

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

HELD ON 8 SEPTEMBER 2025

PANEL MEMBERS

PRESENT

Patrick Carl Scully - Chair
Glennys James PSM - Expert Member
Jason Perica - Expert Member
Peter Menton - Community Representative
Vicki Chen - Community Representative.

STAFF IN ATTENDANCE

Joanna Niedbala - Administration Officer Local Planning Panel
Brad McPherson - Manager Governance and Property Services (not present for the closed session)
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)
Andrew Hargreaves - Team Leader Planning East (not present for the closed session)
George Telo - Town Planner (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 the agenda item. There were no declarations of interest.

CONFIRMATION OF PREVIOUS MEETING

The Chair noted that the minutes of the Canterbury Bankstown Local Planning Panel meeting held on 11 August 2025 had been confirmed as correct.

ITEMS

1. DA-170/2025 - 67, 69, 73 and 75 Lawford Street, Greenacre

Demolition of existing structures, the consolidation of 3 allotments and construction of a 3-storey self-storage facility including one basement level and related landscaping (as provided by the applicant on the Pre-Lodgement Application Form)

Site Visit

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

Public Addresses

Brad Delapierre, Think Planners (applicant's representative) addressed the Panel speaking in favour of the application and responded to Panel questions.

Community Member

Peter Menton was the Community Panel Member present for the deliberation and voting for this matter.

CBLPP Determination

THAT Development Application DA-170/2025 be **REFUSED** for the reasons set out below:

1. The Panel is not satisfied that the applicant's written contravention request in accordance with Clause 4.6 of the Canterbury Bankstown Local Environmental Plan 2023 (the LEP) has adequately demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the LEP is unnecessary or unreasonable, nor that there are sufficient environmental planning grounds to contravene the development standard. [Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*].
2. The proposed development is unsatisfactory in terms of its failure to satisfy the objectives of Clause 4.4 of the Canterbury Bankstown Local Environmental Plan 2023 with regard to ensuring that the bulk of non-residential development adjoining a residential zone is compatible with the prevailing suburban character and amenity of the residential zone. [Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*].
3. The proposed development fails to satisfy the objectives of the E4 General Industrial Zone that refers to development not adversely affecting the living environment or amenity of the area. [Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*].
4. The proposed development does not comply with Chapter 3.7 of the Canterbury Bankstown Development Control Plan 2023, with regard to Landscape Design. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].

5. The proposed development does not comply with Section 2.2 of Chapter 9.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to the minimum setback to primary street frontage. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
6. The proposed development does not comply with Section 2.7 of Chapter 9.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to the compatibility of the proposed development with the adjoining residential zone. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
7. The site has a sensitive interface with adjoining residential land and is on a prominent site. The proposal adopts poor site planning, reflected by excessive driveway crossings, reduced street parking, inadequate and compromised landscaped areas and inadequate setbacks.
8. Insufficient information has been submitted with the proposal, in relation to:
 - (a) Accurately identifying the proposed Floor Space Ratio in the submitted Clause 4.6 Contravention Request;
 - (b) Information to ensure the terms of an existing easement related to a telecommunications tower are not legally compromised; and
 - (c) A Plan of Management to address a range of operational matters, including but not limited to potential conflicts in loading storage units and vehicular/pedestrian movements, hours of operation and deliveries during late sensitive hours, noise, community liaison, CCTV, goods safety, scheduling, security and the like. [Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*].

These important omissions compromise assessment of the proposed development and reaching a conclusion the site is suitable for the proposed development. [Pursuant to section 4.15(1)(b) and (c) of the *Environmental Planning and Assessment Act, 1979*].

9. Having regard to the previous reasons above, approval of the development application is not in the public interest. [Pursuant to the provisions of Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*].

Vote: 4 – 0 in favour

Reasons for decision

The Panel generally agrees with the Council staff report that the application should not be approved.

In terms of the Panel reasons, given the application is refused, the reasons for refusal are contained in the decision itself. These reasons include some additions and refinements to reasons recommended by Council staff.

The applicant's representative did request the matter be deferred. The Panel considered that the likely response would not satisfactorily address and resolve some

fundamental concerns with the proposal regarding bulk, site planning, setbacks and landscaping, nor that approval was likely to be achieved in a timely and efficient way. So, the deferral request was not supported by the Panel.

2. DA-1197/2024 - 83 Jocelyn Street and 54 Chester Hill Road, Chester Hill

Consolidation of existing properties, partial demolition, alterations and additions to existing buildings and a change of use to an educational establishment for 228 children, with associated parking and landscape works

Site Visit

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

Public Addresses

Hye-Young Woo addressed the Panel on behalf of Heon Seok Lim (objector). Jasey Siu (objector) addressed the Panel speaking against the application on behalf of neighbours living in Chester Hill Road and Jocelyn Street. George Nehme, Pivotal Planning and Vince Doan, TRAFFIX (applicant's representatives) addressed the Panel speaking in favour of the application and responded to Panel questions.

