

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

HELD ON 8 DECEMBER 2025

PANEL MEMBERS

PRESENT

Patrick Carl Scully - Chair
Michael Baker - Expert Member
Jason Perica - Expert Member
Vicki Chen - Community Representative
Peter Menton - 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)
Stephen Arnold - Coordinator Planning West (not present for the closed session)
Robert Steedman - Team Leader Planning East (not present for the closed session)
Natasha Parasiris - Town Planner (not present for the closed session)
Christine Sison - Executive Planner (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 3 November 2025 had been confirmed as correct.

ITEMS

1. DA-929/2025 - 16-22 Pheasant Street, Canterbury

Demolition of existing on-site structures and construction of a multi dwelling housing development of 18 two-storey dwellings with associated landscaping and swimming pool above a basement garage

Site Visit

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

Public Addresses

One written submission from an objector.

The following objectors addressed the Panel speaking against the application:

- Rita Karraz, and
- George Antonopoulos.

The following applicant's representative addressed the Panel speaking in favour of the application and responded to Panel questions:

- Joe El-Sabbagh, Designcorp Architects Pty Ltd.

Community Member

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

CBLPP Determination

THAT Development Application DA-929/2025 be **REFUSED** for the following reasons:

Matters which inhibit legal ability to grant consent

1. The proposed development, pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, is not consistent with State Environmental Planning Policy (Resilience and Hazards) 2021 with respect to Chapter 4, Section 4.6 'Remediation of Land'. The Preliminary Site Investigation found sufficient evidence, uncertainty and/or suspicion of on-site contamination to require further investigation – by way of a Detailed Site Investigation, which was not provided. As such, the application does not satisfy the relevant provisions of the State Environmental Planning Policy (Resilience and Hazards) 2021.
2. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 4.6 'Exceptions to development standards' of the Canterbury-Bankstown Local Environmental Plan 2023 relating to height and floor space ratio (FSR). The development application was not accompanied by a written request for the proposed variation to Clause 4.3 for height, nor (as potentially required) Clause 4.4 for FSR.
3. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 6.3 'Stormwater Management and water sensitive urban design'

of the Canterbury-Bankstown Local Environmental Plan 2023 relating to the proposed stormwater disposal. The application proposes to manage stormwater from the site by running a pipe across a piece of unknown land, and into Cup and Saucer Creek. Certainty surrounding the owner's consent and management of this matter has not been provided.

4. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 6.9 'Essential services' of the Canterbury-Bankstown Local Environmental Plan 2023 relating to stormwater and waste. The proposed stormwater system connection and temporary waste storage areas are not supported.
5. The proposed development, pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, is not consistent with State Environmental Planning Policy (Sustainable Buildings) 2022 with respect to BASIX commitments. The submitted application included several areas of inconsistency and omissions with regard to the commitments as laid out in the BASIX certificate. As such, the application does not satisfy the relevant provisions of the State Environmental Planning Policy (Sustainable Buildings) 2022.

Matters relating to environmental planning instruments

6. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 1.2 'Aims of Plan' of the Canterbury-Bankstown Local Environmental Plan 2023 relating to aims (a), (d) and (j). The application fails to manage growth in a way that contributes to the sustainability of the area, fails to provide development opportunities that are compatible with the desired future character and amenity of the area, and fails to achieve good urban design.
7. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy the specific objectives contained in Clause 2.3 'Zone objectives and Land Use Table' of the Canterbury-Bankstown Local Environmental Plan 2023. The application does not achieve suitable landscaping within the medium density residential environment, or does it promote a high standard of local amenity.
8. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 2.7 'Demolition' of the Canterbury-Bankstown Local Environmental Plan 2023 relating to the demolition plan. No clear or complete dedicated demolition plan has been submitted as part of the application package.
9. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 4.3 'Height of buildings' of the Canterbury-Bankstown Local Environmental Plan 2023 relating to the overall building height. The proposed development exceeds the maximum allowable building height for the site of 8.5m.

10. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 4.4 'Floor Space Ratio' of the Canterbury-Bankstown Local Environmental Plan 2023 relating to included gross floor area (GFA). The submitted application suggests compliance with the maximum FSR of 0.5:1, however insufficient information is provided to determine the extent of "basement" storage, which is to be considered towards GFA, and whether it will exceed the allowable FSR of the site.
11. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 6.2 'Earthworks' of the Canterbury-Bankstown Local Environmental Plan 2023 relating to the basement and site excavation. The application fails to adequately address the requirements of section (3) of the clause.
12. Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development does not satisfy Clause 6.15 Design excellence of the Canterbury-Bankstown Local Environmental Plan 2023. This is in relation to the requirements of Section (4) which have largely not been achieved.

