the opinion that the rendered feature of the front elevation is not in keeping with the streetscape and this section should be face-brick, similar to most other surfaces of buildings in the street.

One of the objector concerns related to stormwater disposal from the site. The Panel notes that this has been carefully considered by the applicant and Council officers and appropriate conditions have been included to ensure that there is an appropriate stormwater system which includes on-site detention, gravity charged and pump out with small absorption area at the rear of site.

The Panel notes the acoustic conditions, following an updated report from the initial Acoustic report by the applicant. This will include a timber lapped and capped 1.8 metre fence around the boundaries together with an angled (into the site) extension of the fence along the sides of the outdoor play areas on the northern and southern sides of the site.

Other conditions to be included are:

- a) Windows (other than those necessary near any boundary for fire rating purposes) are to be openable throughout the centre to allow natural airflow and cross ventilation.
- b) Appropriate sun shading to all windows on the north, east and west elevations.
- c) Provision of two levels in the rear yard as generally shown on Landscape Plan 18-3854 L01, Rev A, dated 1/4/2019 (however this will require revision for the purposes of providing disabled access to the rear area).

CBLPP Determination

THAT Development Application DA-956/2018 be **APPROVED** in accordance with the Council staff report recommendation, subject to the following amendments to the recommended conditions:

1. Addition of the following sentence at the end of Condition 2 e)
To include details of how water will be drained from the canopy addition onto the land and not in a way that impacts and travels onto the neighbour's property.
2. Addition of following points to Condition 2
 - g) Windows (other than those necessary near any boundary for fire rating purposes) are to be openable throughout the centre to allow natural airflow and cross ventilation
 - h) Appropriate sun shading to all windows on the north, east and west elevations (external louvers over windows on the west and east side, and either external louvers or horizontal awning over windows on north side)
 - i) Provision of two levels in the rear yard as generally shown on Landscape Plan 18-3854 L01, Rev A, dated 1/4/2019 (however this will require revision for the purposes of providing disabled access to the rear area).
 - j) The rendered feature of the front elevation to be face-brick instead of render, similar to most other surfaces of buildings in the street.

Vote: 4 – 0 in favour

DECISION

2. 24 ROSELAND DRIVE, ROSELANDS: INSTALLATION OF CONTROLLED (PAID) PARKING SYSTEM FOR THE EXISTING SHOPPING CENTRE COMPLEX INCLUDING MINOR CONFIGURATION OF THE CAR PARKING AREAS, ADDITIONAL CAR PARKING SPACES TO BE PROVIDED IN THE SOUTHERN CAR PARK AND ASSOCIATED INTERSECTION AND LANDSCAPING WORKS

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 by the Panel for this matter from:

- B J and M B Tuffy (objectors)

Public Addresses

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

- Jane Lui - representing Shop, Distributive & Allied Employees Association NSW Branch (objectors)
- Elizabeth Kadry (objector)
- Andrew Rowley - Vicinity PM (applicant)
- Jacqueline Parker - Urbis Town Planner (representing applicant)
- Stan Kafes - CBRK Traffic Consultant (representing applicant)

Panel Assessment

Mr Karl Saleh was the community panel member present for the deliberation and voting for this matter.

The Panel generally agrees with the report and the recommendation for approval.

The Panel was advised and observed on site that some new signage has been erected throughout the centre.

The Council was advised by the applicant's representatives that this signage was for a different control system than what was being requested in the development application.

However, the Panel (and Council officers) were concerned that the operation of this new system would interfere with and skew the results of the suggested survey as proposed in the conditions to establish the impact of the new system on the use of parking by the staff and any overflow onto residential areas which has always been a major concern of the Council.

The applicant indicated that they have decided not to proceed with the current signage and in fact some of the signage has already been covered up. Further, the applicant indicated that there was no need for this system in the event that the development application is approved.

The applicant's Traffic Engineer referred to two surveys rather than three as proposed by the Council. However, the applicant's Traffic Engineer made an assumption about commuter parking skewing the results. The Panel does not agree with this assertion, and agrees with the surveys proposed in the conditions put forward by the Council officers (noting as referred to above the removal of the new system).

The Panel notes in the 1992 consent for the centre (DA-5992/92 dated 11 February 1993), Condition 7 which would operate until this approval comes into effect. This means that conditions would need to be amended at the end of any trial period.

The Panel notes the SDA (Shop, Distributive & Allied Employees Association NSW Branch) representative advised the Association generally supported the fixed fee of \$4.00 for staff after the free four hour period. They were also concerned about safety issues for workers especially early starters and late finishers being near appropriate entry and exit points. The final concern related to the adequacy of parking, and the Panel is of the opinion that there is adequate parking given the large number of spaces for this centre.

CBLPP Determination

THAT Development Application DA-444/2017 be **APPROVED** in accordance with the Council staff report recommendation, subject to the following changes to the recommended conditions:

1. Addition of following Condition
6 A Prior to the issue of the Construction Certificate the plans be amended to show 450 lined car spaces close to exit/entry points within the centre (not on the roof top area and excluding the 300 southern carpark spaces), to provide safe parking for staff that arrive early (before sunrise) or stay late (after sunset).
2. Amendment of Condition 4 a) to read
4a. Parking surveys are to be carried out on the surrounding street network before the installation of all the systems the subject of this approval;
3. Addition of following to Condition 4
e) All complaints or concerns raised regarding the security or safety in relation to the southern carpark are to be recorded in the Complaints Register so that this information can be considered in any application to make the approval permanent following the 18 month trial period.
f) All existing new and recently erected parking signage that has been erected to control parking (including the enforcement penalty signs) be removed
4. Addition of following Condition
11 A The plans and details are to be reviewed having regard to CPTED (Crime Prevention Through Environmental Design) principles and any changes are to be made to ensure that these principles are appropriately addressed and adopted for the southern carpark area, and including the access from the main centre to the southern carpark area.
5. Addition of following Condition
66. The cost of the parking for customers and staff are to be fixed as per details of the development application for the trial period.

Vote: 4 – 0 in favour

The meeting closed at 7.40 p.m.