

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 SEPTEMBER 2020

(1067)

CLR. ASFOUR

RESOLVED that –

1. Council support the request from Steps of Hope through a \$2,370 contribution, comprising of a \$2,000 donation and fee waiver of \$370.00 for the use of Bass Hill Car Park and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
2. Council support the request from Community Support Services through a \$300 donation.
3. These funds to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

SECTION 5:

PLANNING MATTERS

PUBLIC ADDRESS

(1068)

CLR. DOWNEY:/CLR. EL-HAYEK

RESOLVED that permission be granted to those people who have made the necessary application to address Council for five minutes.

- CARRIED

ITEM 5.1

**APPLICATION TO AMEND BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015: 1
LEICESTER STREET, CHESTER HILL (CHESTER SQUARE)**

MRS TANIA MIHAILUK (MEMBER FOR BANKSTOWN) ADDRESSED COUNCIL.

CLR. DOWNEY TEMPORARILY RETIRED FROM THE MEETING AT 6.22 PM AND RETURNED AT 6.24 PM.

(1069)

CLR. HUDA:/CLR. HARIKA

RESOLVED that an extension of two minutes be given to Mrs Mihailuk to address Council.

- CARRIED.

MR ISSA ELKORDI (RESIDENT) ADDRESSED COUNCIL.

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MR. GARY ROSER (RESIDENT) ADDRESSED COUNCIL.

(1070)

CLR. ISHAC:/CLR. DOWNEY

RESOLVED that an extension of two minutes be given to Mr Roser to address Council.

- CARRIED.

MR. AARON SUTHERLAND (TOWN PLANNER FOR THE APPLICANT) ADDRESSED COUNCIL.

MR. ROYDON NG (RESIDENT) ADDRESSED COUNCIL.

MR. NICHOLAS TURNER (ARCHITECT FOR THE APPLICANT) ADDRESSED COUNCIL.

CLR. EL-HAYEK TEMPORARILY RETIRED FROM THE MEETING AT 7.30 PM AND RETURNED AT 7.32 PM.

MOTION

CLR. ISHAC:/CLR. HUDA

That –

1. Council prepare and submit a planning proposal to the Department of Planning, Industry and Environment to seek a Gateway Determination for amendments to Bankstown Local Environmental Plan 2015 as follows:
 - a. Permit a range of maximum building heights of up to 62m
 - b. Permit a maximum Floor Space Ratio of up to 4.53:1
 - c. Require a site specific design excellence clause
 - d. The provision of affordable housing and public benefits set out in the planning agreement
2. Council seek authority from the Department of Planning, Infrastructure and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.
3. Subject to the issue of a Gateway Determination, and before the proposal is exhibited:
 - a. Council negotiate a more substantial public benefit offer with the proponent as outlined in this report and in light of the intensity of development proposed. This should include a contribution to the broader strategic planning review for Chester Hill, supply of up to 15% of dwellings within the development for affordable housing, and contributions to further local infrastructure.
 - b. A design excellence clause be applied that ensures any redevelopment is of high quality.
 - c. A public domain plan be prepared for Chester Hill to identify the required works and cost the embellishment of Waldron Road, Frost

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Lane and Charles Place. This will include investigation of the feasibility of the proposed expansion of Charles Place and associated land acquisition costs and cost recovery mechanisms available to council.

- d. A site-specific DCP be prepared to further define the form of the development and development controls as outlined in this report which may result in a reduction to the maximum height and FSR of the proposal. This will include further analysis on urban design and architectural form including additional north/south and east/west connectivity within and surrounding sites.
 - e. The applicant to undertake further traffic, economic, architectural and urban design work as outlined in this report.
 - f. Council negotiate a financial contribution from the proponent for the provision of accessibility lifts at Chester Hill railway station, and that Transport for NSW be engaged with respect to taking that contribution and providing accessibility lifts at Chester Hill station and the outcome of these negotiations are to be brought back to Council in the next steps.
4. After the planning proposal has been exhibited, a report be provided to Council outlining submissions received and the applicant's response to the issues raised in this report.

AMENDMENT

CLR. KUSKOFF:/CLR. DOWNEY

The matter be deferred until the four recommendations made by the Local Planning Panel on 17 August 2020 are completely finalised before the matter is brought back to Council for consideration.

THE AMENDMENT WAS LOST.

AT THIS STAGE CLR RAFFAN REQUESTED THAT THE MOTION BE AMENDED AS FOLLOWS:

- 3.g. Council undertake additional community and stakeholder engagement post Gateway but prior to additional studies being prepared and that the outcomes of this consultation be used to inform the additional studies prior to formal public exhibition as required by the Gateway.

CLR ISHAC AND CLR HUDA ACCEPTED CLR RAFFAN'S AMENDMENT BE INCLUDED IN THE MOTION.

AT THIS STAGE CLR SALEH REQUESTED THAT THE MOTION BE AMENDED AS FOLLOWS:

- 3.h. Council ensures that local Community Support organisations (such as Chester Hill Neighbourhood Centre and others) be specifically engaged as a stakeholder group as part of the early additional consultation.