Matters relating to development control plans

13. The proposed development is unsatisfactory, pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, as it does not comply with the provisions of Chapter 3.1 'Development Engineering Standards' of the Canterbury-Bankstown Development Control Plan 2023, including:
 - a. Control 2.1 - Exceeding maximum vehicular footway crossing widths.
 - b. Control 2.4 - Adequate sight distances not provided.
 - c. Control 3.2 - Unacceptable stormwater disposal proposal.
14. The proposed development is unsatisfactory, pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, as it does not comply with the provisions of Chapter 3.2 'Parking' of the Canterbury-Bankstown Development Control Plan 2023, including:
 - a. Control 3.11 - Failure to achieve minimum clear headroom dimension in the basement.
 - b. Control 3.18 - Adequate sight distances not provided.
 - c. Control 3.22 - Failure to achieve minimum carwash bay dimension.
 - d. Control 3.32 - Failure to provide detail on basement ventilation.
 - e. Control 3.34 - Failure to be designed in a manner which will not accentuate bulk and scale of the building.
 - f. Control 3.40 - Failure to optimise deep soil opportunities on site.
15. The proposed development is unsatisfactory, pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, as it does not comply with the provisions of Chapter 3.3 'Waste Management' of the Canterbury-Bankstown Development Control Plan 2023, including:

- a. Controls 3.3 and 3.15 - Failure to locate an appropriately sized temporary bin storage area behind the building line
 - b. Controls 3.4, 3.5 and 3.15 - The temporary bin storage areas adversely impact the streetscape, building design and amenity of dwellings.
16. The proposed development is unsatisfactory, pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, as it does not comply with the provisions of Chapter 3.7 'Landscape' of the Canterbury-Bankstown Development Control Plan 2023, including:
- a. Control 2.2 - Failure to minimise earthworks.
 - b. Control 2.3 - Failure to design landscaping in a manner that takes advantage of existing site characteristics.
 - c. Control 2.5 - Failure to provide appropriate deep soil zones within the front setback.
17. The proposed development is unsatisfactory, pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, as it does not comply with the provisions of Chapter 5.2 'Residential Accommodation – Former Canterbury LGA' of the Canterbury-Bankstown Development Control Plan 2023, including:
- a. Controls 4.3 (C1 and C11) - Failure to provide sufficient private open space to all dwellings with a minimum dimension of 4m throughout.
 - b. Controls 4.3 (C4 and C5) - Failure to provide sufficient privacy screening and address overlooking concerns.
 - c. Controls 4.3 (C6 and C7) - Failure to provide detail on locations of services.
 - d. Control 4.4 (C1) - Failure to appropriately orientate development to maximise solar access for dwellings 1-7.
 - e. Control 4.4 (C2) - Failure to avoid overshadowing of adjoining properties.
 - f. Control 4.4 (C3) - Failure to promote passive solar access for dwellings 1-7.
 - g. Control 4.4 (C4) - Failure to indicate the locations of existing shadows to determine compliance with the control.
 - h. Control 4.5 (C1) - Failure to maintain two-storey built form across the site, and failure to comply with the 7m wall height maximum.
 - i. Controls 4.5 (C3 and C10) - A basement projection of greater than 1m above the natural ground level.
 - j. Control 4.5 (C8) - Failure to identify site constraints to warrant basement parking.
 - k. Control 4.5 (C9) - Failure to demonstrate the compliance of the basement with Chapter 3.2 'Parking'.
 - l. Control 4.6 (C2) - Failure to achieve the minimum front setback, and to provide front and rear setback deep soil areas.
 - m. Control 4.7 (C1) - Exceeding maximum building depths.
 - n. Control 4.9 (C9) - Failure to provide clear sight lines to the street for dwelling 5.
 - o. Control 4.9 (C12) - Landscaping includes potential to block sight lines.
 - p. Control 4.9 (C13) - Failure to include sufficient detail on proposed fencing.
 - q. Control 4.9 (C14) – Exceeding maximum front fencing widths.
 - r. Control 4.9 (C17) - Failure to propose suitable materials and finishes.

