

DATE OF DETERMINATION	22 December 2020
PANEL MEMBERS	Helen Lochhead (Chair), Heather Warton, Ken McBryde, Bilal El-Hayak
APOLOGIES	None
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 11 December 2020.

MATTER DETERMINED

2019SSH009 – CANTERBURY-BANKSTOWN – DA-440/2018 at 71-83 Graham Road & 35-37 Karne Street South Narwee – 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 (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.





The Panel noted that the full DA fees had not been paid to date and that despite this, the Council had fully assessed the material lodged and the amended plans and there were a number of outstanding issues outlined in the Council report that the Panel took into account in coming to its decision.

The decision was to refuse this matter for the reasons outlined in the council assessment report.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to refuse the application for the reasons outlined in the council assessment report.

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

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, Bilal 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, <p><u>Note</u>: Applicant briefing was requested to provide the Panel with clarification and to respond to issues</p> <ul style="list-style-type: none"> Electronic Determination: Papers circulated 11 December 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Helen Lochhead (Chair), Heather Warton, Ken McBryde, Bilal El-Hayek
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report