

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

HELD ON WEDNESDAY 7 JULY 2021 (VIA ZOOM)

PANEL MEMBERS

PRESENT: Mr Anthony Hudson - Chairperson
Mr David Epstein - Expert Member
Mr Richard Thorp - Expert Member
Mr Ian Stromborg - Community Representative Revesby

STAFF IN

ATTENDANCE: Ms Maryann Haylock (Local Planning Panel Administration Officer)
Mr Simon Manoski (Director Planning, not present for the closed session)
Mr Brad McPherson (Manager Governance, not present for the closed session)
Mr Mitchell Noble (Manager Spatial Planning, not present for the closed session)
Ms Robyn Winn (Coordinator Governance)
Mr Patrick Lebon (Senior Strategic Planning, not present for the closed session)

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.01 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 recommendations from the Council staff and the submissions made by members of the public and providing advice to Council on the planning proposal.

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 7 June 2021** be confirmed.

DECISION

1 **Planning Proposal for Western Sydney University Milperra Site at 2 and 2A Bullecourt Avenue, Milperra (RZ-3/2020)**

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 from Chris Gallagher, Monique Scott and Chris Dewhurst (Bankstown Bushland Society)

Public Addresses

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

- Ms Renae Carter (objector)
- Mr Michael Mulvihill (objector)
- Ms Nicole Carter (objector)
- Mr Chris Brogan (objector)
- Mr Graham Tomkinson (objector)
- Ms Sonia Freston (objector)
- Mr Nino Babani – Development Director Mirvac
- Linda Rodriguez – Senior Project Manager - Elton Consulting/WSP
- Bill Parasiris – Chief Estate & Commercial Officer Western Sydney University

Panel Assessment

Mr Ian Stromborg was the Community Panel Member present for the deliberation and voting for this matter.

The Panel is supportive of the planning proposal and agrees with the recommendation subject to a few additional items as referred to below.

As stated in the report the Proposal has strategic merit as it will:

- Provide new housing, housing choice and diversity that contributes to Council's LSPS targets.
- Deliver zoning that will be compatible with the adjoining residential, education and industrial zonings.
- Contribute to the jobs growth target in the LSPS and South District Plan.
- Provide approximately 1,200 new residents within the Bankstown Airport and Bankstown CBD Collaboration Area proximate to employment opportunities.
- Retain the existing remnant bushland on the site and not propose any development within the bushland area.
- Provide new off-road cycling connections with the surrounding area.
- Make provision of 5% affordable housing via a monetary contribution to Council.
- Contribute towards local community services and facilities.

The Panel accepts that the Council has some more specific details to be discussed and agreed upon with the applicant.

The Panel makes the following observations about the matters raised in the submissions:

(a) Traffic and traffic congestion:

The applicant's traffic reports have been peer reviewed by an independent consultant engaged by the Council and this review was further considered by Council's traffic experts.

No determining traffic issues have been identified and any additional traffic impacts will not cause the levels of service of the key intersections to be changed or reduced to unacceptable levels.

These reports and analysis concentrate on peak periods, this being the standard method of traffic analysis. However, the Panel also notes the advice from Council that the total traffic movements per day will only increase from 3500 to 3690 which is relatively insignificant.

The final widths of the proposed minor roads and laneway roads are not resolved and the Panel agrees with the Council recommendation about the widths for the proposed DCP.

(b) Ownership and sale of site:

The Panel understands the concerns of residents that the site was originally provided to the University many years ago and prior to that was also used for educational use.

The Panel notes that the University's ownership and rights to sell and deal with the land are not constrained by any government or title requirements.

Further the University has advised the Panel that:

- (a) there was no interest from state or federal government in the land, and
- (b) the University student feedback is for campuses to be more centrally located near transport hubs

The Panel also notes the move away from this campus is part of the University's overall plan which includes the new campus in Bankstown's central area.

Finally, a reasonably large part of the site is not part of the planning proposal and will extend the existing educational use by Mount St Joseph Catholic College Milperra.

(c) Trees:

The Panel agrees with the comments from the residents (and the council) about actively retaining and preserving the numerous trees on the site outside of the Cumberland Plain EEC area (which will be preserved).

The applicant has changed the position of the middle public open space area for this purpose and the Panel agrees with the recommendation about a further arboricultural report to continue to press this issue, which will also inform the changes to the sites Terrestrial Biodiversity mapping for the planning proposal.

(d) References to the number of dwellings in Policy Documents:

Comments were made that the number of dwellings proposed in the planning proposal is contrary to the Council's South West Local Area Plan.

The Panel notes the comments in the report about this issue that this document has been superseded by Council's more current policy document - Local Strategic Planning Statement (Connective City 2036).

The Panel notes the comments in the report about these matters on pages 50 and 51 of the report including how the proposal is consistent with the latest policy document especially having regard to the changed needs of the university as referred to (b) above.

