

DATE OF DETERMINATION	12 June 2018
PANEL MEMBERS	Bruce McDonald (Chair), Nicole Gurran, Stuart McDonald, Nadia Saleh and Bilal El-Hayek
APOLOGIES	Helen Lochhead
DECLARATIONS OF INTEREST	None <i>(must include reason for declaration and whether the member participated or not)</i>

Public meeting held at City of Canterbury-Bankstown, Former Bankstown Council Chambers, cnr Chapel Rd & The Mall, Bankstown on 12 June 2018, opened at 10.35am and closed at 10.45am.

MATTER DETERMINED

2016SYE118 – Canterbury-Bankstown – DA462/2016 at 918-939 Canterbury Rd and 2 Dreadnought St, Roselands (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was Unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:






1. The proposed development will add further retail services and housing supply and choice within the Canterbury Bankstown local government area and the Sydney South District in a location on Canterbury Road specifically identified as a site to accommodate this form of development.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 55 -Remediation of Land, SEPP (Infrastructure) 2007, SEPP 65- Design Quality of Residential Apartment Development and its associated Apartment Design Guide. The Panel notes there are a number of departures from the numerical provisions of the Apartment Design Guide relating to visual privacy, solar access, natural ventilation and ground floor ceiling height and that these have been assessed on merit as being acceptable and not significantly impacting negatively on future resident's of the site or the amenity of adjoining properties.
3. The Panel has considered the Applicant's request to vary the development standard contained in Cl. 4.3 of Canterbury LEP 2012 relating to maximum building height and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case. That variation will facilitate residents lift and stairway access to

rooftop communal open space, will not generate unacceptable impacts on nearby premises, and remains consistent with the objectives of the standard.

4. The proposal adequately satisfies the applicable objectives and provisions of Canterbury LEP 2012 and Canterbury DCP 2012. In this regard the Panel notes that the subject site is zoned B5 Business Development and is identified as a Key Site under the provisions of the LEP. In accordance with Schedule 1 Clause 1 of the LEP mixed use development is permitted on this site.
5. The proposed development is of a scale and form consistent with that planned for and emerging on this sector of Canterbury Road
6. The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby buildings or the operation of the local road system.

In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

PANEL MEMBERS	
 Bruce McDonald (Chair)	 Nicole Gurran
 Stuart McDonald	 Nadia Saleh
 Bilal El-Hayek	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYE118 – Canterbury-Bankstown – DA462/2016
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a mixed-use development consisting of 98 residential units, 700sqm retail space and 163 associated car parking spaces.
3	STREET ADDRESS	918-939 Canterbury Rd and 2 Dreadnought St, Roselands
4	APPLICANT/OWNER	Applicant: Built Form Structural Systems Pty Ltd Owner: Dimitry Kane (Secretary/Director) & Helen Kane (Director), D&H Kane Investments Pty Ltd; Emmanuel Hatzakos & Sophia Hatzakos
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development Canterbury Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Canterbury Development Control Plan 2012 Canterbury Development Contributions Plan 2012 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 31 May 2018 Written submissions during public exhibition: 2 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Support – Nil Object – Nil On behalf of the applicant – Anthony Betros and Melissa Koronal
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting 15 February 2017 Final briefing meeting to discuss council's recommendation, 12 June 2018, 9.30am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Bruce McDonald (Chair), Nicole Gurran, Stuart McDonald, Nadia Saleh and Bilal El-Hayek <u>Council assessment staff</u>: Alice Pettini and George Gouvatsos
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

