

STRATHFIELD COUNCIL

MINUTES

Of the meeting of the

STRATHFIELD LOCAL PLANNING PANEL MEETING

Held on:

Thursday 11 July 2024

Commencing at 4pm at Town Hall (Supper Room), 65
Homebush Road, Strathfield



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(Number of Speakers: Applicant: 4 Submitter: 0)

The meeting of the Strathfield Local Planning Panel Meeting was held in the Town Hall (Supper Room), 65 Homebush Road, Strathfield on Thursday 11 July 2024.

The meeting commenced at 1:30pm and closed at 5:15pm.

The Public Meeting commenced at 4:00pm and closed at 4:32pm.

The Panel Members conducted site inspections for the purpose of considering items included on the Agenda-

Site inspection time commenced: 1:30pm

Site inspection time concluded: 3:00pm

PRESENT

Marcia Doheny – Chair

Trevor Bly - Expert

Jennifer Bautovich - Expert

Jennifer Inglis - Community Representative

ALSO PRESENT

Dylan Porter Manager, Planning & Development

Apoorva Chikkerur, Executive Planner, Development Assessment

Joseph Gillies, Senior Strategic Planner

Jake Brown, Planner

Mai Ngo, Business Support Officer

The Chairperson opened the meeting at 4:00pm.

1. Acknowledgement of Country: Strathfield Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.
2. Apologies: There were no apologies received
3. Declarations of pecuniary interest / conflict of interest: NIL

TO: Strathfield Local Planning Panel Meeting - 11 July 2024
REPORT: SLPP – Report No. 9
SUBJECT: DA2023.60 - 8-12 KANOONA AVENUE, HOMEBUSH
DA NO. DA2023.60

PROPOSAL

Development Application No. **DA2023.60** for the demolition of existing structures, lot consolidation, construction of a seven-storey residential flat building with a 90-place childcare centre on the ground floor and 33 residential units over three levels of basement parking and associated site works (integrated development at **8-12 KANOONA AVENUE, HOMEBUSH**).

The Panel carried out a site inspection of the property and had regard to the assessment report and all accompanying documentation as well as any submissions.

The following person addressed the Panel at the Public Meeting: Peter Israel.

DETERMINATION

The Panel determined to APPROVE the development application as described in item 9 pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 and grant consent subject to the conditions in the assessment report for this application dated 21 June 2024 and the following additional conditions:

Condition 16 - Required Design Changes (Added)

The following changes are required to be made and shown on the Construction Certificate plans:

Amendments made in red on approved plans	All changes made in red on the approved plans shall be updated and shown on the Construction Certificate plans.
Rooftop Communal Open Space	<p>The proposed rooftop communal open space is to be redesigned to improve the amenity of the area for users and to make it consistent with the objectives of the Apartment Design Guide.</p> <p>An accessible toilet and shade structure are to be incorporated into the design and all edges are to include feature planting embellishments with integrated seating designs.</p> <p>The revised detailed landscape plan is to be submitted to Council's Manager, Planning and Place for approval prior to the issue of the Construction Certificate.</p>
Level 5 Communal Open Space	A privacy screen is to be added along the northern edge of the Level 5 communal open space to assist in mitigating overlooking to the

neighbour. The privacy screen is to be 1800mm in height and designed in a manner that is in keeping with the character and aesthetics of the building. The details of the privacy screen are to be submitted, with the revised landscape plan to Council's Manager, Planning and Place

Cot Room 1

Cot Room 1 is to be enlarged to include the storage area (storage area to be removed), with a window added to the façade in the location of the former storage area. The window is to be consistent with the façade design and window schedule along the western elevation and be of a design suitable for the cot room.

Cot Room 2

Glazing is to be added to the boundary between Cot Room 2 and the baby change room to allow for light penetration.

Basement Parking Spaces

The basement parking allocation of spaces be amended as follows;

- Basement Level 3 – Space 4 being changed from Staff to Unit
- Basement Level 1 – Space 14 being changed from Visitor to Staff

This results in the overall reduction of 1 visitor space and the creation of an additional residential unit parking space.

Childcare Parking Spaces

The childcare parking spaces located on Basement Level 1 are to be signposted and marked in accordance with the recommendations of the Traffic & Parking Assessment Report prepared by CJP Consulting Engineers dated 5 April 2023 (Ref.22198)

Acoustic Awning

The acoustic absorptive material on the acoustic barrier over the active play area is to have a minimum noise reduction coefficient (NRC) of 0.9 rating in lieu of the NRC of 0.6 nominated in the report.

Operational Plan of Management

The Operational Plan of Management is to be amended to restrict the number of children engaged in active play at any one time to 30 children, in accordance with the acoustic report.

FOR: Marcia Doheny, Trevor Bly, Jennifer Bautovich, Jennifer Inglis

REASONS FOR DETERMINATION

The Panel adopts the reasons in the assessment report dated 21 June 2024 and is satisfied that:

1. The proposal was assessed against each of the mandatory relevant considerations of Section 4.15 of the EP& Act in the assessment report, and found to be acceptable.
2. The development facilitates the orderly economic development of the land.
3. The proposed construction is of a good design quality and is considered suitable for the subject site.
4. There are no unreasonable environmental impacts.
5. The application is considered to be in the public interest.

