

**CITY OF CANTERBURY BANKSTOWN**

**MINUTES OF THE**

**CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING**

**HELD ON MONDAY 7 SEPTEMBER 2020**

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**PANEL MEMBERS**

**PRESENT:** Mr Anthony Hudson - Chairperson  
Mr Stephen Kerr - Expert Member  
Mr Richard Thorp - Expert Member  
Mr Tony Rodi - Community Representative Roselands

**STAFF IN**

**ATTENDANCE:** Ms Maryann Haylock (Local Planning Panel Administration Officer)  
Mr Ian Woodward (Manager Development, not present for the closed session)  
Ms Robyn Winn (Coordinator Governance, not present for the closed session)  
Mr George Gouvatsos (Coordinator Planning East, not present for the closed session)  
Ms Mine Kocak (Team Leader Planning East, not present for the closed session)  
Ms Sabina Jamo (Town 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.

**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 17 August 2020** be confirmed.

## DECISION

### 1 **8 / 13-15E Forrester Street, KINGSGROVE: INSTALLATION OF COOL ROOM FOR STORAGE OF BODIES PENDING FUNERALS**

#### **Site Visit**

Panel members carried out their own site inspections prior to the public hearing.

#### **Public Addresses**

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

- Kieran Spink (Head Petitioner representing objectors)
- Rebecca Goodman (Applicant)

#### **Panel Assessment**

Mr Tony Rodi was the Community Panel Member present for the deliberation and voting for this matter.

The Panel is of the opinion that the proposed development is an appropriate use for the site subject to conditions.

The Panel agrees that the proposed short term storage of bodies pending final funeral arrangements is a permissible use under IN2 Light Industrial zoning under the Canterbury Local Environmental Plan 2012.

As the use is not specifically prohibited it is “permissible with consent” because it is an unspecified permissible use.

Further, the panel agrees with the assessment in the report that the objectives of the IN2 zone have been appropriately considered and taken into account and that the proposed development meets these objectives.

The representative for the owners corporation raised concerns including increased insurance premiums, potential noncompliance with a strata by law for loading and unloading, nature of use being a deterrent to purchasers/tenants and concerns about religious beliefs.

In relation to the concern about the breach of a strata by law, the panel agrees with the merit assessment in the report and the proposed condition/POM that delivery vehicles reverse slightly into the unit.

The Panel notes that any by-law breach will be a civil matter between the owners corporation and the applicant.

In relation to the other issues raised by the owners corporation, the panel is of the opinion that these issues should be given little weight within the scope of the assessment process, which means they cannot support a refusal of the application.

The applicant’s Planner provided suggested changes to clarify particular proposed conditions and generally the panel agrees with these.

A condition is being suggested that the office space is limited to a maximum of 15% of the total floor area. The Panel is of the view that this condition is not necessary.

Finally, an issue raised by the panel with the applicant was procedures to be adopted in the event of an electricity outage. The applicant advised that there will be a backup generator installed to cater for this issue and there are industry agreements for the movement of bodies as necessary. A condition will be included for a backup generator to be included at Construction Certificate stage.

One panel member did not agree that consent should be granted.

### **CBLPP Determination**

THAT Development Application DA-1020/2019 RE: Installation of cool room for storage of bodies pending funerals be **APPROVED** in accordance with the Council staff report recommendation, subject to the following amendments to the recommended conditions (and consequential renumbering):

#### **Condition 2:**

*Development shall take place in accordance with the drawings listed in the table below, and affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.*

<b>Drawing No.</b>	<b>Drawing Title</b>	<b>Revision</b>	<b>Dated</b>	<b>Prepared by</b>
903/19	Ground Floor Plan First Floor Plan Section AA	-	November 2019 (Received by Council on 1 May 2020)	N.E.B – Affordable Plans
	Plan of Management	-	Received by Council on 1 May 2020	-

*Prior to issue of a construction certificate, the approved development drawings and the supplementary documentation must be amended as follows:*

- a)** *The plan of management referred to above to be amended to ensure that:*
- (i) only small rigid vehicles (or smaller vehicles) are to be utilised for transfers and deliveries to and from the site, and*
  - (ii) it relates to the approved storage use and not to any earlier proposed mortuary use.*

**b)** *Deleted*

#### **Condition 3**

*“This consent only allows the use of the premises for the temporary storage of deceased persons and ancillary office and storage areas.”*

#### **Condition 6**

*Deleted*

#### **Condition 7**

*All loading/unloading of bodies and/or coffins to take place wholly within the loading area allocated to the subject tenancy (and can also be partly within the unit) and screened from public view as per the Plan of Management.*

**Condition 8**

*The maximum size of vehicles making deliveries to and from the site must be limited to a small rigid vehicle.*

**Condition 10**

*The site is to only to be used for storage of bodies pending transfer and there is to be no body preparation or embalming undertaken on the site.*

**Condition 19**

*A separate application shall be submitted to Council prior to the erection of any additional signage unless the proposed signage is "exempt development" in accordance with the State Environmental Planning Policy: Exempt and Complying Codes 2008.*

**New Condition 19a (inserted prior to heading 'Conditions to be satisfied prior to occupation')**

19 a)

*A backup generator is to be installed to ensure that the appropriate temperature of the cool room is maintained during any periods of power outage. Details to be provided with the construction certificate application.*

**Condition 24**

*If a Trade Waste Agreement is required, one shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Wastewater treatment equipment is to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund. All wastewater treatment devices shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.*

**Condition 30**

*The final plan of management approved with the Construction Certificate forms part of the consent and the use is to be operated in accordance with this final plan of management. In the event of any inconsistency between the conditions of the consent and the final plan of management the conditions prevail.*

**Condition 37**

*All industrial activities are to be confined within the building and no such activity shall occur externally to the building including the storage of new and used materials.*

**Vote: 3 in favour / 1 against**

The meeting closed at 6:48pm.