

PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION PUBLIC MEETING, POST
EXHIBITION AND FINALISATION
 STRATEGIC PLANNING PANEL OF THE
 SYDNEY SOUTH PLANNING PANEL

DATE OF DETERMINATION	24 July 2023
DATE OF PANEL DECISION	14 July 2023
PANEL MEMBERS	Steve O'Connor (Acting Chair), Glennis James and David Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	The City of Canterbury Bankstown's two local members Cr Charlie Ishac and Cr Karl Saleh have a conflict of interest as they previously voted as Councillors not to support the planning proposal proceeding to Gateway determination at the Council meeting on 24 August 2021.

Public meeting held by public teleconference on 14 July 2023, opened at 11:15am and closed at 1.15pm. Papers circulated electronically on 4 July 2023.

PLANNING PROPOSAL (PP)

PP-2021-5837 - CANTERBURY-BANKSTOWN – 2 and 2A Bullecourt Avenue, Milperra (Western Sydney University Milperra Campus) (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4, and the material presented at the site inspection and briefing listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made, subject to the following amendments which were recommended in the Department of Planning and Environment's (Department) Post Exhibition Report PP-2021-5837, 3 July 2023.

1. That the planning proposal document is to be updated prior to submission for finalisation to formally incorporate the additional information provided by the proponent to address the relevant Section 9.1 Ministerial Directions.
2. That the planning proposal be updated to identify both the RE1 Public Recreation and the SP2 Infrastructure (Drainage) land in the south western corner of the site within the Land Reservation Acquisition Maps of the Canterbury Bankstown LEP 2023.
3. That during finalisation the Department insert a site-specific objective to reflect the intent to maximise tree retention and conservation of Cumberland Plain Woodland.

The Panel's decision was unanimous.

REASONS FOR THE DECISION

The Panel noted the Department's Post-Exhibition Report and met with the Department, Mirvac (the applicant), City of Canterbury-Bankstown and members of the community in a public meeting.


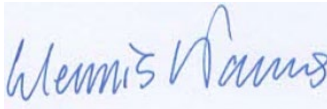

The Panel concurred with the Department that the proposal demonstrated strategic and site-specific merit; that the conditions of the Gateway Determination had all been met; agency and community consultation had occurred in accordance with the Gateway Determination Requirements; and various

concerns raised had been adequately addressed by the Department, Council officers and Mirvac's representatives. Consequently, the proposal warranted support.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that the key issues of concern raised included that the Planning Proposal was inconsistent with the Canterbury Bankstown Housing Strategy and Canterbury Bankstown Local Strategic Planning Statement; the problems of urban heat associated with global warming; the inappropriateness of the proposed R1 General Residential zoning; flooding; the overdevelopment of the site; the impact from aircraft noise and odour from the nearby waste management facility, the lack of regard for Aboriginal Cultural Heritage and the historic associations of the site; the lack of educational facilities to meet increasing local demand; continuation of child-care centre and the need to maintain childcare places; the site's remoteness from mass transport; the issues associated with dual occupancy developments; management/ownership of the bushland area; the site's ownership history and sale; employment implications; Canterbury Bankstown Employment Study; negative traffic and parking impacts; threat to the local character of Milperra, inadequate community consultation and the lack of adequate community infrastructure proposed.

The Panel considers that the many concerns raised by the community have all been adequately addressed in the Department's Post Exhibition Report and in the presentations provided by Departmental officers, Council officers and Mirvac's representatives.