- s. Controls 4.10 (C1, C3 and C5) - Failure to propose a suitable and sympathetic roof design for dwellings 1-7.
- t. Control 4.11 (C1) - Failure to provide interiors that are capable of accommodating a range of furniture for dwellings 1-7.
- u. Control 4.11 (C2) - Failure to provide living rooms which meet a minimum 3.5m dimension for dwellings 8-18.
- v. Controls 4.12 (C1, C2 and C3) - Failure to achieve minimum solar access to living areas and 50% of private open space for 3 hours to all dwellings.
- w. Control 4.12 (C4) - Failure to achieve minimum solar access requirements to private open space of neighbouring dwellings.
- x. Controls 4.12 (C6 and C7) - Failure to provide sufficient information with relation to overshadowing of adjoining solar panels, and location of clothes drying areas.
- y. Control 4.13 - Failure to maximise visual privacy between development and adjacent site – specifically with the north facing balconies of dwellings 8-13.
- z. Controls 4.16 (C7, C8, C9 and C12) - Fails to provide information on locations of and screening to services and facilities.

General matters of consideration

- 18. Having regard to the above non-compliances with the Canterbury-Bankstown Development Control Plan 2023 and pursuant to the provisions of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, the proposed development is unsatisfactory and represents an overdevelopment of the subject site.
- 19. The proposed development is unsatisfactory, pursuant to the provisions of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, providing an undesirable and unacceptable impact on the streetscape and adverse impact on the surrounding built environment.
- 20. Pursuant to the provisions of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, the proposed development is excessive in terms of height and density, and would adversely impact upon the amenity of the locality.
- 21. Pursuant to the provisions of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, the proposed development is unsatisfactory in terms of its standard of design and would adversely impact upon the existing and likely future amenity of the locality.
- 22. Pursuant to the provisions of Section 4.15(1)(b) and Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*, insufficient information has been provided by the applicant to allow a proper and thorough assessment of the impacts of the proposed development and the suitability of the site for the development.
- 23. Pursuant to the provisions of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, the proposed development is unsatisfactory as it fails to demonstrate acceptable disposal of stormwater from the subject land.

24. The proposed development, pursuant to the provisions of Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*, is unsatisfactory and is likely to adversely impact on the privacy and amenity of adjoining residential development.
25. Having regard to the previous reasons noted above and the number of submissions received by Council against the proposed development, pursuant to the provisions of Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, approval of the development application is not in the public interest.

Vote: 4 – 0 in favour

Reasons for decision

As the proposal is refused, the reasons for the refusal are contained in the terms of the decision itself, as above.

The applicant requested deferral of determination by the Panel, to allow opportunity to address concerns and further information requests outlined in the assessment report. However, while the Panel saw some opportunity for a satisfactory alternative, the time and further assessment required would involve uncertainty and not be able to be resolved quickly, so deferral was not favoured by the Panel.

2. **DA-1437/2024 - 221-235, 241-247A Homer Street and 208 Wardell Road, Earlwood**
Modify the approved five storey shop top housing development to include two additional stories for 22 dwellings, a new third level basement and internal and external alternations to the approved development including ground and basement level layouts

Site Visit

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

Public Addresses

The following applicant's representatives responded to Panel questions:

- Theodore Loucas, Loucas Architects,
- Garry Chapman, Chapman Planning Pty Ltd, and
- George Vasiliades, property owner.

Community Member

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

CBLPP Determination

THAT Development Application DA-1437/2024 be **APPROVED** subject to the Council staff recommended Conditions of Consent with the following amendments:

1. Add a new Condition 56A in a schedule “**Prior to Building Work Commencing**” to state:

Appointment of a Registered Community Housing Provider

The Applicant shall provide to Council documentation to demonstrate that arrangements are in place for appointment of a Registered Community Housing Provider to manage the 17 affordable housing units.

Condition reason: *To provide certainty that the affordable housing component, for which there was a height bonus, will be provided prior to works commencing.*

Vote: 4 – 0 in favour

Reasons for decision

The Panel approves the application for the reasons set out in the Council Assessment Report. The Panel has added a condition on affordable housing for clarity and certainty.

The Panel took into accounts residents’ objections to the development, but the Panel was satisfied that the Council Assessment Report and the Draft Conditions adequately dealt with these issues.

