

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

**HELD IN THE COUNCIL CHAMBERS
BANKSTOWN**

ON MONDAY 6 APRIL 2020

PANEL MEMBERS

PRESENT: Mr Anthony Hudson -Chairperson
Ms Jan Murrell - Chairperson / Expert Member
Mr Stephen Kerr- Expert Member
Ms Inaam Tabbaa - Community Representative Bass Hill
Ms Margaret Fasan - Community Representative Canterbury
Mr Karl Saleh - Community Representative Roselands

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 Mitchell Noble (Manager Spatial Planning, not present for the closed session)
Ms Robyn Winn (Coordinator Governance, not present for the closed session)
Mr Stephen Arnold (Coordinator Planning - West, not present for the closed session)
Mr George Gouvatsos (Coordinator Planning East, Development, not present for the closed session)
Ms Shona Porter (Coordinator Strategic Assessments, Spatial Planning, not present for the closed session)
Mr Ryan Bevitt (Senior Town Planner, not present for the closed session)
Ms Larissa Hubner (Strategic Planner, Spatial Planning, not present for the closed session)
Mr Bob Steadman (Town Planner, not present for the closed meeting)

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.00 PM.

INTRODUCTION

The meeting was held electronically due to the covid-19 situation .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 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 **2 March 2020 and 4 March 2020** be confirmed.

DECISION

- 1 159 PRIAM STREET, CHESTER HILL: DA-1159/2009/A – SECTION 4.55(2): RECONFIGURATION OF COMMERCIAL AND RESIDENTIAL APARTMENT (LEVELS 1-5) RESULTING IN TWO COMMERCIAL AREAS AND FOUR ADDITIONAL APARTMENTS, ASSOCIATED FAÇADE CHANGES AND MODIFICATION OF THE ONSITE PARKING SPACES. DA-940/2016/A – SECTION 4.55(2): MODIFICATION TO LEVEL 6 (RESIDENTIAL APARTMENTS) AND ASSOCIATED FAÇADE CHANGES.**

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:

- Tracy Alexakis (Owner)
- Emil Kucevic (Architect representing owner)
- Michael Kounellis (Architect representing owner)
- Andrew Martin (Town Planner representing owner)

Panel Assessment

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

CBLPP Determination

THAT Development Application DA-1159/2009A and DA-940/2016/A RE: DA-1159/2009/A - Section 4.55(2): Reconfiguration of commercial and residential apartments (Levels 1 – 5) resulting in two commercial areas and four additional apartments, associated façade changes and modification of the onsite parking spaces. DA-940/2016/A - Section 4.55(2): Modifications to Level 6 (residential apartments) and associated façade changes be **APPROVED** in accordance with the Council staff report recommendation.

Vote: 4 – 0 in favour

DECISION

- 2 APPLICATION TO AMEND CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012: 165-169 HOLDEN STRET, ASHBURY (ASHFIELD RESERVOIR)**

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:

- Barbara Coorey (Objector)
- Jillian Sneyd (Consultant representing applicant – Sydney Water)

Panel Assessment

Ms Margaret Fasan was the community Panel member present for the deliberation and voting for this matter.

The Panel agrees that a large part of the site can be rezoned low density residential.

However, the Panel does not agree that the rezoning should extend to the whole of the proposed lot 5 as shown in the indicative subdivision plan.

In the Panel's opinion the rezoning should be confined to generally the area of lots 1, 2, 3 and 4 with a single east west driveway on the southern side of any proposed lots.

While the Panel notes that there is the potential for another access way into Peace Park further north from the site, the Panel is of the opinion that this release of public land by the Waterboard provides an important opportunity for an additional pedestrian access way to the upper part of Peace Park. This would be in addition to any other access way that the Council may be able to arrange in the long term through the use of the Council land further to the north of the site. In the Panel's opinion, the additional public access way is an important public benefit that should occur from the rezoning of this land.

The Panel would have no objections to the southern boundary of the proposed rezoning being extended to the south to enable the east west driveway to include a proper pedestrian access along the length of the driveway to Peace Park which provides a clear line of sight from Holden Street to the park.

A sketch plan has been prepared to reflect the Panel's recommendation.

