

<b>DATE OF DETERMINATION</b>	26 September 2022
<b>DATE OF PANEL DECISION</b>	26 September 2022
<b>DATE OF PANEL MEETING</b>	21 September 2022
<b>PANEL MEMBERS</b>	Stuart McDonald (Acting Chair), Heather Warton, Bilal El-Hayek, Charlie Ishac
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 16 September 2022.

#### **MATTER DETERMINED**

PPSSSH-105 – Canterbury-Bankstown – DA-1066/2021 - 2 and 60 Christina Road, Villawood 2163 - Demolition of existing structures and partial site clearing; remediation works, contamination management and earthworks; and construction of an industrial warehouse and distribution estate comprising 12 warehouses and associated works including 3 vehicular access points from Christina Rd, intended for 24 hour operation. The development is threatened species development.

#### **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 assessment report.

#### **CONDITIONS**

The development application was approved subject to the conditions in the council assessment report with the following amendments.

- Amend draft condition 2.31 to state that the required Vegetation Management Plan is to cover initial establishment and long term management in perpetuity quoting the recommendations of Section 9 of the *Biodiversity Assessment Report* prepared by SLR, dated 21 October 2021.:
  - a requirement that the land owner must protect and maintain the ecologically significant community in perpetuity.
- Amend draft condition 5.2 as follows:

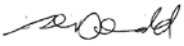



5.2 No approval is granted for the internal fit out of each warehouse building.

Separate consent is to be obtained for any internal fit-out of the premises for any works outside of, or in addition to, the works as approved under this application, unless otherwise exempt.

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the panel considered one written submission made during public exhibition. The panel notes that issues of concern included:

- Stormwater overland flow impacting an adjoining property.

PANEL MEMBERS	
Stuart McDonald (Acting Chair) 	Heather Warton 
Charlie Ishac 	Bilal El-Hayek 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-105 – Canterbury-Bankstown – DA-1066/2021
2	PROPOSED DEVELOPMENT	Demolition of existing structures and partial site clearing; remediation works, contamination management and earthworks; and construction of an industrial warehouse and distribution estate comprising 12 warehouses and associated works including 3 vehicular access points from Christina Rd, intended for 24-hour operation. The development is threatened species development. This application, having a Capital Investment Value greater than \$30m, will be determined by the Sydney South Planning Panel on behalf of Council.
3	STREET ADDRESS	2 and 60 Christina Road, Villawood
4	APPLICANT/OWNER	Christopher Croucamp / MIOF Land No. 3 Pty Ltd, Orica Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Biodiversity Conservation Act 2016</li> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Planning Systems) 2021</li> <li>○ State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>○ State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>○ State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>○ Bankstown Local Environmental Plan 2015</li> </ul> </li> <li>• Draft environmental planning instruments: <ul style="list-style-type: none"> <li>• Draft Canterbury Bankstown Local Environmental Plan 2020</li> </ul> </li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Bankstown Development Control Plan 2015</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>• Coastal zone management plan: N/A</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 16 September 2022</li> <li>• Written submissions during public exhibition: 1</li> <li>• Total number of unique submissions received by way of objection: 1</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 3 May 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Marcia Doheny, Charlie Ishac</li> <li>○ <u>Council assessment staff</u>: Stephen Arnold, Cassandra Gibbons</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 21 September 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Stuart McDonald (Acting Chair), Heather Warton, Bilal El-Hayek, Charlie Ishac</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Council assessment staff</u>: Stephen Arnold, Cassandra Gibbons</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report