

DATE OF DEFERRAL	19 July 2021
PANEL MEMBERS	Helen Lochhead (Chair), Sue Francis, Susan Budd
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Stuart McDonald - My company SJB Planning has had no involvement and are not the planners for the project but as the architecture business is a sister practice then I consider that I have a direct conflict and will take no part.</p> <p>Bilal El-Hayek - I am unable to attend due to a conflict as we have previously voted on the matter at council.</p> <p>Nadia Saleh - I am unable to attend due to a conflict as we have previously voted on the matter at council.</p> <p>Marcia Doheny - I work part time at Inner West Council and I am concerned that there may be a perception of a conflict of interest if I am involved in this DA.</p>

Public meeting held by teleconference on 15 July 2021, opened at 10am and closed at 12pm.




MATTER DETERMINED

PPSSSH-34 – CANTERBURY BANKSTOWN – DA-826/2020 at 149-163 Milton Street, Ashbury – Demolition of all existing structures, removal of 57 trees, excavation, site remediation, civil works, new road, site landscaping and construction of two residential flat buildings and seven multi-dwelling housing buildings comprising 129 dwellings over a single level common basement for parking (as described in Schedule 1).

REASONS FOR DEFERRAL

The panel heard from members of the community, the applicant and Council and believe it is a good proposal in principle, in terms of the overall intent and approach, by improving compatibility with the adjoining neighbourhood through the provision of more lower density townhouse development. However, there are several issues that need to be satisfactorily addressed, notably significant tree retention and future significant tree planting; the provision and amenity of communal and private open spaces, and connectivity of ground level communal open spaces; quantum, location and depth of deep soil, the extent of hard paving, and further opportunities to enhance the view corridors. The Panel also notes that there are a range of issues in Council's RFI that are still outstanding. The Panel agreed to defer the determination of the matter to provide an opportunity for these key issues to be resolved through the submission of amended plans and the outstanding information requested in Council's RFI. The Panel noted that the application is the subject of a deemed refusal appeal to the Land and Environment Court and that there is a s34 conference commencing on the 29th of July. The Panel anticipates that the outstanding issues can be resolved through the provision of amended plans and additional information to address the RFIs by the applicant and in consultation with Council.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Sue Francis
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-34 – CANTERBURY BANKSTOWN – DA-826/2020
2	PROPOSED DEVELOPMENT	Demolition of all existing structures, removal of 57 trees, excavation, site remediation, civil works, new road, site landscaping and construction of two residential flat buildings and seven multi-dwelling housing buildings comprising 129 dwellings over a single level common basement for parking
3	STREET ADDRESS	149-163 Milton Street, Ashbury
4	APPLICANT/OWNER	Ashbury FMBM Pty Limited
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value > \$30M
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 Water Management Act 2000 State Environmental Planning Policy 55 – Contaminated Land (SEPP 55) State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65) State Environmental Planning Policy 2004 (Building Sustainability Index: BASIX) Canterbury Local Environmental Plan 2012 (CLEP 2012) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Canterbury Development Control Plan 2012 (CDCP 2012) Canterbury Development Contributions Plan 2013 (Contributions Plan 2013) 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: 8 June 2021 Written submissions during public exhibition: 35 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Muhilan Sriravindrarajah, Matt Burke, Laila Hallam on behalf of Ashbury Community Group Council assessment officer – Zena Ayache, Stephen Arnold On behalf of the applicant – David Hoy, Wesley Grunsell
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: Thursday, 18 February 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Helen Lochhead (Chair), Heather Warton, Marcia Doheny <u>Council assessment staff</u>: Zena Ayache, Kaitlin McCaffery, Mine Kocak, George Gouvatsos <u>DPIE Staff</u>: Michelle Burns, Leanne Harris, Carolyn Hunt. Final briefing to discuss council's recommendation: Thursday, 15 July 2021

		<ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Sue Francis, Susan Budd ○ <u>Council assessment staff</u>: Zena Ayache, Stephen Arnold ○ <u>DPIE staff</u>: Michelle Burns, Leanne Harris, Carolyn Hunt
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report