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 recommendation from the Council staff and the submissions made by objectors and the applicant and/or the applicant’s representative(s) and determining the development applications and providing advice to Council on planning proposals.

DECLARATIONS OF INTEREST
The Chairperson asked the Panel if any member needed to declare a pecuniary interest in any of the items on the agenda. There were no declarations of interest.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

CBLPP Determination
THAT the minutes of the Canterbury Bankstown Local Planning Panel Meeting held on Monday 8 October, 2018 be confirmed.
DECISION

1. 154 HECTOR STREET, CHESTER HILL: CONVERSION OF EXISTING UNAUTHORISED OUTBUILDING TO A SECONDARY DWELLING.

Site Visit
An inspection of the site was undertaken prior to the last CBLPP meeting held on 8 October, 2018 by the Panel and staff members. Mr David Epstein was not present at the meeting on 8 October. An independent inspection of the site was conducted by Mr Epstein prior to the public hearing on 5 November, 2018.

Public Addresses
There was no public address for this item.

Panel Assessment
Ms Inaam Tabbaa was the community Panel member present for the deliberation and voting for this matter.

The Panel considered this matter at the previous meeting on 8 October, 2018.

A further report has been put to the Panel which provides an assessment under the legislation following clarification of the issues previously raised by the Panel.

The Panel agrees with the assessment and the Panel’s assessment has not changed.

In terms of the LEP, the proposal cannot be approved because the floor area of the secondary dwelling is greater than 60 square metres. Under Clause 5.49 of the LEP a secondary dwelling must not exceed 60 square metres (or 10% of the floor area of the principal dwelling) and this development standard cannot be varied by using Clause 4.6 of the LEP (Clause 4.6(8)(c)).

Further under clause 4.3(2B)(a) of the LEP the maximum wall height for a secondary dwelling is 3m. The proposal has a wall height of 3.4m. No clause 4.6 variation has been submitted for this development standard.

This means that the proposal is prohibited under the LEP.

In terms of the SEPP the application fails because there is also a 60 square metre requirement under clause 22(3)(b). No clause 4.6 variation has been submitted to vary this development standard (noting that clause 4.6 of the LEP relates to variations to the LEP and any other planning instruments).

In addition, the Panel is of the opinion that there are merit grounds to support a refusal of the application and these matters are:

a) the site is considered unsuitable for the proposed development in that it would result in excessive site coverage and inadequate private open-space,
b) there is inadequate direct solar access to living areas and poor amenity (room sizes) for the bedrooms in the dwelling, and

c) a bathroom off the kitchen is both unsatisfactory and is likely not compliant with the BCA.
CBLPP Determination
THAT Development Application DA-655/2018 be REFUSED as per the reasons for refusal in Council staff report, with reason 12 being amended to read:
12. The site is considered unsuitable for the proposed development because:
   a) there would be excessive site coverage and inadequate open space
   b) inadequate direct solar access to living areas and poor amenity (room sizes) for the bedrooms, and
   c) a bathroom off the kitchen is unsatisfactory.
   [Pursuant to Section 4.15(i)(a)(iii) of EPA Act]

Vote: 4 – 0 in favour

DECISION

2 APPLICATION TO AMEND CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012: 194-198 LAKEMBA STREET, LAKEMBA AND 56-57 RAILWAY PARADE, LAKEMBA

Site Visit
An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

Public Addresses
The following people addressed the meeting in relation to this item:
• Sonny Embleton – Town Planner (on behalf of the applicant)
• Matthew Pullinger – Architect and Urban Designer (on behalf of the applicant)
• Mark Syke – Applicant

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

The Panel notes the submissions of the applicant:-
   a) the Planning Proposal is independent of the Sydenham to Bankstown Urban Renewal Corridor Strategy (SBURCS) and was developed as part of a strategy with Site A.
   b) the site will inevitably be developed in conjunction with the metro upgrading of the train connections.
   c) that further work can be carried out to improve the Planning Proposal to address the issues raised in the report.