The other important matter for the Panel relates to remediation. The panel is of the view that the RAP must be prepared and finalised prior to any exhibition and this should be a requirement of the gateway determination. Further, the Panel is of the opinion that the remediation under the RAP must be carried out prior to the issue of any subdivision certificate.

The Panel notes that the Council's affordable housing strategy is currently a draft strategy. However, in the event that the policy or strategy adopted by the Council prior to any subdivision it should be applied at the subdivision stage in accordance with the adopted policy.

The Panel notes that the public speaker raised an issue about whether the proposal had been considered by any heritage officer of the Council.

The Panel notes that the NSW Heritage Office has provided detailed comments including proposed changes, as the reservoir is a State Heritage Item. The panel has been informed that the Council's Heritage officer has reviewed the application and supported the comments received from the NSW Heritage Office.

The Speaker also raised an issue effectively about density having regard to another planning proposal for another part of Ashbury.

In the Panel's opinion, the two proposals are separate and the Panel is not concerned about the small number of lots that would arise from this proposal.

Finally, mention was also made by the Speaker of the timing of a Planning Proposal in the current Covid-19 circumstances.

The Panel notes that the State Government has been firm in its direction to Councils and all Panels that they continue to operate during this time.

However, the Panel notes that the proposal is yet to be publically exhibited which will occur after a gateway determination from the Department. This will enable members of the public to respond in the usual way by email or in writing to the Planning Proposal which would be advertised in the usual way. This is consistent with advice received from the department 8th April 2020.

CBLPP Recommendation

The Panel recommends to the Council that:

1. The application to amend Canterbury Local Environmental Plan proceed to gateway subject to the following:
 - a) amend the PP to delete most of Lot 5 from the concept subdivision and continue the access road in a straight line from Holden St through to Peace Park to provide a direct line of sight from Holden St through to the Park as a community benefit (see attached sketch plan and notes "the Attached Plan").
 - b) in addition to the east west vehicular access on the southern part of the rezoned land, as described above, a separate public pedestrian access way for members of the public from Holden Street to Peace Park is to be provided on Sydney Water land within the curtilage of the Water Reservoir(see Attached Plan)
 - c) as a consequence of (a) and (b) the area to be rezoned from SP2 to R2 Low density be recalculated as generally shown in the Attached Plan
 - d) Apply a maximum building height of 8.5m to the portion of the site that is proposed for rezoning to R2 Low Density Residential.
 - e) Apply a minimum lot size of 460m² to the portion of the site that is proposed for rezoning to R2 Low Density Residential.
2. In the event that Council's affordable Housing strategy has been adopted, this is to be applied to the development at the subdivision stage.
3. Council prepare a site specific DCP Amendment as outlined in Section 5 of the officers report for this item to ensure a development outcome that is sympathetic to the character of the surrounding area and exhibit the draft DCP concurrently with the planning proposal.
4. Prior to any exhibition, following a gateway determination, the applicant is to prepare a Remediation Action Plan (RAP) and update the supporting studies to reflect the outcome of the RAP including a Site Audit Report (SAR) covering the RAP provided by EPA Accredited Site Auditor.

Vote: 4 – 0 in favour

DECISION

- 3 188 LAKEMBA STREET, LAKEMBA: DEMOLITION OF EXISTING FACTORY AND CONSTRUCTION OF A FIVE STOREY SHOP-TOP DEVELOPMENT CONSISTING OF 25 RESIDENTIAL UNITS, THREE COMMERCIAL TENANCIES AND TWO LEVELS OF BASEMENT PARKING.**

Site Visit

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

Public Addresses

There was no public address for this item.

