

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

HELD ON 5 MAY 2025

PANEL MEMBERS Julie Walsh - Chair
PRESENT Ian Arnott - Expert Member
Marcus Trimble - Expert Member
Osman Said - Community Representative.

STAFF IN ATTENDANCE

Joanna Niedbala - Administration Officer Local Planning Panel
Ian Woodward - Manager Development (not present for the closed session)
Stephen Arnold - Coordinator Planning West (not present for the closed session)
George Gouvatsos - Coordinator Planning East (not present for the closed session)
Robert Steedman - Team Leader Planning East (not present for the closed session)
Kim Johnston - Independent External Consultant, KJ Planning (not present for the closed session).

The Chairperson declared the meeting open at 6.00 pm.

ACKNOWLEDGEMENT OF COUNTRY

The Canterbury Bankstown Local Planning Panel acknowledges the traditional custodians of the land, water and skies of Canterbury-Bankstown, the Darug People. The Panel recognises and respects Darug cultural heritage, beliefs and relationship with the land and the Panel acknowledges the First Peoples' continuing importance to the CBCity community.

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, 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 PREVIOUS MEETING

The minutes of the Canterbury Bankstown Local Planning Panel meeting held on 3 March 2025 were confirmed.

ITEMS

1. **DA-1480/2024 - 153 Penshurst Road, Narwee**

Alterations and additions to an approved shop top housing development including the construction of 2 additional residential floors containing a total of 10 residential apartments

Site Visit

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

Public Addresses

Mirwan Hanna from Multiform Design & Construction Pty Ltd and Ross Howieson, Ross Howieson Architects (applicant's representatives) responded to Panel questions.

Community Member

Osman Said was the Community Panel Member present for the deliberation and voting for this matter.

CBLPP Determination

THAT Development Application DA-1480/2024 be **DEFERRED** for electronic determination by the Panel upon receipt of a set of consolidated conditions providing for amendment of the relevant conditions in the base consent (DA-157/2022). Such conditions to be provided within 14 days.

The Panel requires the conditions in the staff report to be amended as follows:

- (a) Modify Condition 6 by amending the Housing and Productivity Contribution base component so it reads: "\$30,000 (i.e. 3 apartments at \$10,000 each)".
- (b) Add the following Condition under "Before Issue of An Occupation Certificate" section:

Final registration of restriction for affordable in-fill housing

Prior to the issue of the Occupation Certificate, the developer shall register, on the title of the subject property, a Restriction on the Use of Land, in accordance with Section 21 of State Environmental Planning Policy (Housing) 2021, and the appropriate provisions of the Conveyancing Act 1919, including wording to the following effect:

For a period of at least 15 years commencing on the day an occupation certificate is issued for the development –

- a. *The 7 dwellings to be used for the purposes of affordable housing (i.e. apartments 103, 104, 105, 203, 204, 205 and 304) must be used for the purposes of affordable rental housing, in accordance with State Environmental Planning Policy (Housing) 2021.*
- b. *The affordable housing component will be managed by a registered community housing provider.*

The developer shall submit to Council an application for a Land Title Dealing, seeking Council's endorsement of a Section 88E Instrument under the Conveyancing Act, 1919. Final wording will be subject to Council's satisfaction.

A statement shall be placed on the Section 88E Instrument that nominates Canterbury-Bankstown Council as the only authority empowered to release, vary or modify the restrictions created.

The location of the "7 dwellings to be used for the purposes of affordable housing" shall be identified on an A4 size site plan attached to the Section 88E Instrument.

Evidence of the final registration of the Restriction on the title of the property shall be provided to Council and the principal certifier, prior to issue of the Occupation Certificate.

Condition reason: To ensure compliance with the relevant New South Wales legislation.

- (c) Amend Condition 76 to read as follows:

Number of car parking spaces

51 off-street car parking spaces, of which a minimum 38 residential spaces, a minimum 6 visitor spaces, and a minimum 6 retail spaces, shall be provided. All spaces are to be sealed and line marked and maintained for the lifetime of the development.

Note: 7 of the required car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.

Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.

- (d) Amend Condition 77 to read as follows:

Accessible car allocations

Accessible car parking spaces for people with mobility impairment allocated to residential units are only to be allocated to adaptable units. Where allocated to adaptable units, the unit(s) and car spaces must be assigned to the unit in any future strata subdivision of the building.

Condition reason: To ensure orderly development of land.

Vote: 4 – 0 in favour

Reasons for decision

To obtain from Council officers a compiled set of conditions for the overall development of the site for consideration prior to determination of the application.

2. DA-1206/2024 - 151 Belmore Road North, Riverwood

*Conversion of a garage to a food bank in an existing community facility
[Council Related Application]*

Site Visit

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

Public Addresses

Michel Toubia, E.S. AU Pty Ltd (applicant's representative) addressed the Panel speaking in favour of the application.

Community Member

Osman Said was the Community Panel Member present for the deliberation and voting for this matter.

CBLPP Determination

THAT Development Application DA-1206/2024 be **APPROVED** subject to the Council staff recommended Conditions of Consent with the following amendments:

- (a) Amend Condition 2 to read as follows:

Hours of operation

The hours of operation of the use of the premises as a Foodbank shall be limited to between:

- (a) Monday: 9:00am - 5:00pm*
- (b) Wednesday: 9:00am - 2:00pm*
- (c) Thursday: 5:00pm - 7:00pm*
- (d) No operation or deliveries on Tuesday, Friday, Saturday, Sunday or Public Holidays.*

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

- (b) Add additional Condition 2A as follows:

Maximum number of staff and volunteers

The maximum number of staff and volunteers on site at any one time shall be 12.

Condition reason: To ensure the development remains consistent with the details contained in the application.

(c) Amend Condition 9 to read as follows:

No Cooking

No cooking or handling of food is to be undertaken at the premises without the prior written consent of Canterbury Bankstown Council.

Condition reason: To ensure that the development complies with Council's Environmental Health Policies.

Vote: 4 – 0 in favour

Reasons for decision

The Panel generally agrees with the Council staff report. The Panel has modified the conditions for clarity and certainty.

The applicant addressed the Panel and requested additional hours of operation to those contained in the application lodged. The Panel is unable to agree to this request as the application has been notified with the original hours applied for.

The meeting closed at 6.17 pm.