In contrast to this, the council officers’ position is that the planning of this precinct and area cannot proceed until further work has been carried out to determine the future direction of the Lakemba precinct with input from the community and the Department of Planning and Environment together with the infrastructure planning that will support the increased density for this area.

While the Panel accepts that the site will ultimately accommodate increased development, the Panel agrees with the position of the Council staff.

There are a number of Urban design matters that need to be addressed which are set out in the report, in particular:
- the lack of a prescribed FSR combined with a blanket 40m height limit
- the low scale of surrounding development
- the 40m street wall height for 34m along Lakemba Street
- the 53m length of built form on the Croydon Street frontage without articulation
- the significant overshadowing of the proposed communal open space by the 12 storey building on Lakemba Street
- the lack of upper level setbacks
- increasing the ground floor commercial space
- impacts/separation integration with adjoining site to West.

The Panel also agrees that a Planning Proposal for these two sites would have repercussions for other sites in the local area and would be used as potential precedent for other sites which may seek to progress ahead of the settled strategic direction for the area.

In relation to Site A, the Panel notes that this site has progressed much further and was the subject of resolution prior to SBURCS and that it will proceed as a stand-alone Planning Proposal. This however does not justify proceeding with the proposed Planning Proposal.

The Panel is of the opinion that Site C must be part of a dedication package to the council in any further iteration of the Planning Proposal. This site is a small site and is effectively part of, or interconnected with, the existing park. It would be very difficult to develop and it seems clear to the Panel that this is a site that should be incorporated into the existing park, which would be part of the negotiation with the council in terms of benefits to the public of the Planning Proposal.

The Applicant has requested that the matter be deferred to enable the Applicant to carry out further work and have further discussion with the council staff to address the issues in the Council report.

The Panel agrees with the council officer’s recommendation that the Planning Proposal not proceed at this stage.

However, this would not prevent the applicant from doing their own further work on the Planning Proposal which would be required whether the Planning Proposal moved forward now or at a later time.

**CBLPP Recommendation**

1. The Planning Proposal not proceed at this stage until further development and direction has been developed for the site and the area.
2. The proposal be reconsidered by Council when a vision for the Lakemba Town Centre has been established and Council and the Department of Planning and Environment have reached agreement on the approach to managing planning proposals in the corridor.
3. When the proposal is further considered the applicant should clearly indicate how Site C could be dedicated to the council as part of the reserve within the planning proposal.

**Vote:** 4 – 0 in favour

**3 25 DRAVET STREET: EXISTING GARAGE AS A SECONDARY DWELLING AND CONSTRUCTION OF A DETACHED CARPORT**

**Site Visit**

An inspection of the site was undertaken prior to the last CBLPP meeting held on 8 October, 2018 by the Panel and staff members, independent inspections were conducted by Mr Graeme Wilkinson and Mr David Epstein prior to the public hearing on 5 November, 2018.
Public Addresses
There was no public address for this item.

Panel Assessment
Mr Graeme Wilkinson was the community Panel member present for the deliberation and voting for this matter.

The Panel previously questioned the assessment framework for secondary dwellings and this has now been determined and the further report provided to the Panel.

The Panel agrees with the report and the assessment.

Further the Panel notes that there is a clause 4.6 variation to vary the 3m height limit under Clause 4.3(2B)(a) of the LEP and the Panel supports this variation for the reasons set out in the report. The Panel also notes there is a variation to the setback in the DCP which is also acceptable to the Panel.

CBLPP Determination
1. The Panel has formed the necessary opinions of satisfaction under clause 4.6(4) of the LEP and the clause 4.6 variation is upheld.

2. Development Application DA-437/2018 be APPROVED in accordance with the Council staff report recommended conditions of consent.

Vote: 4 – 0 in favour

The meeting closed at 7.45 p.m.
Declaration of Interest

MEETING DATE: 5/11/18
Agenda Item/Panel reference number: 154 Hector Street Croydon Hill 1km 1.