**** End Minutes - Report No. 9****

TO: Strathfield Local Planning Panel Meeting - 11 July 2024
REPORT: SLPP – Report No. 10
SUBJECT: DA2024.1 - 27 BODEN AVENUE, STRATHFIELD
DA NO. DA2024.1

PROPOSAL

Development Application No. **DA2024.1** for the partial demolition of the existing dwelling as constructed and alterations responsive to previous litigation including associated landscaping to the site at **27 BODEN AVENUE, STRATHFIELD.**

The Panel carried out a site inspection of the property and had regard to the assessment report and all accompanying documentation as well as any submissions.

The following people addressed the Panel at the Public Meeting: David Haskew.

DETERMINATION

Clause 4.6 Variation Request

The Panel is not satisfied that the requested non-compliance with the development standard contained in Clause 4.4C – Floor Space Ratio or SLEP 2012 is well founded and does not consider that sufficient environmental planning grounds to justify contravening the development standard have been identified.

The Panel determines to REFUSE the development application as described in item 10 pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 for the reasons detailed in the assessment report.

FOR: Marcia Doheny, Trevor Bly, Jennifer Bautovich, Jennifer Inglis

REASONS FOR DETERMINATION

The Panel adopts the reasons in the assessment report dated 19 June 2024.

1. Refusal Reason - Clause 4.6 Variation Request

In consideration of the written request made by the applicant pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is not satisfied that the request for non-compliance with the development standard contained in Clause 4.4C – Floor Space Ratio of the SLEP 2012 is well founded. The consent authority does not consider that sufficient environmental planning grounds to justify contravening the development standard have been identified.

2. Refusal Reason - Development Control Plan

Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the following sections of the Strathfield Consolidated Development Control Plan 2005 in terms of the following:

- (a) The proposal fails to satisfy the Architectural Design and Streetscape Presentation objectives in Section 2.1 of Part A. The overall scale and design of the proposed dwelling does not complement the existing streetscape.
- (b) The proposal fails to satisfy the Building Envelope objectives provided by Section 4.1 of Part A, which requires that dwellings are compatible with the built form of the local area and the overall bulk and scale, size and height are appropriate.
- (c) The Proposal fails to satisfy the Privacy objectives under Section 7.1 of Part A and Privacy Controls under Section 7.2 of Part A. Elevated ground floor levels, alfresco areas and ancillary structures and glazing on the northern and western facades create unmitigated overlooking impacts.
- (d) The proposal fails to satisfy the building height control for a flat roof dwelling under Section 4.2.2 of Part A.
- (e) The proposal fails to satisfy the minimum primary setback requirement provided by Section 4.2.3.1(i) of Part A.
- (f) The proposal fails to satisfy the combined side setback and northern side setback minimum requirements provided by Section 4.2.3.2 of Part A.
- (g) The proposal fails to satisfy the minimum landscape area provided by Section 5.2.1.1 of Part A, which requires a minimum of 43% landscaped area for the specific lot.
- (h) The proposal breaches the front fence controls in Section 5.2.4 of Part A.
- (i) The proposal breaches the setback requirement for a swimming pool under Section 12.2.6 of Part A. The 1m setback must be landscaped and not include any part of the pool concourse.
- (j) The proposal incorporates numerous areas that require retaining walls above 1.2m and therefore breaches the maximum retaining wall height permitted under Section 12.2.3 of Part A.
- (k) The proposal fails to meet the 3m requirement for driveway widths at the front boundary under 8.2.1 of Part A.
- (l) The proposal fails to meet the objectives and controls pertaining to excavation and cut and fill including:
 - i. Objective 8.1(G) - To minimise excavation to reduce disturbance to natural ground level particularly adjacent to site boundaries.
 - ii. Control 8.2.3(1) - No excavation is permitted outside of the ground floor footprint.
 - iii. Control 8.2.3(9) - Basements may not be permissible on flood affected sites.
 - iv. Objective 9.1(A) - To maintain existing ground levels and minimise cut and fill to reduce site disturbance.
 - v. Objective 9.1(B) - To ensure existing trees and shrubs are undisturbed, ground water tables are maintained and impacts on overland flow/drainage are minimised.
 - vi. Control 9.2(8) – Avoid excessive fill that may create the potential for overlooking of adjoining properties.

3. Refusal Reason – Impacts on the Environment

Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development is likely to have an adverse impact on the following aspects of the environment:

- a) The non-compliant FSR, excessive bulk and scale and unarticulated facades create unacceptable visual impacts.

- b) The impervious surfaces do not allow for sufficient soft landscape areas and may be detrimental to drainage patterns.
- c) The elevated ground floor levels create unacceptable privacy impacts for adjoining dwellings.
- d) The proposal results in excessive excavation which has the potential for environmental impacts.

4. Refusal Reason – Suitability of Site

Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the site is not considered suitable for the proposed development given its size and shape and unacceptable relationship to adjoining developments and the locality.

5. Refusal Reason – Public Interest

Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not considered to be in the public interest and is likely to set an undesirable precedent.