3. DA-1027/2025 - 2 Ellesmere Street, Panania

Alterations and additions to a newly built structure in accordance with approved Complying Development Certificate (CDC 20210284) and use as a two-storey detached secondary dwelling and attached garage

Site Visit

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

Public Addresses

The following objector addressed the Panel speaking against the application:

- Nancy Cutroni.

Community Member

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

CBLPP Determination

THAT Development Application DA-1027/2025 be **REFUSED** for the following reasons:

1. The proposed development fails to satisfy the requirements of Section 35B of the Environmental Planning and Assessment Regulation 2021 with regard to additional requirements for development applications involving contravention of development standards. [Pursuant to the provisions of Section 4.15(1)(iv) of the *Environmental Planning and Assessment Act 1979*].

2. The applicant has failed to provide contravention requests under Clause 4.6 of the Canterbury Bankstown Local Environmental Plan 2023 with regard to development standards within the LEP and SEPP (Housing) 2021. [*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 meet the requirements of the State Environmental Planning Policy (Housing) 2021 with regard to standards for secondary dwellings. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].
4. The proposed development fails to meet the requirements of the State Environmental Planning Policy (Sustainable Buildings) 2022 with regard to standards for residential development. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].
5. The proposed development fails to satisfy the requirements of Chapter 6 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 with regard to the disposal of stormwater. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].
6. The proposed development fails to satisfy the objectives of the R2 Low Density Residential Zone that refers to promoting a high standard of urban design and local amenity. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].
7. The proposed development is unsatisfactory in terms of its failure to satisfy the objectives of Clause 4.3 of the Canterbury Bankstown Local Environmental Plan 2023 with regard to supporting building design that contributes positively to the streetscape and visual amenity of an area. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].
8. The proposed development fails to satisfy Clause 4.3 of the Canterbury Bankstown Local Environmental Plan 2023 with regard to the maximum wall height for secondary dwellings. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].
9. 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 establishing the bulk and maximum density of development consistent with the character, amenity and capacity of the area in which the development will be located. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].
10. The proposed development fails to satisfy Clause 4.4 of the Canterbury Bankstown Local Environmental Plan 2023 with regard to floor space ratio. [*Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979*].

11. The proposed development fails to satisfy Clause 6.3 of the Canterbury Bankstown Local Environmental Plan 2023 with regard to stormwater impacts. [Pursuant to the provisions of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*].
12. The proposed development does not comply with Chapter 2.2 of the Canterbury Bankstown Development Control Plan 2023, with regard to flood risk management. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
13. The proposed development does not comply with Chapter 3.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to Stormwater Management. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
14. The proposed development does not comply with Chapter 3.2 of the Canterbury Bankstown Development Control Plan 2023, with regard to parking. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
15. The proposed development does not comply with Chapter 3.3 of the Canterbury Bankstown Development Control Plan 2023, with regard to waste management. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
16. 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*].
17. The proposed development does not comply with Section 2.25 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to covered car parking spaces. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
18. The proposed development does not comply with Section 3.27 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to principal dwelling car parking requirements. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
19. The proposed development does not comply with Section 3.4 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to the storey limit and wall height for secondary dwellings. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
20. The proposed development does not comply with Section 3.14 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to solar access to living areas. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].

21. The proposed development does not comply with Section 3.16 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to solar access to private open space. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
22. The proposed development does not comply with Section 3.18 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to visual privacy. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
23. The proposed development does not comply with Section 3.26 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to compliance with the National Construction Code. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
24. The proposed development does not comply with Section 11 of Chapter 5.1 of the Canterbury Bankstown Development Control Plan 2023, with regard to liveable housing requirements. [Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*].
25. Insufficient information has been submitted with the proposed development, specifically with regard to detailed architectural plans and a current survey plan. [Pursuant to the provisions of Section 4.15(1)(a)(iv) of the *Environmental Planning and Assessment Act 1979*].
26. Having regard to the reasons noted above, the consent authority cannot be satisfied in relation to the impacts of the proposed development or the suitability of the site for the proposed development. [Pursuant to section 4.15(1)(b) and (c) of the *Environmental Planning and Assessment Act, 1979*].
27. Having regard to the reasons noted 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 agrees with the Council staff recommendation that the application should be refused and agrees with the Reasons for Refusal in the Council Assessment Report. These reasons include some additions and refinements to reasons recommended by Council staff.

