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| DATE OF DECISION | 10 December 2021 |
| PANEL MEMBERS | Helen Lochhead (Chair), Stuart McDonald, Heather Warton |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | Bilal El-Hayek & Nadia Saleh have declared a conflict of interest as they have previously voted on this matter. |

REZONING REVIEW

RR-2021-91 – CANTERBURY-BANKSTOWN– PP-2021-5837 - AT 2 AND 2A BULLECOURT AVENUE, MILPERRA

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site-specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
- ☐ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site-specific merit

The decision was unanimous

REASONS FOR THE DECISION


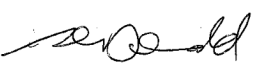

The Planning Proposal demonstrated strategic merit being not inconsistent with the Greater Sydney Regional Plan, South District Plan, Local Strategic Planning Statement, Local Housing strategy, the Affordable Housing strategy and in terms of existing and future character, diversity of housing, and biodiversity values.

The Planning Proposal also demonstrated site specific planning merit specifically in relation to:

- Accessibility
- Density and character (19DU/ha)
- Housing diversity
- Traffic - Some increase in but deemed acceptable at peak AM/PM subject to further modelling
- Maintenance of the Cumberland Woodland Biodiversity (to be rezoned C2)
- Sustainability measures- solar energy, prefabrication, smart infrastructure
- Social infrastructure
- Tree retention- subject to further assessment
- Minimisation of Benching – subject to further cut and fill analysis
- Environmental protection

Resolution of the following prior to the exhibition of the planning proposal is recommended for DPIE consideration as part of the Gateway determination and with due regard to the issues raised in the Council Officers' report (dated:27 July 2021) noting the need for:

- Further traffic modelling
- Revised Remedial Action Plan (RAP)
- Additional Flooding and stormwater information to ensure FFLs meet 1:100 flood levels and address site planning implications
- Minimisation of cut and fill with a view to respect existing topography and maximising tree retention
- Updated Arborist's report- to minimise tree loss, determine additional trees that can be retained plus additional trees planted to maximise urban greening and management of heat island impacts
- Street and lot layout to be modified to maximise tree retention and accommodate tree growth.
- Pedestrian links from Ashford Ave to central park be confirmed (RE1 public recreation zone)
- Further ecological assessment to recommend extent of biodiversity mapping
- Resolution of ownership and management of Cumberland Plain Woodland and associated APZs (C2 zone)
- Proposed E2 zone to be C2 zone environmental conservation zone
- Cap of dwellings to 430 DUs in LEP Additional provisions clause
- Sliding scale approach to FSR in LEP clause
- The Planning proposal should be exhibited with:
 - A site-specific DCP prepared by Council and exhibited concurrently, noting Council requirements for road reserves, housing solar access etc
 - A site-specific Landscape Masterplan
 - VPA should be exhibited concurrently and include agreed affordable housing contribution and agreed developer contributions

| PANEL MEMBERS | |
|---|---|
|  Helen Lochhead (Chair) |  Stuart McDonald |
|  Heather Warton | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DEPARTMENT REF - ADDRESS | RR-2021-91 – CANTERBURY-BANKSTOWN– PP-2021-5837 - AT 2 AND 2A BULLECOURT AVENUE, MILPERRA |
| 2 | LEP TO BE AMENDED | Bankstown Local Environmental Plan [2015] |
| 3 | PROPOSED INSTRUMENT | The proposal seeks to rezone the Western Sydney University site in Milperra to enable the creation of a new residential neighbourhood. The PP seeks to rezone the site from SP2 Infrastructure (Educational Establishment) and SP2 (Electricity Transmission or Distribution Network) to R1 General Residential, B1 Neighbourhood Centre, RE1 Public Recreation, E2 (revised to C2) Environmental Conservation and SP2 Infrastructure (Stormwater drainage reserve). |
| 4 | MATERIAL CONSIDERED BY THE PANEL | <ul style="list-style-type: none"> • Rezoning review request documentation • Briefing report from Department of Planning, Industry and Environment |

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| 5 | BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY | <ul style="list-style-type: none"> • Site inspection: 9 December 2021 <ul style="list-style-type: none"> ○ Panel members in attendance: Helen Lochhead (Chair), Stuart McDonald, Heather Warton ○ DPIE staff in attendance: Laura Locke ○ Proponent: Theo Zotos, Linda Rodriguez, Bill Parasiris ○ Council: Mitchell Noble, Patrick Lebon • Briefing with Department of Planning, Industry and Environment (DPIE): 9 December 2021 <ul style="list-style-type: none"> ○ Panel members in attendance: Helen Lochhead (Chair), Stuart McDonald, Heather Warton ○ DPIE staff in attendance: Laura Locke, Pristine Ong ○ Planning Panel Secretariat: Holly McCann • Briefing with Council: 9 December 2021 <ul style="list-style-type: none"> ○ Panel members in attendance: Helen Lochhead (Chair), Stuart McDonald, Heather Warton ○ DPIE staff in attendance: Laura Locke, Pristine Ong ○ Council representatives in attendance: Liam Rogers, Mitchell Noble, Patrick Lebon ○ Planning Panel Secretariat: Holly McCann • Briefing with Proponent: 9 December 2021 <ul style="list-style-type: none"> ○ Panel members in attendance: Helen Lochhead (Chair), Stuart McDonald, Heather Warton ○ DPIE staff in attendance: Laura Locke, Pristine Ong ○ Proponent representatives in attendance: Theo Zotos, Nino Babani, Linda Rodriguez, Bill Parasiris ○ Council representatives in attendance: Liam Rogers, Mitchell Noble, Patrick Lebon ○ Planning Panel Secretariat: Holly McCann |
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