

DETERMINATION AND STATEMENT OF REASONS

SYDNEY SOUTH PLANNING PANEL

DATE OF DETERMINATION	18 November 2020
PANEL MEMBERS	Helen Lochhead (Chair), Heather Warton, Ken McBryde, Bilal El-Hayak
APOLOGIES	Stuart McDonald
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 11 November 2020, opened at 9.30am and closed at 10.30am. Papers circulated electronically on 6 November 2020.

MATTER DETERMINED

2019SSH009 - Canterbury-Bankstown – DA440/2018 - 71-83 Graham Road & 35-37 Karne Street, South Narwee

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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.





The decision was to defer this matter pending additional information.

The Panel was of the view that the Development Application was not appropriately made. The full DA fees have not been paid to date to enable full consideration of the material lodged and subsequent amended plans. The Panel recommends that the applicant complete payment of the fees so a full and complete assessment of all their documentation and amended documents can be made.

The Panel has determined to refer the matter back to Council for assessment and requires that the applicant lodge the outstanding fees within 7 days of the publication of this hearing. Pending Council feedback, which is to be provided within 21 days from the date of payment, any additional material to be prepared and submitted to Council by the applicant is to be received by Council by mid-January 2021. The application needs to be assessed by Council and resubmitted to the Panel no later than March 2021.

If the applicant does not make the payment the application will remain undetermined.

The decision of the Panel was unanimous.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Bilal Al-Hayek
 Ken McBryde	 Heather Warton

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019SSH009 - Canterbury-Bankstown – DA440/2018
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a four storey in-fill affordable housing development over a basement car park prepared under the Affordable Rental Housing SEPP 2009
3	STREET ADDRESS	71-83 Graham Road & 35-37 Karne Street, South Narwee
4	APPLICANT/OWNER	Constantine Pavlakos / Pavlakos Capital Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65) and Apartment Design Guide (ADG) Canterbury Local Environmental Plan (CLEP 2012) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Canterbury Development Control Plan 2012 (CDCP 2012) Planning agreements: State Environmental Planning Policy (Affordable Rental Housing 2009) 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: 28 October 2020 List any clause 4.6 variation requests here List any council memo or supplementary report received: Written submissions during public exhibition: 4 Total number of unique submissions received by way of objection: 4
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 11 November 2020, 18 September 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Helen Lochhead (Chair), Heather Warton, El-Hayek, Ken McBryde, Nadia Saleh <u>Council assessment staff</u>: Haroula Michael Applicant Briefing: 11 November 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Helen Lochhead (Chair), Heather Warton, Bilal El-Hayek, Ken McBryde, Nadia Saleh <u>Applicant representatives</u>: George Pavlakos, Evan Pavlakos, <u>Note</u>: Applicant briefing was requested to provide the Panel with clarification and to respond to issues
9	COUNCIL RECOMMENDATION	Deferral
10	DRAFT CONDITIONS	Attached to the council assessment report