4. DA-930/2025 - 618 Canterbury Road, Belmore

Extend the hours of operation of St George Hotel (Pub) to 4.00 am Monday to Saturday, and any public holidays falling on those days

Site Visit

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

Public Addresses

The following objector addressed the Panel speaking against the application:

- Sarah Malik.

The following applicant's representatives addressed the Panel speaking in favour of the application and responded to Panel questions:

- Brett Tobin, Hatzis Cusack Lawyers, and
- Michael Wiggins, St George Hotel Belmore Pty Ltd and SGH Property Holdings Pty Ltd.

Community Member

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

CBLPP Determination

THAT Development Application DA-930/2025 be **APPROVED** subject to the Council staff recommended Conditions of Consent with the following amendments:

1. Amend Condition 1 to read as follows:

Acoustic Report

The acoustic report submitted in support of this application prepared by Renzo Tonin & Associates titled 'St George Hotel, Belmore, Acoustic Assessment for Extension of Hours (4am Trading)', reference number TN843-03F01 Acoustic Report (r1) dated 4 August 2025 and all the recommendations stated within the report, form part of the development consent.

The owner shall obtain a report from an appropriately qualified acoustic consultant, not previously involved with the development, stating that the recommendations outlined in the above-mentioned acoustic report have been implemented and that the relevant noise criteria have been satisfied prior to the commencement of the new hours of operation.

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

2. Amend Condition 13 to change "10 pm" to "9 pm" to read:

Security and Staffing

Licensed security guards should be on duty from 9pm until closing, in line with best practice guidance from Liquor and Gaming NSW for late-trading venues. Security staff should monitor both internal areas and immediate surroundings to prevent antisocial behaviour and support safe patron movement.

Condition reason: *Condition provided by Community Safety team and Campsie Police Area Command.*

3. Amend Condition 14 by deleting all the words and replacing them with the following ones:

CCTV Coverage

- 1) *The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements:*
 - a) *the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times),*
 - b) *recordings must be in digital format and at a minimum of ten (10) frames per second,*
 - c) *any recorded image must specify the time and date of the recorded image,*
 - d) *the system's cameras must cover the following areas:*
 - i) *all entry and exit points on the premises,*
 - ii) *the footpath immediately adjacent to the premises, and*
 - iii) *all publicly accessible areas (other than toilets) within premises.*
- 2) *The licensee must also:*
 - a) *keep all recordings made by CCTV systems for at least 30 days,*
 - b) *ensure that the CCTV system is accessible at all times the system is required to operate pursuant to clause 1a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and*
 - c) *provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.*

Condition reason: *To ensure compliance with the relevant Liquor and Gaming NSW legislation.*

4. Amend Condition 16 to add the word “relevant” prior to the word “staff” to read:

Responsible Service of Alcohol (RSA)

All relevant staff must hold valid RSA certification and follow RSA requirements. No new patrons should be allowed entry after 3am to support a gradual and safe closing.

Condition reason: *Condition provided by Community Safety team and Campsie Police Area Command.*

5. Add additional Condition 17 to read as follows:

Updated Plan of Management Community Liaison and Contact Details

That prior to the use of the premises for the additional hours permitted, the Plan of Management is to be updated to the written approval of the Manager Development to include two additional matters/requirements:

- a. The owner of the site is to establish and 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 pub and who shall meet at least once each quarter during the first year of additional operating hours and thereafter at intervals decided by the Committee. Adjoining and nearby property owners and occupants shall be invited to each meeting and be given an opportunity to raise operational issues for the Committee's consideration, action and response. The pub's 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.*
- b. Procedures to provide neighbours with the contact details of the pub management for direct phone and email contact regarding any direct or indirect activities of the pub that impact on the amenity of surrounding residents.*

Condition reason: *To foster proactive engagement with neighbours and establish procedures to allow harmonious mixed use co-existence, as reasonably possible, during operation at sensitive late hours.*

Vote: 4 – 0 in favour

Reasons for decision

The Panel approves the application generally for the reasons set out in the Council Assessment Report. The Panel has modified the conditions for clarity and certainty.

The Panel heard from a resident who objected to the development and from the applicant regarding some conditions, but the Panel was satisfied that the Council Assessment Report and the Draft Conditions adequately dealt with these issues.

The meeting closed at 7.03 pm.