Panel Assessment

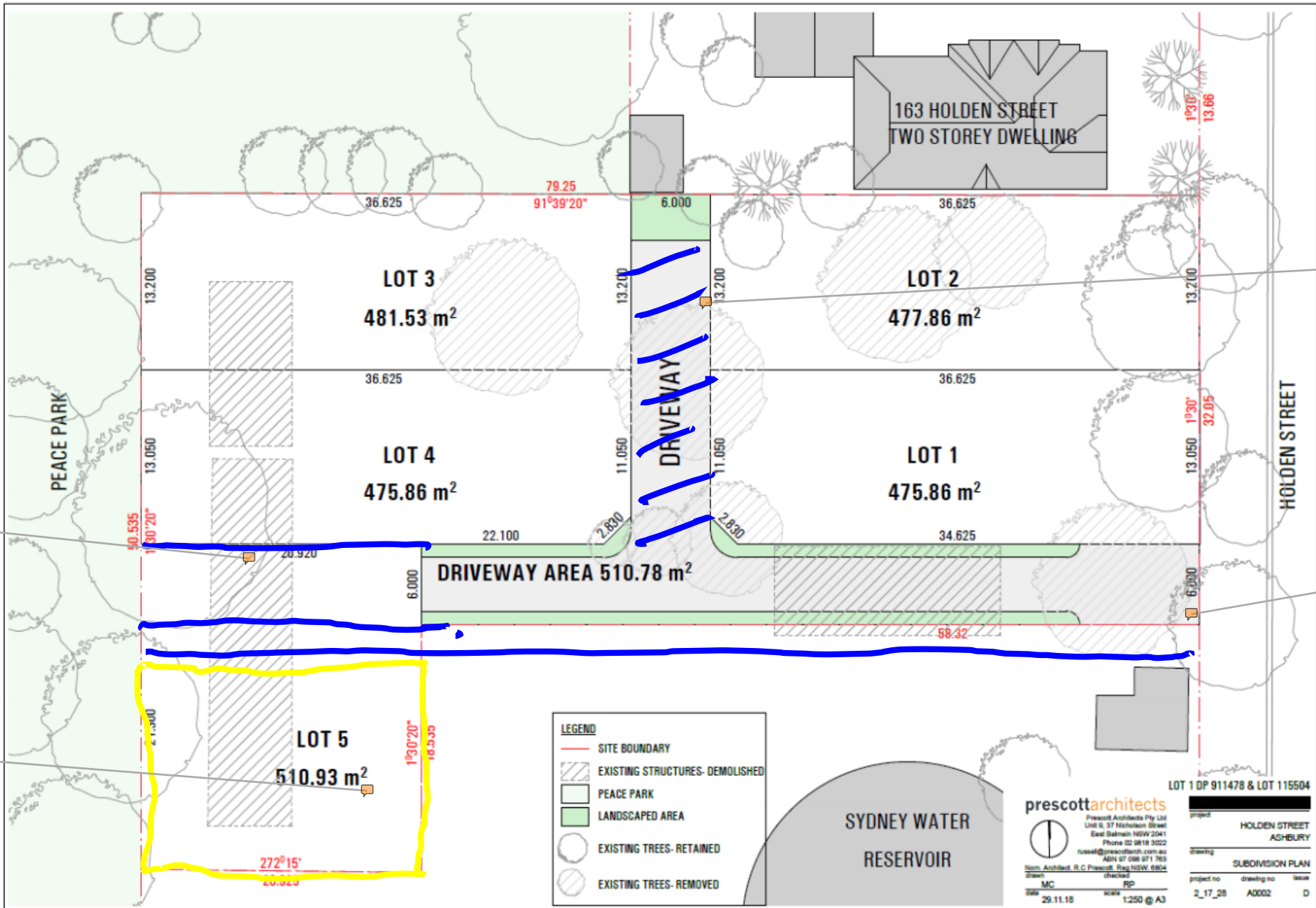
Mr Karl Saleh was the community Panel member present for the deliberation and voting for this matter.

CBLPP Determination

THAT Development Application DA-507/2017 RE: Demolition of existing factory and construction of a five storey shop-top development consisting of 25 residential units, three commercial tenancies and two levels of basement parking be **APPROVED** in accordance with the Council staff report recommendation.

Vote: 4 – 0 in favour

The meeting closed at 6:40pm



1-3

1-6

1-2

1-4

Notes

1-2 Consider deleting and re-orienting lots 3 and 4 and potentially creating a new lot 5.

1-3 Extend driveway

1-4 Widen to provide separate pedestrian path.

1-6 Delete lot 5 and retain current zone except for extended driveway and pedestrian path.