6. Refusal Reason – Insufficient Information

- (a) There is insufficient information to determine whether the Development Application satisfies the aims and objectives of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 2 – Vegetation in non-rural areas.
- (b) There is insufficient information to determine whether the Development Application satisfies the aims and objectives of the State Environmental Planning Policy (Sustainable Buildings) 2022. It is unclear whether the submitted BASIX Certificate relating to alterations and additions is appropriate considering the development history.
- (c) There is insufficient information to determine whether the Development Application satisfies the objectives and considerations under Clause 5.21 Flood Planning of the Strathfield Local Environmental Plan 2012.
- (d) There is insufficient information to determine whether the Development Application satisfies stormwater management requirements under Part A - Section 10 of the Strathfield Consolidated Development Control Plan 2005 and the Strathfield Council Stormwater Management Code.
- (e) There is insufficient information to determine whether the Development Application satisfies solar access requirements under Part A - Section 6 of the Strathfield Consolidated Development Control Plan 2005.

**** End Minutes - Report No. 10****

TO: Strathfield Local Planning Panel Meeting - 11 July 2024
REPORT: SLPP – Report No. 11
SUBJECT: DA2023.156 - 145-151 ARTHUR STREET, HOMEBUSH WEST
DA NO. 2023.156

PROPOSAL

Development Application No. **DA2023.156** for extension to an existing warehouse to provide a new two (2) storey warehouse unit, including loading docks, awning and ancillary office space on the first floor with 24 hours operation 7 days per week at **145-151 ARTHUR STREET, HOMEBUSH WEST**.

The Panel carried out a site inspection of the property and had regard to the assessment report and all accompanying documentation as well as any submissions.

The following people addressed the Panel at the Public Meeting: Patrick Pace.

DETERMINATION

The Panel determined to APPROVE the development application as described in item 11 pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 and grant subject to the conditions in the assessment report for this application dated 13 June 2024 and the following additional condition:

Condition 8 - Housing and productivity contribution (Added)

Housing and productivity contribution	Amount
Total housing and productivity contribution	\$31,800.00

The amount payable at the time of payment is the amount shown in condition 1 as the total housing and productivity contribution adjusted by multiplying it by:

$$\text{highest PPI number} \div \text{consent PPI number}$$

where: highest PPI number is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2nd last quarter before the quarter in which the payment is made, and consent PPI number is the PPI number last used to adjust HPC rates when consent was granted, and June quarter 2023 and PPI have the meanings given in clause 22 (4) of the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

FOR: Marcia Doheny, Trevor Bly, Jennifer Bautovich, Jennifer Inglis

REASONS FOR DETERMINATION

The Panel adopts the reasons in the assessment report dated 13 June 2024 and is satisfied that:

- (a) The proposal was assessed against each of the mandatory relevant considerations of Section 4.15 of the EP& Act in the assessment report, and found to be acceptable.

- (b) The development facilitates the orderly economic development of the land.
- (c) The proposed construction is of a good design quality and is considered suitable for the subject site.
- (d) There are no unreasonable environmental impacts.
- (e) The application is considered to be in the public interest.

**** End Minutes - Report No. 11****

TO: Strathfield Local Planning Panel Meeting - 11 July 2024
REPORT: SLPP – Report No. 12
SUBJECT: DA2023.149 - 98 BERESFORD ROAD, STRATHFIELD
DA NO. DA2023.149

PROPOSAL

Application for a review, pursuant to Division 8.2 of the Environmental Planning & Assessment Act, 1979, of the determination by refusal of Development Application No. **2023.149** comprising demolition of existing structures and construction of two storey dwelling with basement, front fence and in ground swimming pool at rear at **98 BERESFORD ROAD, STRATHFIELD** ('subject development application').

The Panel carried out a site inspection of the property and had regard to the assessment report and all accompanying documentation as well as any submissions.

The following people addressed the Panel at the Public Meeting: Daniel Kabbara.

DETERMINATION

Pursuant to Sections 8.3 and 8.4 of the EP&A Act, the Panel considered the applicant's request by considering the earlier determination to refuse the subject development application and determined to **grant consent** to the subject development application subject to the conditions in the assessment report dated 27 June 2024 and the following additional conditions:

Condition 12: Design Amendments (Added)

Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. The North East elevation is to replace the horizontal window (W30) with two vertical windows (2100mmx850mm) that align with the windows (W23 and W24) immediately above on the first floor.

FOR: Marcia Doheny, Trevor Bly, Jennifer Bautovich, Jennifer Inglis

REASONS FOR DETERMINATION

The Panel adopts the reasons in the assessment report dated 27 June 2024 and is satisfied:

1. The proposal was assessed against each of the mandatory relevant considerations of Section 4.15 of the EP&A Act 1979 in the assessment report, and found to be acceptable.
2. The development facilitates the orderly economic development of the land.
3. The proposed dwelling is considered suitable for the subject site.
4. There are no unreasonable environmental impacts.
5. The application is considered in the public interest.

**** End Minutes - Report No. 12****

ENDORSED BY MARCIA DOHENY, CHAIR



**** End Minutes – SLPP 11 July 2024***