

<b>DATE OF DETERMINATION</b>	26 September 2022
<b>DATE OF PANEL DECISION</b>	21 September 2022
<b>DATE OF PANEL MEETING</b>	21 September 2022
<b>PANEL MEMBERS</b>	Stuart McDonald (Acting Chair), Heather Warton, Gail Connolly
<b>APOLOGIES</b>	Helen Lochhead
<b>DECLARATIONS OF INTEREST</b>	Bilal El-Hayek, Charlie Ishac both declared a COI as this is a Council project on land owned by the Council.

Papers circulated electronically on 14 September 2022.

#### **MATTER DETERMINED**

PPSSSH-101 – Canterbury Bankstown – DA-1012/2021 – 17 Phillips Avenue, Canterbury for Demolition of existing leisure & aquatic centre and construction of new two storey leisure & aquatic centre including two swimming pools, a gym, a cafe and associated landscaping works

#### **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.

#### **Development application**

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

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

#### **CONDITIONS**

The development application was approved subject to the conditions in the council assessment report with the following amendments.




- The addition of a condition to specify approved hours of operation, consistent with the recommendations contained in the Acoustic Report.
- The addition of a condition requiring beneficiary of the consent to prepare and implement a Green Travel Plan for staff and users of the centre.
- The addition of a condition requiring a parking management plan to be prepared and submitted prior to CC, and which is to contain as a minimum:
  - The requirement for monthly surveys of parking demand, including on-street parking demand, associated with the normal day-to-day operation of the centre once functioning for a period of 12 months;
  - The requirement for surveys of parking demand, including on-street parking in particular, associated with major events such as swimming carnivals and competitions, including when such events occur simultaneously at the adjoining ice skating rink;
  - Based on the results of the surveys and the demand for parking on a regular basis and associated with major events, the necessary management arrangements for the use of the overflow car parking area including the permanent construction of the car parking area

should the demand for permanent onsite parking be demonstrated after completion of the 12 months of surveys

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered the written submission made during public exhibition. No persons sought to address the panel. The panel notes that issues of concern in the written submission included:

- The altered pedestrian and cycle pathways around the site linking the street system to the bridge across the Cooks River
- The need for the overflow parking area
- The loss of the existing basketball court

PANEL MEMBERS	
Stuart McDonald (Acting Chair) 	Heather Warton 
Gail Connolly 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-101 – Canterbury-Bankstown– DA-1012/2021
2	PROPOSED DEVELOPMENT	Demolition of existing leisure & aquatic centre and construction of new two storey leisure & aquatic centre including two swimming pools, a gym, a cafe and associated landscaping works.
3	STREET ADDRESS	17 Phillips Avenue, Canterbury
4	APPLICANT/OWNER	Leonard Slabbert -Tract / Canterbury-Bankstown Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy 2004 (Industry and Employment) 2021</li> <li>Water Management Act 2000</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>Canterbury Local Environmental Plan 2012 (CLEP 2012)</li> </ul> </li> <li>Draft environmental planning instruments: Draft Canterbury Bankstown LEP 2020</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Canterbury Development Control Plan 2012 (CDCP 2012)</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> </ul> <p>The public interest, including the principles of ecologically sustainable development</p>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 12 September 2022</li> <li>Canterbury Local Environmental Plan 2012 (CLEP 2012)</li> <li>Written submissions during public exhibition: 1</li> <li>Total number of unique submissions received by way of objection: 1</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 5 April 2022, <ul style="list-style-type: none"> <li><u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Heather Warton</li> <li><u>Council assessment staff</u>: Kaitlin McCaffery, George Gouvatsos, Troy Loveday</li> </ul> </li> <li>Final briefing to discuss Council's recommendation: 21 September 2022 <ul style="list-style-type: none"> <li><u>Panel members</u>: Stuart McDonald (Acting Chair), Heather Warton, Gail Connolly</li> <li><u>Council assessment staff</u>: George Gouvatsos, Andrew Hargreaves, Ian Woodward, Ruth O'Brien (external consultant engaged by the Council).</li> </ul> </li> </ul>

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report (14 September 2022) and amended conditions (20 September 2022)