

DATE OF DETERMINATION	28 April 2026
DATE OF PANEL DECISION	24 April 2026
DATE OF PANEL MEETING	2 April 2026
PANEL MEMBERS	Carl Scully (Chair), Alice Spizzo, Graham Brown, John Engeler Philippa Scott
APOLOGIES	None
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 26 March 2026.

MATTER DETERMINED

PPSSEC-374 – Inner West – MOD/2025/0165 – 2B West Street Lewisham 2049 – Section 4.55(2)
Modification to DA201800505, dated 02/09/2020, modification involves amendments to previously approved buildings and surrounds including changes to building heights and envelopes, changes to the basement layout and extent, changes to landscaping and vehicle access, redesign of the floor plans and internal layouts and other internal and external alterations, and changes in the mix of Independent Living Units and Residential Aged Care throughout the new buildings, the Novitiate Building and the Ann Walsh Building (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered all relevant information, including 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.

Application for modification of consent

The Panel is satisfied that the application is substantially the same development as the development originally approved and the reasons for the original approval have been taken into consideration for this determination.

The panel determined to approve the modification application pursuant to section 4.55(2) 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.

CONDITIONS

The Modification Application was approved subject to the conditions in the Council Assessment Report with the following amendments:

4. Novitiate Building – to be deleted in full:

~~Prior to release of a construction certificate amended plans shall be submitted in accordance with the following recommendations of the Revised Novitiate Heritage Impact Assessment by John Oultram Heritage and Design dated 15 June 2020:~~

- a) Deleted
- b) Deleted
- c) Deleted
- d) Deleted

26. Sydney Trains - Requirements – to be amended so that it reads as follows:

- Prior to the issuing of any Stage 3 Construction Certificate, the Applicant shall prepare and provide to Sydney Trains for review, comment, and written endorsement the following final version rail specific items in compliance with the relevant AMB Standards (<https://www.transport.nsw.gov.au/industry/asset-management-branch>):
 - a. Geotechnical and Structural report/drawings that meet Sydney Trains' requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
 - b. Final shoring section and detail drawings shown the rail corridor, sub soil profile, proposed basement excavation and/or structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.

The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

The final conditions uploaded to the NSW Planning Portal on 28 April 2026.

Note: Corrected on 10 May 2026 to record the Panel's original decision that Condition 4 was deleted in full. The earlier published DSOR and conditions did not accurately record the deletion of the whole of Condition 4 but in error recorded condition 4(d) as remaining.

CONSIDERATION OF COMMUNITY VIEWS

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Carl (Patrick) Scully	 Graham Brown
 Alice Spizzo	 Philippa Scott
 John Engeler	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-374 – Inner West – MOD/2025/0165
2	PROPOSED DEVELOPMENT	Modification to DA201800505, dated 02/09/2020, modification involves amendments to previously approved buildings and surrounds including changes to building heights and envelopes, changes to the basement layout and extent, changes to landscaping and vehicle access, redesign of the floor plans and internal layouts and other internal and external alterations, and changes in the mix of Independent Living Units and Residential Aged Care throughout the new buildings, the Novitiate Building and the Ann Walsh Building.
3	STREET ADDRESS	2B West Street Lewisham 2049
4	APPLICANT/OWNER	Catholic Healthcare
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Housing) 2021 ○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Sustainable Buildings) 2022 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Industry and Employment) 2021 ○ Inner West Local Environmental Plan 2022 • Draft environmental planning instruments: Nil • Development control plans: ○ Marrickville Development Control Plan 2011 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • 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	• Council Assessment Report: 25 March 2026 • Addendum to the Council Assessment Report: 2 April 2026 • Draft Conditions uploaded to the NSW Planning Portal on 25 March 2026 • Revised set of Draft Conditions uploaded to the NSW Planning Portal on 2 April 2026 • Revised set of Draft Conditions uploaded to the NSW Planning Portal on 28 April 2026

		• Copy of correspondence between Council and Sydney Trains regarding amendments to Condition 26: 2 April 2026 • Written submissions during public exhibition: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Determination Briefing: 2 April 2026 ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Graham Brown, John Engler, Philippa Scott ○ <u>Council planning staff</u>: Katerina Lianos, Iain Betts, Ruba Osman ○ <u>Applicant representatives</u>: Daniel Jukic (Development Manager, Catholic Healthcare), Mahmoud Chatila (Senior Property Manager, Catholic Healthcare), Jack Rixon (Associate Planner, Mecone), Tom Cook (Director, Mecone), Tom White (Director, WMK), Tim Field (Principal, Place Design Group), John Oultram (Owner, John Oultram Heritage & Design), Luis Santeliz (Project Director, TSA Riley), Karen Whiteley (Senior Project Manager, TSA Riley), Fitri Wahib (Senior Team Leader, WMK). ○ <u>Department Staff</u>: Nicole McNamara, Gail Fletcher • Site inspection: 2 April 2026 ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Philippa Scott, Graham Brown, John Engler ○ <u>Council assessment staff</u>: Katerina Lianos, Iain Betts, Ruba Osman
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report