The Panel consider that it will be important to ensure that the existing Milperra community embraces the new addition to their suburb, rather than view it as a foreign incursion; and to that end Council should work with the Applicant to achieve as many harmonious aspects into the project as possible. Such matters as using visible finishing materials to the new housing, that are already familiar in current dwellings will be important. Access into the new areas should be inviting, and every opportunity to engage the existing with the new should be pursued. New Parks should be clearly described and 'sign posted' as being for all residents. Even selection of landscaping materials should be done with a view of knitting together the two areas. The existing parts of Milperra could benefit by Council adding new street trees and other upgrades in common with the new development. These are matters that could be addressed in the DCP.

The Panel request that the applicant considers when appropriate to carefully consider the naming of the new streets and parks.

The current residential area of Milperra mostly has community facilities named after places, battles and VC recipients etc. from World War One.

The site was part of the original Soldiers Settlement in Milperra and therefore consideration for some recognition of that history be incorporated in the new development and if possible as part of the DCP.

As a final comment balancing and weighing up all the issues, the Panel is of the view that the proposal has merit and importantly will contribute to delivering appropriate additional and diverse housing stock needed to accommodate the population of Sydney.

Additional matters to be added to the recommendation are;

- (a) Further information being provided by the applicant in relation to how the proposal will respond to the change in levels across the site, as well as the likely approach to any cut and fill, with a view to minimise loss of trees
- (b) undergrounding powerlines along Ashford Avenue being added, subject to any relevant Ausgrid approval
- (c) construction of a footpath and landscaping along the eastern side of Ashford Avenue being added
- (d) Council consider asking the applicant to contribute to cycleway connections to Panania Station to promote the use of public transport as an option for travel to work for existing and future residents in Milperra.

CBLPP Recommendation to Council

1. The application to amend the draft Canterbury Bankstown Local Environmental Plan 2021 proceed to Gateway subject to:
 - (a) Inclusion of a Floor Space Ratio control for all R1 zoned residential land, consistent with Council's policy approach throughout the rest of the Local Government Area. This may be a scaled control to allow more density for dwellings on smaller lots and may impose an overall floor space density cap for the site. This is to be resolved prior to reporting this application to Council.
 - (b) Prior to public exhibition occurring the following additional information is submitted by the applicant:
 - i. Additional flooding and stormwater related information to confirm:
 - a. Consistency with the State-led Flood Prone Land planning changes effective from 14 July 2021.
 - b. The minimum floor levels of future development required to address 1 in 100 year and Probable Maximum Flood events on the site.
 - c. Details of the types of stormwater treatment measures.
 - d. Calculations of the stormwater detention requirements and to clarify post-development stormwater discharge rates.
 - ii. Further arboricultural assessment to confirm trees to be retained based on the revised site structure plan. This may inform additional street tree planting and canopy cover in the draft DCP.
 - iii. Further ecological analysis to confirm the extent and location of ecologically significant land on the site and that the draft CBLEP 2021 Terrestrial Biodiversity Map be amended accordingly.
 - iv. An updated Remediation Action Plan to include additional testing and development of the recommended remediation strategy and a Site Audit Statement that verifies the Remediation Action Plan methodology and data, is to be provided to Council.
2. Council prepare a site specific DCP Amendment as outlined in Section 4 of the council officers report, and exhibit the DCP Amendment concurrently with the Planning Proposal, subject to the following:
 - i. The road reserves being 18m wide for local roads, 17.2m for minor local roads, and 8.5m for laneways as outlined in Section 4.9 of this report.
 - ii. Further solar access modelling on smaller lots to confirm that private open space and living areas receive suitable sunlight.
 - iii. Further information being provided by the applicant in relation to how the proposal will respond to the change in levels across the site, as well as the likely approach to any cut and fill, with a view to minimise loss of trees
 - iv. Addressing the comments above about integrating the new area with the existing and the street naming.
3. A planning agreement be prepared and exhibited alongside the Planning Proposal, subject to the following:
 - i. Agreement being reached by the applicant and Council on the affordable housing monetary contribution and other issues prior to the matter being considered by Council.
 - ii. Development contributions under s7.11 and s7.12 being payable in addition to any public benefit offer, consistent with Council's Planning Agreement Policy.
 - iii. Undergrounding powerlines along Ashford Avenue being added, subject to any relevant Ausgrid approval

- iv. Construction of a footpath and landscaping along the eastern side of Ashford Avenue being added
 - v. Council consider asking the applicant to contribute to cycleway connections to Panania Station
4. The applicant updating the supporting studies prior to exhibition to reflect the amendments to the Planning Proposal to check that any changes since the previous reports are not inconsistent with previous suggestions or recommendations etc
 5. The applicant and council to provide the Department as part of the request for gateway determination with an indication of who will own the Cumberland Plain EEC area and how it will be preserved and managed.
 6. Council seek authority from the Department of Planning, Infrastructure and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.

Vote: 4 – 0 in favour

The meeting closed at 7:02pm