

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

**HELD IN THE COUNCIL CHAMBERS
BANKSTOWN**

ON MONDAY 30 SEPTEMBER 2019

PANEL MEMBERS

PRESENT: Mr Anthony Hudson - Chairperson
Ms Helen Deegan - Expert Member
Mr Richard Thorp AM - Expert Member
Mr Allan Winterbottom - Community Representative Bankstown

STAFF IN

ATTENDANCE: Ms Maryann Haylock (Local Planning Panel Administration Officer)
Mr Brad McPherson (Manager Governance, not present for the closed session)
Mr Simon Manoski (Director Planning, Planning Management, not present for the closed session)
Mr Mauricio Tapia (Team Leader Strategic Planning, not present for the closed session)
Ms Lindsey Dey (Spatial Planning Development, not present for the closed meeting)

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.00 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 report and the recommendations from the Council staff and the submissions made by the applicant and/or the applicant's representative(s) in 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 2 September 2019 be confirmed.

DECISION

Planning Proposal: 74 Rickard Road and Part 375 Chapel Road, Bankstown

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:

- Bill Parasiris (WSU representing applicant)
- Stuart McIntosh (WSU representing applicant)
- Murray Donaldson (Urbis representing applicant)

Panel Assessment

Mr Allan Winterbottom was the community Panel member present for the deliberation and voting for this matter.

The Planning Proposal before the Panel relates only to increasing the height control and FSR control for the site as follows:

	FSR	Height
From	4-5:1	53m
To	8:1	83 m

This equates to an increase in height of approximately 9-10 storeys. This height is to be confirmed in consultation with Bankstown Airport and the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development.

The site is owned by the Council and the University is negotiating a long term 99 year lease with the Council (not relevant to or part of the Panel's considerations).

The Panel has taken into account the adjoining development sites - the compass site and the Bankstown Central, which already have 83m height limits.

The Panel accepts that the proposal for a vertical campus building is of high strategic merit and agrees that the additional height and FSR is appropriate for the site having regard to the proposed use as a university.

The Panel accepts that part of the need for the additional FSR is the particular requirements of the user being a university which requires different types of spaces that are necessary for a vertical university campus as opposed to a commercial office building.

The Panel is of the opinion that the application is an unusual planning proposal because the proposed increase in height and FSR has not been guided by a DCP. Further, the Panel notes that a State DA is to be lodged shortly with the applicant having already received the Planning Secretary's Environmental Assessment Requirements (dated 24 August 2019 - SEARS).

While a DCP may not strictly apply to a state significant DA a site specific DCP will indicate to the community what the applicant's and the Councils intended outcomes are for the site.

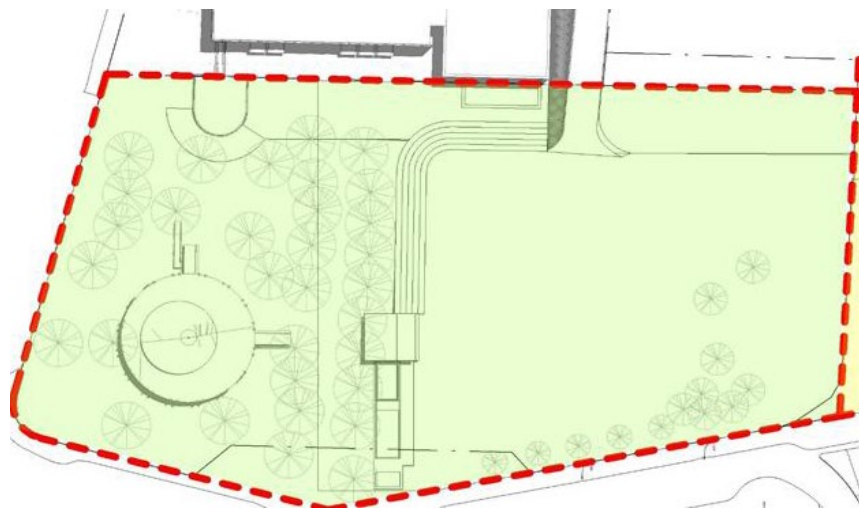
Generally, the DCP should cover the matters raised in the Council officer Report, these minutes and from additional studies/information to be provided as outlined in the recommendations. In the Panel's view of particular importance will be controls about:-

- a) solar access and what is to be achieved in Paul Keating Park in the area around the site (see below)
- b) public domain works in Appian Way
- c) parking – the reduced amount of parking because of the site user and the location of the site, having regard to transport availability including the new Metro (this would be subject to usual requirements for disabled parking and some visitor spaces)
- d) linking of the Paul Keating masterplan with the DCP
- e) set back controls
- f) pedestrian linkages around and through the site and to the transport options around the site

The DCP should be a gateway condition and is to be prepared prior to any public exhibition so that it can be part of the public exhibition.