PANEL MEMBERS	
 Steve O'Connor (Acting Chair)	 Glennis James
 David Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. – ADDRESS	PP-2021-5837 - CANTERBURY-BANKSTOWN – AT 2 AND 2A BULLECOURT AVENUE, MILPERRA
2	LEP TO BE AMENDED	Canterbury Bankstown Local Environmental Plan 2023
3	PROPOSED INSTRUMENT	<ul style="list-style-type: none"> The Planning Proposal (PP) seeks to rezone the Western Sydney University site in Milperra to enable the creation of a new residential neighbourhood. The PP seeks to: <ul style="list-style-type: none"> 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, C2 Environmental Conservation and SP2 Infrastructure (Stormwater drainage reserve); introduce maximum building heights of part 9m (majority of the site) and part 11m (B1 zone and select land fronting Bullecourt Avenue); introduce maximum floor space ratios (FSR) of part 0.5:1 (along Ashford Avenue), part 1:1 (for the B1 zone) and a ‘sliding scale’ FSR for the remainder of the site; introduce a minimum lot size control of 300m² for the R1 zone; include a provision to limit the residential yield on the site to 430 dwellings; include a provision to permit small lot housing (124m² - 300m² lots) on certain land; identify that the minimum lot size applies to subdivision for community title schemes on land in the proposed R1 zone; and amend the Terrestrial Biodiversity Map to identify land at the north-east corner of the site.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> DPE’s Post Exhibition Report 3 July 2023. Previous decisions made by the Sydney South Planning Panel, Council’s Local Planning Panel, Previous Reports prepared by DPE; Council Minutes and Council Officer Reports; Written submissions during public exhibition - 111; Verbal submissions at the Panel’s public meeting 11.15am – 1.15pm, 14 July 2023: <ul style="list-style-type: none"> Registered Speakers: Renae Carter o/b Future of Milperra UWS Campus; Trish Hanna; Paul Judge; John Hicks as read by Paul Judge; Ashlie Stevenson o/b Bankstown Bushland Society; Hon Kylie Wilkinson, State Member for East Hills; Giuseppe Pagano; Andrew Molloy as read by Sharon Edwards and Emma Baxter On behalf of City of Canterbury-Bankstown - Camille Lattouf On behalf of the applicant – Nino Babani from Mirvac on behalf of the landholder Western Sydney University. Total number of unique submissions received by way of objection: 100

5	SITE INSPECTION & BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection: 10.00am-11.15am, 7 July 2023 <ul style="list-style-type: none"> ○ Panel members: Steve O'Connor (Acting Chair), Glennis James & David Ryan ○ Department staff: Louise McMahon, Kelly McKellar, Doug Cunningham, Laura Locke, Kris Walsh & Bailey Williams ○ Key Issues Discussed: <ul style="list-style-type: none"> • bushland area conservation and ownership; child-care centre retention of childcare places; tree cover and open space; proposed building setbacks; proposed R1 zone; existing oval and proposed residential issues; flooding & drainage in the south of the site; airport & airport noise; waste management operation to the south and odour issues; • further information was requested on – status draft VPA & DCP, urban sensitive water design, sliding scale FSR, long term management of bushland, bushfire threats & intent of dwelling cap. • Panel Briefing: 10.30am – 11.10am, 14 July 2023 <ul style="list-style-type: none"> ○ Panel members: Steve O'Connor (Acting Chair), Glennis James & David Ryan ○ Department staff: Louise McMahon, Kelly McKellar, Doug Cunningham, Srishti Jagdale, Jasper Allenby, Jeremy Martin, Kris Walsh, Bailey Williams, Aoife Wynter, Lisa Kennedy, Sharon Edwards & Adam Williams ○ Key Issues Discussed: <ul style="list-style-type: none"> • Planning proposal process; significant issues raised following exhibition; Department recommendations; Gateway determination conditions; proposed R1 zoning cap of 430 dwellings on site. • Online Panel Discussion 1:45pm – 2:30pm <ul style="list-style-type: none"> ○ Panel members: Steve O'Connor (Acting Chair), Glennis James & David Ryan ○ Department staff: Louise McMahon, Kelly McKellar, Doug Cunningham, Srishti Jagdale, Jasper Allenby, Jeremy Martin, Kris Walsh, Bailey Williams, Aoife Wynter, Lisa Kennedy, Sharon Edwards & Adam Williams
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