

**CITY OF CANTERBURY BANKSTOWN**

**MINUTES OF THE**

**CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING**

**HELD ONLINE MONDAY 11 OCTOBER 2021**

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**PANEL MEMBERS**

**PRESENT:** Mr Grant Christmas - Chairperson  
Mr Stephen Kerr - Expert Member  
Ms Barbara Perry - Expert Member  
Ms Inaam Tabbaa - Community Representative Bass Hill  
Mr Graeme Wilkinson – Community Representative Revesby (also representing Bankstown)

**STAFF IN**

**ATTENDANCE:** Ms Maryann Haylock (Local Planning Panel Administration Officer)  
Mr Ian Woodward (Manager Development, not present for the closed session)  
Mr Mitchell Noble (Manager Spatial Planning, not present for the closed session)  
Mr Stephen Arnold (Coordinator Planning West, not present for the closed session)  
Ms Robyn Winn (Coordinator Governance, not present for the closed session)  
Mr Mauricio Tapia (Coordinator Strategic Planning, not present for the closed session)  
Mr Camille Lattouf (Team Leader City Shaping Projects Spatial Planning, not present for the closed session)  
Mr Kyou Won Rhee (Strategic Planner, Spatial Planning, not present for the closed session)  
Mr Ryan Bevitt (Senior Town Planner, not present for the closed session)  
Mr Aidan Harrington (Town Planner, not present for the closed session)

**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.06 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 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. Ms Barbara Perry declared a non-significant, non-pecuniary interest with respect to Item 3 in that she was also a former parliamentarian at the same time as one of the speakers. The Chair accepted that the interest was not significant and not pecuniary and permitted Ms Perry to consider and vote on Item 3.

## **CBLPP Determination**

### **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

THAT the minutes of the Canterbury Bankstown Local Planning Panel Meeting held on **Thursday 9 September, Friday 10 September and Monday 13 September 2021** be confirmed.

### **DECISION**

#### **1 Draft Affordable Housing Contribution Scheme and Planning Proposal**

##### **Site Visit**

A virtual online site inspection was undertaken by the Panel members prior to the public hearing.

##### **Public Addresses**

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

- Ms T Thach

##### **Panel Assessment**

Mr Graeme Wilkinson was the Community Panel Member present for the deliberation and voting for this matter.

In broad terms, the Panel supports the preparation of an Affordable Housing Contribution Scheme and the intended outcomes of the draft planning proposal.

In particular, the Panel notes the following positive attributes of the Draft Affordable Housing Contribution Scheme and Planning Proposal:

- It is aligned with the South District Plan which recommends an affordable housing target generally in the range of 5–10% of new residential floor space subject to viability testing (emphasis added).
- The fact that the proposed Affordable Housing Contribution Scheme has been signalled to the market well in advance of the draft Planning Proposal via the Bankstown Masterplan.
- The robust viability testing that has been undertaken.

The Panel also notes, however, that the proposed method of calculating the Affordable Housing Contribution is by applying it to the total residential gross floor area of new development, rather than just the new residential floor space arising from the Bankstown Masterplan. The Panel understands this has been proposed to simplify the administration of the Affordable Housing Contribution Scheme and that to ensure viability, the Affordable Housing Contribution amount has been set at 3% of the total residential floorspace of development, rather than 5%-10% of the new residential floorspace (i.e. the additional residential floorspace resulting from the uplift in FSR created by the Bankstown Masterplan).

The Panel considers this approach has the potential to cause the following issues:

- The proposed Affordable Housing Contribution Scheme cannot be easily or directly compared with the affordable housing target in the South District Plan because they are both calculated differently.
- Properties subject to the Affordable Rental Housing Scheme that benefit from a larger proportionate FSR uplift make a lower Affordable Rental Housing Scheme contribution relative to the uplift than those with a lower proportionate uplift.

The Panel acknowledges, however, that there are other factors which should be balanced against these issues. Some (but not all) of these would include:

- The complexity that the bonus FSR provisions would add to an alternate contribution formula.
- The views of government agencies.
- Consistency with other Affordable Housing Contributions Schemes now operating within the wider metropolitan region.
- Maintaining consistency with the Affordable Housing Contribution figure published in the Bankstown Masterplan.

#### **CBLPP Recommendation**

THAT in the opinion of the Panel, the proposed Affordable Housing Contributions Scheme and Planning Proposal merits proceeding. The Panel also recommends, however, that further consideration be given to whether it would be desirable instead to nominate on the proposed Affordable Housing Contributions Scheme Map, in a similar manner to the Floor Space Ratio Map, the FSR uplift of individual properties (i.e. the difference between the old and the new FSR). The Affordable Housing Contribution formula would then be applied to the residential gross floor area calculated using this figure, and the percentage figure adjusted accordingly.

The benefits of this approach are that:

- The Affordable Housing Scheme will be applied consistently and equally to the uplift created by the Bankstown Masterplan.
- There will be a direct 'line of sight' between the uplift created by the Bankstown Masterplan and the Affordable Housing Contribution.
- The resulting percentage figure will be directly comparable with the affordable housing target in the South District Plan.

