

DATE OF DETERMINATION	25 August 2022
DATE OF PANEL DECISION	25 August 2022
DATE OF PANEL MEETING	23 August 2022
PANEL MEMBERS	Helen Lochhead (Chair), Stuart McDonald, Susan Budd
APOLOGIES	None
DECLARATIONS OF INTEREST	Bilal El-Hayek and Charlie Ishac declared a conflict of interest as they have previously voted on a planning proposal on this site.

Papers circulated electronically on 15 August 2022.

MATTER DETERMINED

PPSSSH-60 – Canterbury Bankstown – DA-55/2021 – 5-7 Croydon Street Lakemba - Construction of three residential flat buildings ranging from five to 10 storeys (144 dwellings) with basement level car parking and open space areas and a new roadway to be dedicated to Council. Torrens title subdivision to create separate parcels for the laneway and the development site, and strata subdivision of the apartments

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. The proposal is consistent with the site specific LEP controls and largely consistent with the site specific DCP controls. The Panel noted that the application of the contribution levy was deemed consistent with Council's Contributions Plan.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments. Reference to 'applicants wording' refer to Document 22082022 *Croydon Street, Lakemba DA Conditions - Requested Changes*

- Condition 1 - Approved development to be amended as per applicants wording
- Condition 2.2- to be amended to read...a consolidated Flood and Stormwater Report must be submitted.
- Condition 2.6: Road Infrastructure – Road Design Submission to be amended as per applicants wording
- Condition 1.19 - to be amended as per applicants wording
- Condition 2.47 – to be amended as follows
 - a. Is direct ~~and less than 10.0 / 15.0 metres in length,~~
 - b. Has a minimum width of 2.0 metres of hard surface;
 - c. Is of non-slip material and free from obstacles and steps;
 - d. Is not located within a driveway or carpark;




- e. Has a maximum grade of 1:30 (3%); and
- f. Has a layback installed at the collection point
- Condition 2.52 – to be deleted
- Condition 2.60 - to be amended as follows.....Fencing forward of the building line must not be greater than 1.2 metres. All costs related to fencing must be borne by the person having the benefit of this Determination Notice.
- Condition 2.63 to be amended as per applicants wording
- Condition 3.17 and 4.53 - to be deleted
- Condition 4.44 - to be amended as per applicants wording

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- Solar access to neighbouring properties
- Impacts on privacy
- Need for communal open space
- Development being out of character
- Noise, traffic and parking impacts
- Need for better public transport
- Development not in keeping with surrounding context

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and the conditions of consent that no new issues requiring assessment were raised.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Stuart McDonald
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-60 – Canterbury Bankstown – DA-55/2021
2	PROPOSED DEVELOPMENT	Construction of three residential flat buildings ranging from five to 10 storeys (144 dwellings) with basement level car parking and open space areas and a new roadway to be dedicated to Council. Torrens title subdivision to create separate parcels for the laneway and the development site, and strata subdivision of the apartments
3	STREET ADDRESS	5-7 Croydon Street Lakemba
4	APPLICANT/OWNER	File Planning/Samstone Pty Ltd and Sam Harb Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Water Management Act 2000 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65) • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy 2004 (Building Sustainability Index: BASIX) • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • Canterbury Local Environmental Plan 2012 • Canterbury Development Control Plan 2012 • Canterbury Development Contributions Plan 2013 (Contributions Plan 2013) • Draft Consolidated Canterbury Bankstown Local Environmental Plan
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 16 August 2022 • Written submissions during public exhibition: Five (5) • Total number of unique submissions received by way of objection: 5
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 10 June 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd ○ <u>Council assessment staff</u>: Haroula Michael, George Gouvatsos • Final briefing to discuss council's recommendation: 23 August 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd ○ <u>Council assessment staff</u>: George Gouvatsos, Kate Bartlett, Ian Woodward, Andrew Hargreaves ○ <u>Applicant details</u>: Anna Johnston, Michael File, Matt Hollenstein, Matthew Pullinger, Alex Harb, Anthony Habkoouk
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report