Community Member

Vicki Chen was the Community Panel Member present for the deliberation and voting for this matter.

CBLPP Determination

THAT Development Application DA-1197/2024 be **APPROVED** subject to the Council staff recommended Conditions of Consent with the following amendments:

1. Relocate Condition 7 under "Before issue of an Occupation Certificate" Section as Condition 120.
2. Amend Condition 43 to read as follows:

Council's Tree Management Order

Approval in accordance with Council's Tree Management Order (TMO) is granted to lop or remove only those trees identified to be lopped or removed on the approved plans. Specifically, trees authorised for removal are only to include the following trees as referenced within the arborist report titled 83 Jocelyn Street Chester Hill NSW 2162 Arboricultural Impact Assessment, prepared by Arbor Express, Project Number: AIA17/12/2024, Version v2, Dated 21/1/2025.

Tree Removal

Trees 5, 7-12, 15, 19-28, 31-34, 36 and 38-44 are located within the footprint of the development and must be removed for the development to proceed.

Trees 2, 3, 4, 6, 16 and 18 have a major encroachment from the proposed development of over 10%. These trees have been recommended for removal to

accommodate the proposed development due to the major TPZ encroachment and root loss.

If not indicated on the approved plans, separate approval must be obtained to prune or remove trees on adjoining properties or other trees located on the site. A person(s) who contravenes or causes or permits the TMO to be breached shall be guilty of an offence and liable for prosecution.

Condition reason: *To accurately identify the trees to be removed or retained as part of this development as identified in the Arboricultural Impact Assessment.*

3. Amend Condition 45 to read as follows:

Fencing

The construction certificate plans must include a provision for the replacement of all existing boundary fencing where such fencing does not reach a height of 1.8 metres and/or is not of suitable quality or standard. Replacement fencing must be 1.8 metres high unless otherwise shown on the approved plans regarding acoustic fencing or as stipulated within this determination notice. Acoustic fencing must be installed as detailed in clause 5.7.4 in the approved acoustic report and be constructed as outlined in clause 5.7.4(b). Where fencing is proposed along boundaries shared with other properties (other than a road reserve), the fencing must be selected and constructed in accordance with the requirements of the Dividing Fences Act 1991, however, all costs associated with the fencing are to be borne by the consent holder.

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

4. Add additional Condition 121 as follows:

Community Liaison

That prior to the use of the premises as an Education Establishment, the owner of the site is to appoint a Community Liaison Committee. The purpose of the Community Liaison Committee is to proactively foster positive community relations with those owners and occupants of properties that immediately adjoin as well as those that are nearby the premises. The Community Liaison Committee shall be appointed by the Education Establishment and who shall meet at least once each quarter. Adjoining and nearby property owners and occupants shall be invited to each meeting and be given an opportunity to raise operational issues for the Committees consideration, action and response. The Education Establishments website shall clearly advertise the Community Liaison Committee and include contact details (e.g. email) on how members of the community can raise matters with the Community Liaison Committee. The issues raised with, and actions taken by, the Community Liaison Committee shall be published on the website within two weeks after each quarterly meeting.

Condition reason: To ensure the Education Establishment provides a platform for the local community to express its concerns about the impact from the operation of the premises and for positive, timely and accountable action to be taken.

5. Add additional Condition 122 as follows:

Hours of Operation

The premises shall operate from 8:00am to 3:30pm (Monday to Friday). Staff may attend from 7:00am to 6:00pm. Morning drop-off will be between 8:00am to 8:30am. Afternoon drop-off will be between 3:00pm to 3:30pm. Recess will occur from 10:30am to 11:00am. Lunch will occur from 12:30pm to 1:00pm.

Condition reason: To ensure the operation of the Education Establishment does not pose an unreasonable acoustic and traffic impact on local residents and general amenity.

6. Add additional Condition 123 as follows:

Quantity of children permitted in the outdoor play area

The quantity of children permitted in the outdoor play area is restricted to Play Area 1: 26 children; Play Area 2: 30 children; Play Area 3: 20 children; Play Area 4: 92 children; and the Oval: 60 children.

Condition reason: To ensure the operation of the Education Establishment does not pose an unreasonable acoustic impact on local residents and general amenity.

Vote: 4 – 0 in favour

Reasons for decision

The Panel approves the application for the reasons set out in the Council staff report. The Panel has modified the conditions for clarity and certainty.

The Panel heard from residents who objected to the development in relation to noise, traffic but the Panel was satisfied that appropriate conditions had been imposed which adequately dealt with these issues. The Panel noted that the new school will use the existing aged care building which has been present in the local residential community for some time.

The meeting closed at 7.16 pm.