**Vote: 4 – 0 in favour**

## **2 DA-582/2020 - 197-201 RODD STREET, SEFTON: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A TWO-STOREY, 115 BED RESIDENTIAL CARE FACILITY WITH BASEMENT PARKING AND SERVICE ACTIVITIES WITH ASSOCIATED LANDSCAPING AND SITE WORKS**

#### **Site Visit**

A virtual online site inspection was undertaken by the Panel members prior to the public hearing.

#### **Public Addresses**

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

- Ms Sharna Labbe Principal Sefton Infants School Community (objector)
- Ms Adrianna Papaspiros (objector)
- Mr Con Papaspiros (objector)
- Mr John Papaspiros (objector)
- Mr Kevin Taylor CareSpace Properties P/L (representing applicant)

#### **Panel Assessment**

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

The Panel determined that the subject site, while mapped as “Biodiversity” under the LEP, such did not prohibit the proposed development, but did require a careful merit assessment. The Panel noted that the Council had sought legal advice and that the proposed use was otherwise permissible in the zone. The Panel was also satisfied that the impacts on the vegetation on the site were acceptable.

The Panel carefully considered the issues relating to both the initial construction traffic and the traffic associated with the completed development. The Panel determined that more robust conditions were required to manage the construction traffic, in particular, a specific requirement for a Construction Management Plan which included a detailed requirement for liaison between the developer and the School.

The Panel considered that subject to additional and refined conditions the proposal was worthy of approval, and noted that construction of the development would assist with the increased provision of aged accommodation.

#### **CBLPP Determination**

THAT Development Application DA-582/2020 be **APPROVED** in accordance with the Council staff report recommendation, subject to the following amendments to the recommended conditions:

(a) Condition 3.26 – delete paragraph (b).

(b) Insert an additional condition as follows:

“A Construction Traffic Management Plan (the CTMP) is to be approved by the Council’s Traffic Engineer prior to the issue of a Construction Certificate. The CTMP is to provide for the following:

1. A consultation program with the Sefton Infants School before commencement and during construction of the development;
2. Measures to restrict construction traffic during the 40 km/h school zone periods for both the morning and afternoon; and
3. Measures to restrict construction traffic to a left turn only movement from Rodd Street into the development site.”

(c) Insert an additional condition as follows:

“A dilapidation survey must be undertaken by a professional engineer for all of the adjoining properties and is to detail the physical condition of all structures (including driveways, retaining walls, and other outdoor structures such as carports, pergolas, awnings, pools, fencing etc), both internally and externally, including such elements as walls, ceilings, roofs, structural members and other similar elements. The dilapidation survey must consider structural as well as hydrological and geotechnical factors likely to arise from the development. It must be submitted to the Principal Certifier and all costs associated with preparing the survey must be borne by the person having the benefit of this Determination Notice. This survey must be provided in hard copy to the relevant adjoining property owners prior to the issue of a Construction Certificate.”

**Vote: 4 – 0 in favour**

### **3 DA-1053/2020 67 LAMBETH STREET, PANANIA: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A TWO-STORY, 76 PLACE CHILD CARE CENTRE WITH BASEMENT CAR PARKING**

#### **Site Visit**

A virtual online site inspection was undertaken by the Panel members prior to the public hearing.

### **Public Addresses**

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

- Ms Wendy Limnios (objector)
- Ms Daniella Assaf (representing applicant)
- Mr Scott Barwick Planner – SJB Planning (representing applicant)
- Mr Frank Sartor Consultant – SPP Services (representing applicant)
- Mr Matthew McCarthy Traffic Engineer – McLaren Traffic (representing applicant)
- Mr Steven Cooper Acoustic Engineer – The Acoustic Group (representing applicant)

### **Panel Assessment**

Mr Graeme Wilkinson was the Community Panel Member present for the deliberation and voting for this matter.

The Panel considered that this proposal was worthy of approval and was generally consistent with the Council's quantitative controls. In respect to the number of storeys, the Panel agreed with the Council officer's conclusion that the incursion of the basement above the ground level did not have adverse impacts nor result in a 3 storey appearance.

Revised conditions were required in regard to the dilapidation report requirements and to limit the privacy impacts from the first floor windows of the development to No. 65 Lambeth Street.

The Panel noted that the car parking to be provided in the basement complied with the Council's minimum requirement and that the traffic counts carried out by the Applicant's traffic engineer could be relied on as they were not undertaken during the 2020 pandemic lockdown period.

### **CBLPP Determination**

THAT Development Application DA-1053/2020 be **APPROVED** in accordance with the Council staff report recommendation, subject to the following amendments to the recommended conditions:

- Condition 1.1(a) be amended to replace "obscured via glazing" to state "etched obscure glazing".
- Condition 2.26 be amended to add: "The timed parking zone be provided for the life of the child care centre development."
- Condition 5.16 be amended to replace "reference number: 50.5424.R1A:MCC, dated 10 November 2020" with "reference number: 50.5424.R1B:MCC, dated 14 April 2021".
- Condition 6.4 be amended to delete "4 hours" and replace with "5 hours".

**Vote: 4 – 0 in favour**

The meeting closed at 7.12 p.m.