In relation to solar access/overshadowing control the Panel agrees with the suggested control as follows:

- Development must allow for 4 hours of continuous solar access to a consolidated area of Paul Keating Park between 10am and 3pm on 21 June (inclusive of existing shadow). The size of the consolidated area must be a minimum 50% of the area of Paul Keating Park (not including the footprint of existing buildings including the Council chambers).
- The consolidated area means one continuous area of land to prevent the 50% being made up from a number of non-contiguous areas and the area for the 50% calculation is the area shown in the red dotted area (which excludes the Appian Way).



Wind assessments are proposed and should be carried out to address the areas that were identified in The Pedestrian Wind Environment Study which will experience strong winds above the relevant criteria.

There will need to be a separate agreement in relation to the flooding. The applicant has indicated and the Council agrees, that an additional culvert at North Terrace is required and that this will benefit a number of sites. The Panel understands that there will be negotiations and discussions and an overall agreement between a number of landowners to enable this to occur. The works will need to be carried out prior to any occupation of the site, to ensure flooding risks have been managed.

The Panel generally agrees with the recommendation that a number of further studies are required prior to exhibition. As the report notes, it is important that the studies are identified for the purposes of any Gateway determinations so that the studies can be carried out prior to the exhibition and then provided as part of the exhibition.

These studies will also provide further information for the proposed DCP. In the event that the studies recommend further actions or controls, these should be incorporated into the DCP.

The Panel accepts the particular studies as set out in the report and referred to in the recommendation.

Noting that the use is for a university and that an education establishment is permissible with consent in the BLEP2015 B4 mixed use zone to create more certainty that the proposed FSR and height increase are designed to facilitate delivery of the university, the Panel suggests that consideration be given to whether the proposed changes are implemented by a clause 2.5 additional permitted use/schedule 1 change for the site. This could restrict the changes to a university use and include other controls such as the solar access control to Paul Keating Park.

CBLPP Recommendation

The recommendation of the Panel to the Council is:

1. The application to amend Bankstown Local Environmental Plan 2015 proceed to Gateway subject to the following:
 - (a) Permit a maximum 83 metre building height subject to consultation with Bankstown Airport and the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development.
 - (b) Permit a maximum 8:1 FSR subject to the proposal satisfying the solar access and wind impact requirements as outlined in section 5 of this report.
2. The amendments to BLEP2015 consider using Clause 2.5 to create more certainty around the linking FSR and height to the proposed university use.
3. Council to complete the Paul Keating Park Masterplan to gain a deeper appreciation of the eventual built outcome of the park (including the provision of active street frontage of The Appian Way, Rickard Road and the Park).
4. Council request the applicant to provide the following detailed responses and/or justifications for Council's consideration and any outcomes from these studies be incorporated into the DCP as appropriate. This work and the DCP is to occur prior to exhibition of the planning proposal and DCP (post gateway):
 - a) how the proposal may address the need for public domain works at The Appian Way (between Rickard Road and The Mall), Civic Drive, Jacobs Street and Rickard Road, to improve pedestrian connections to public transport and shops (the public domain works would be consistent with the Draft Bankstown Complete Streets Transport and Place Plan),
 - b) how the proposal may address the bike parking requirement and associated end-of-trip facilities on the site,
 - c) an updated SIDRA traffic model to address the identified gaps for the purposes of consultation with the Roads and Maritime Services,

- d) how the proposal may address the car parking requirements for students, staff and visitors (if the applicant is unable to meet these requirements, Council's Planning Agreements Policy may be applied to address the shortfalls),
- e) how the proposal may address the on-site loading space requirements, and
- f) further analysis to demonstrate how the proposal would comply with the proposed solar access control, and minimise wind impacts, noting that the proposed 8:1 FSR may need to be reduced to adequately address these issues (this analysis may also assist in the reduction of visual bulk, which has been raised as design issue).

- 5. Council prepare a draft site specific DCP to be exhibited concurrently with the planning proposal. The DCP would address all the relevant site specific planning matters referred to in the Report to the Panel, these minutes and any necessary outcomes from Council's consideration of the above mentioned (item 4) reports and information to be submitted by the applicant.

Vote: 4 – 0 in favour

The meeting closed at 6:34 pm