In relation to this matter, I declare that I have:

- no known conflict of interest [✓]

- an actual[1] [ ], potential[2] [ ] or reasonably perceived[3] [ ] conflict of interest as detailed below:

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  [Signature] 5/11/18

Please return this form to the Planning Panels Secretariat at enquiry@planningpanels.nsw.gov.au

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Declaration of Interest

MEETING DATE: 5/11/18

Agenda Item/Panel reference number: Item 2 56-57 Railway Parade Lakemba P. Proceed

In relation to this matter, I declare that I have:

- no known conflict of interest ✓
- an actual, potential or reasonably perceived conflict of interest as detailed below:

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Signature: ___________________________ Date: 5/11/18

Name: ___________________________

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Declaration of Interest

MEETING DATE  5/11/18
Agenda Item/Panel reference number  Item 3  25 Drove st

In relation to this matter, I declare that I have:

[ ] no known conflict of interest

[ ] an actual\(^1\), potential\(^2\), or reasonably perceived\(^3\) conflict of interest as detailed below:

[ ]

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[ ]

[ ]

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[ ]

_________________________________________  ______________________________________
Signature Date

_________________________________________
Name

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# Declaration of Interest

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In relation to this matter, I declare that I have:

- no known conflict of interest [x]
- an actual [ ], potential [ ] or reasonably perceived [ ] conflict of interest as detailed below:

  
  
  
  
  
  
  
  
  
  
  
  
  
  

[Signature]  
31/10/2018 [Date]

DAVID EPSTEIN [Name]

Please return this form to the Planning Panels Secretariat at enquiry@planningpanels.nsw.gov.au

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Declaration of Interest

MEETING DATE  |  5 November 2018
Agenda Item/Panel reference number |  Hum 1 - 154 Heelas St Chester Hill

In relation to this matter, I declare that I have:

no known conflict of interest □

an actual¹ □, potential² □ or reasonably perceived³ □ conflict of interest as detailed below:

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Signature  |  30/10/18
Anthony Christo

Name

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In relation to this matter, I declare that I have:

- [ ] no known conflict of interest
- [ ] an actual¹, potential² or reasonably perceived³ conflict of interest as detailed below:

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**Signature**

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**Date**

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**Name**

Grant Anthony Chisholm

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<td>Agenda Item/Panel reference number</td>
<td>Item 3 - 25 Darley St Podiatry</td>
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In relation to this matter, I declare that I have:

- no known conflict of interest □
- an actual\(^1\) □, potential\(^2\) □ or reasonably perceived\(^3\) □ conflict of interest as detailed below:

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Signature .......................................................... Date 30/10/18

Name ..........................................................

Please return this form to the Planning Panels Secretariat at enquiry@planningpanels.nsw.gov.au
Declaration of Interest

MEETING DATE  5.11.2018

Agenda Item/Panel reference number 3

In relation to this matter, I declare that I have:

no known conflict of interest ✓

an actual¹ ☐, potential² ☐ or reasonably perceived³ ☐ conflict of interest as detailed below:

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Signature  5.11.2018

Name  GRAHAM YOUNG

Please return this form to the Planning Panels Secretariat at enquiry@planningpanels.nsw.gov.au

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Declaration of Interest

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In relation to this matter, I declare that I have:

- no known conflict of interest ☒
- an actual¹ □, potential² □ or reasonably perceived³ □ conflict of interest as detailed below:

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... Karl Saleh

Name

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Declaration of Interest

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<td>Agenda Item/Panel reference number</td>
<td>Item 1, 154 Hector St Chester Hill</td>
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In relation to this matter, I declare that I have:

no known conflict of interest ✓

an actual\(^1\) □, potential\(^2\) □ or reasonably perceived\(^3\) □ conflict of interest as detailed below:

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Signature ___________________________ Date 05.11.2018

Name _______________________________

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