

DATE OF DETERMINATION	22 July 2021
PANEL MEMBERS	Jan Murrell (Chair), Roberta Ryan, Sue Francis, Michael Nagi, Ed McDougall
APOLOGIES	Carl Scully
DECLARATIONS OF INTEREST	None

Meeting held by videoconference on 22 July 2021, opened at 2pm and closed at 3pm.

MATTER DETERMINED

PPSSEC-110 – Bayside – DA-2020/0417 – 77 Stephen Road (aka 9 Coal Pier Road) Banksmeadow (as described in Schedule 1)

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 Officer's assessment report.

- The Panel is satisfied the proposed development is satisfactory and meets the Council's and The Department's requirements concerning risk.
- The development is one that would be anticipated in the zone and is supported.

CONDITIONS

The development application was approved subject to the conditions in the Council Officer's assessment report with the following amendment.

- Amend Condition 8 to read as follows:
The site is approved for 'warehouse and distribution' use with a total on-site population not exceeding a maximum daytime permanent employee population of 168 people.



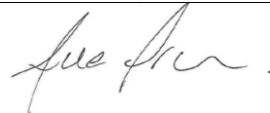


CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition. The Panel considered written submissions made after the public exhibition period. The Panel notes that issues of concern included:

- Flooding
- Asset Maintenance
- Tree Removal
- Risk
- Traffic

- Air Pollution

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report. The Panel notes that in addressing these appropriate conditions have been imposed.

PANEL MEMBERS	
 Jan Murrell (Chair)	 Roberta Ryan
 Sue Francis	 Michael Nagi
 Ed McDougall	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-110 – Bayside – DA-2020/417
2	PROPOSED DEVELOPMENT	Construction of an industrial warehouse estate with associated site offices, hardstand and parking areas; tree and vegetation removal; landscaping works; and signage, operating 24 hours / 7 days.
3	STREET ADDRESS	77 Stephen Road (aka 9 Coal Pier Road) Banksmeadow
4	APPLICANT/OWNER	Goodman Property Services (Aust) Pty Limited/ The Trust Company Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning & Assessment Act 1979, Part 4 – Development Assessment & Schedule 7 of the SEPP- State and Regional Development 2011 which regional panels may be authorised to exercise consent authority functions of councils • Environmental Planning & Assessment Regulation 2000, Part 6 – Procedures relating to Development Applications • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Three Ports) 2013 ○ State Environmental Planning Policy (Infrastructure) 2013 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 64 – Advertising and Signage ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ Local Environmental Plan: Nil • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Development Control Plan: Nil • 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: 13 July 2021 • Written submissions during public exhibition: Nil • Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 18 March 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Michael Nagi ○ <u>Council assessment staff</u>: Angela Lazaridis, Ben Latta, Luis Melim • Panel members visited the site independently, prior to 22 July 2021

		<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 22 July 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Jan Murrell (Chair), Roberta Ryan, Sue Francis, Michael Nagi, Ed McDougall ○ <u>Council assessment staff</u>: Angela Lazaridis, Ben Latta, Luis Melim ○ <u>Applicant representatives</u>: Cameron Rubenach, Guy Smith, Caitlin D'Arcy
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Officer's assessment report