

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

HELD ON MONDAY 7 JUNE 2021

PANEL MEMBERS

PRESENT: Mr Grant Christmas - Chairperson
Ms Helen Deegan - 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 Brad McPherson (Manager Governance, not present for the closed session)
Mr Ian Woodward (Manager Development, not present for the closed session)
Mr George Gouvatsos (Coordinator Planning East, not present for the closed session)
Mr Bob Steadman (Team Leader Planning East, not present for the closed session)
Ms Alice Pettini (Executive Planner, not present for the closed session)
Ms Casandra Gibbons (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.

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.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

THAT the minutes of the Canterbury Bankstown Local Planning Panel Meeting held on **Monday 3 May 2021** be confirmed.

THAT the minutes of the Canterbury Bankstown Local Planning Panel Electronically determined by the Panel on **Monday 17 May 2021** be confirmed.

DECISION

- 1 **DA-566/2021 - 2 CHELMSFORD AVENUE, BELMORE: DEMOLITION OF EXISTING SITE STRUCTURES AND CONSTRUCTION OF A FIVE STOREY MIXED USE DEVELOPMENT COMPRISING OF A GROUND FLOOR RETAIL PREMISES, A COMMERCIAL PREMISES ON THE FIRST FLOOR AND A RESIDENTIAL FLAT BUILDING CONTAINING FIVE APARTMENTS WITH ROOFTOP COMMUNAL OPEN SPACE.**

Site Visit

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

Public Addresses

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

- Ms Patricia Mendes Chand - (representing objector Mr Mendes)
- Andrew Martin - (Town Planner representing applicant)
- Chris Khoury - Applicant
- Simon Elias - Owner

Panel Assessment

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

The Panel acknowledged the site constraints and the difficulties in designing a development on a small site at a zoning interface. Despite this, the Panel considered that there were amendments that could be made to render the development more compliant with the existing controls, which would have a better outcome for the immediate adjoining property at 4 Chelmsford Avenue, Belmore. In this regard, the Panel considered that compliance with the building height envelope was a critical matter, which could resolve a number of competing design issues.

The Panel did not consider the retail space on the ground floor to be a major impediment to the grant of a consent and it could be amended to provide for a permissible use. The Panel considered that the commercial space on the first floor was problematic and a residential use may be more appropriate.

The Panel carefully considered the Applicant's request to defer the application to permit the Applicant to reply and provide further information to the Council in response to the Council Officer's report. The Panel considered that a request pursuant to Section 8.3 of the Environmental Planning and Assessment Act 1979 was the appropriate mechanism to further consider the application. This allows the applicant an opportunity to provide amended plans that respond to the issues raised by the Council Officer's report.

CBLPP Determination

THAT Development Application DA-566/2020 be **REFUSED** in accordance with the Council staff report recommendation, subject to an amendment to the reasons for refusal 11(a) to refer to a deficiency of "3 parking spaces".

Vote: 4 – 0 in favour

2 DA-999/2019 - 38-40 CROYDON STREET, LAKEMBA: CONSTRUCTION OF A TWO STOREY BOARDING HOUSE DEVELOPMENT COMPRISING 28 BOARDING ROOMS PLUS ONE MANAGER ROOM, WITH BASEMENT CAR PARKING AND ASSOCIATED SITE WORKS.

Site Visit

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

Public Addresses

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

- Mr Dan Changer - (representing objector Ms Loh)
- Mr Elie Sleiman - Applicant

Panel Assessment

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

The Panel (by majority) considered the application to be well designed and worthy of approval. In particular, the Panel acknowledged that the design respected the applicable zoning and made an appropriate transition to the adjoining B2 and R4 zones.

The Panel noted the objections made to the application because of a lack of on-site parking. However, the Panel was of the view that the site is well served by public transport and the development made adequate provisions for motorcycle and bicycle parking in the basement.

The Panel also noted that a comprehensive Plan of Management accompanied the development application and that the Council Officer's recommendation included suitable conditions to give effect to the Plan of Management.

One of the Panel members cast a dissenting vote, considering that certain design elements needed to be conditioned or amended to be supported with the following changes:

- a pitched roof form;
- an improved landscaped area solution on the southern side of the building; and
- improved sun control devices on the northern, eastern and western side of the building.

CBLPP Determination

THAT Development Application DA-999/2019 be **APPROVED** in accordance with the Council staff report recommendation, subject to an amendment to condition 5 to read as follows:

- 5) *The Plan of Management prepared by Concise Planning titled 'Operational Plan of Management', dated 6 May 2021 forms part of the development consent. In the event of any inconsistency, the conditions of this consent will prevail over the plan of management. The Plan of Management is to be amended and a final copy is to be provided to the Council before commencement of the use. The required amendments are:*

- (a) *Section 1 of the Plan is to refer to 28 single boarding rooms; and*
(b) *A section of the Plan is to be included to state that; "The Plan is to be reviewed every 2 years (from the commencement of the use) by the building operator. A copy of the reviewed Plan of Management is to be provided to the Council."*

Vote: 3 for and 1 against

The meeting closed at 6.50 pm.