CLR ISHAC AND CLR HUDA ACCEPTED CLR SALEH'S AMENDMENT BE INCLUDED IN THE MOTION.

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AT THIS STAGE CLR ZAKHIA REQUESTED THAT THE MOTION BE AMENDED AS FOLLOWS:

- 3.i. That Council's exhibition notifications are available in the top 5 languages for our City on Councils website and that this notification provide detailed information on the proposal including the key changes to planning rules and how to access more information and assistance in any language.

CLR ISHAC AND CLR HUDA ACCEPTED CLR ZAKHIA'S AMENDMENT BE INCLUDED IN THE MOTION.

AT THIS STAGE HIS WORSHIP THE MAYOR CLR ASFOUR REQUESTED THAT THE MOTION BE AMENDED AS FOLLOWS:

- 3.j. Council negotiate and enter into a local content agreement with the proponent to ensure local jobs and training of local residents is delivered and local firms selected during the construction of the proposal and that this agreement be entered into prior to any work being undertaken on the site.
- 3.k. Council establish a community voice panel (comprising a random selection process to establish a panel representative of the community) to be independently chaired and funded by the proponent. The panel is to operate post Gateway to provide feedback and input into the studies to be completed in the next steps.

CLR ISHAC AND CLR HUDA ACCEPTED CLR ASFOUR'S AMENDMENT BE INCLUDED IN THE MOTION.

(1071)

CLR. ISHAC:/CLR. HUDA

RESOLVED that

- 1. Council prepare and submit a planning proposal to the Department of Planning, Industry and Environment to seek a Gateway Determination for amendments to Bankstown Local Environmental Plan 2015 as follows:
 - a. Permit a range of maximum building heights of up to 62m
 - b. Permit a maximum Floor Space Ratio of up to 4.53:1
 - c. Require a site specific design excellence clause
 - d. The provision of affordable housing and public benefits set out in the planning agreement
- 2. Council seek authority from the Department of Planning, Infrastructure and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.

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3. Subject to the issue of a Gateway Determination, and before the proposal is exhibited:
- a. Council negotiate a more substantial public benefit offer with the proponent as outlined in this report and in light of the intensity of development proposed. This should include a contribution to the broader strategic planning review for Chester Hill, supply of up to 15% of dwellings within the development for affordable housing, and contributions to further local infrastructure.
 - b. A design excellence clause be applied that ensures any redevelopment is of high quality.
 - c. A public domain plan be prepared for Chester Hill to identify the required works and cost the embellishment of Waldron Road, Frost Lane and Charles Place. This will include investigation of the feasibility of the proposed expansion of Charles Place and associated land acquisition costs and cost recovery mechanisms available to council.
 - d. A site-specific DCP be prepared to further define the form of the development and development controls as outlined in this report which may result in a reduction to the maximum height and FSR of the proposal. This will include further analysis on urban design and architectural form including additional north/south and east/west connectivity within and surrounding sites.
 - e. The applicant to undertake further traffic, economic, architectural and urban design work as outlined in this report.
 - f. Council negotiate a financial contribution from the proponent for the provision of accessibility lifts at Chester Hill railway station, and that Transport for NSW be engaged with respect to taking that contribution and providing accessibility lifts at Chester Hill station and the outcome of these negotiations are to be brought back to Council in the next steps.
 - g. Council undertake additional community and stakeholder engagement post Gateway but prior to additional studies being prepared and that the outcomes of this consultation be used to inform the additional studies prior to formal public exhibition as required by the Gateway.
 - h. Council ensures that local Community Support organisations (such as Chester Hill Neighbourhood Centre and others) be specifically engaged as a stakeholder group as part of the early additional consultation.
 - i. That Council's exhibition notifications are available in the top 5 languages for our City on Councils website and that this notification provide detailed information on the proposal including the key changes to planning rules and how to access more information and assistance in any language.
 - j. Council negotiate and enter into a local content agreement with the proponent to ensure local jobs and training of local residents is delivered and local firms selected during the construction of the

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proposal and that this agreement be entered into prior to any work being undertaken on the site.

- k. Council establish a community voice panel (comprising a random selection process to establish a panel representative of the community) to be independently chaired and funded by the proponent. The panel is to operate post Gateway to provide feedback and input into the studies to be completed in the next steps.

4. After the planning proposal has been exhibited, a report be provided to Council outlining submissions received and the applicant's response to the issues raised in this report.

- CARRIED

For:- Clrs Asfour, Eisler, Huda, Ishac, Madirazza, Raffan, Saleh, Waud and Zakhia

Against:- Clrs Downey, El-Hayek, Harika and Kuskoff

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

(1072) CLR. ISHAC:/CLR. ZAKHIA

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Governance and Administration Matters, Service and Operational Matters, Committee Reports and Notices of Motions.

- CARRIED

ITEM 7.1 LOCAL GOVERNMENT NSW - ANNUAL CONFERENCE AND CONSIDERATION OF MOTIONS

(1073) CLR. ISHAC:/CLR. ZAKHIA

RESOLVED that

1. Council endorse the draft motions as detailed in the report.