

<b>DATE OF DEFERRAL</b>	26 September 2023
<b>DATE OF PANEL DECISION</b>	25 September 2023
<b>PANEL MEMBERS</b>	Annelise Tuor (Chair), Penelope Holloway, Glennis James, Karl Saleh, Khal Asfour
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	The former Chair has made a decision in line with item 5.2 of the Panel Operating Procedures, that Charlie Ishac has a perceived conflict of interest having previously been employed by the project planning consultants.

Papers circulated electronically on 18 September 2023.

#### **MATTER DETERMINED**

PPSSSH-122 – Canterbury-Bankstown – DA-741/2022 at 149 Orchard Road, Chester Hill – four attached warehouse and distribution buildings (as described in Schedule 1).

#### **REASONS FOR DEFERRAL**

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the meetings and briefings listed at item 8 in Schedule 1.

The Panel agreed to defer the determination of the matter until 9 October 2023 as the information provided did not satisfy the panel that the potential for stormwater blockage should rely on a maintenance schedule and that other viable design options should be considered.

The decision to defer the matter was unanimous.

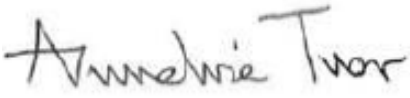




#### **ACTIONS**

To allow for the progression of the development application to determination, the Panel directed that:

1. The applicant and Council further investigate opportunities to reduce the risk of stormwater drainage blockages resulting from the proposed u-turn at pit 4 and CO4. The options to be considered include:
  - a. a connection from pit 3 to pit CO5, and
  - b. a connection to pit CO4 to CO6

This may require minor design amendments, including to the building and pump house. The information shall include any constraints to the different options.
2. The applicant is to submit the above information to Council by Tuesday 3 October.
3. Council shall submit a supplementary report and a full revised set of conditions (marked Issue E) to the panel by Friday 6 October.
4. The Panel will hold a final determination briefing on Monday 9 October.

If the information requested is not provided by 3 October 2023, the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Annelise Tuor (Chair)	 Glennis James
 Penelope Holloway	 Karl Saleh
 Khal Asfour	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-122 – Canterbury-Bankstown – DA-741/2022
2	PROPOSED DEVELOPMENT	Demolition of existing structures, removal of site vegetation and retention of 6 trees, construction of 4 attached warehouse and distribution buildings for 24 hours, 7 days a week operation, ancillary office spaces, awnings, associated site preparation works, vehicular and pedestrian access, car parking and landscaping, 2 pylon signs and associated business identification signage
3	STREET ADDRESS	Lot 81 DP 1282378, No. 149 Orchard Road, Chester Hill NSW 2162
4	APPLICANT/OWNER	Dexus Wholesale Management Limited Tung Hui Chung, Tong Hong Chung and Chung Enterprise Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Biodiversity Conservation Act 2016</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Industry and Employment) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 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 (BLEP 2015)</li> </ul> </li> <li>Draft environmental planning instruments: Nil</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>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> </ul>

		<ul style="list-style-type: none"> <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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council Assessment Report: 25 September 2023</li> <li>• Written submissions during public exhibition: nil</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Briefing: 6 December 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Heather Warton and Bilal El-Hayak</li> <li>○ <u>Applicant representatives</u>: Lydia Gabriel</li> <li>○ <u>Council assessment staff</u>: Stephen Arnold, Christopher Phu and Ian Woodward</li> <li>○ <u>Department staff</u>: Leanne Harris and Sharon Edwards</li> </ul> </li> <li>• Briefing: 6 March 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James and Charlie Ishac</li> <li>○ <u>Council assessment staff</u>: Stephen Arnold, Christopher Phu, George Gouvatsos, Cassandra Gibbons, Priscilla Prakash and Ian Woodward</li> <li>○ <u>Department staff</u>: Sung Pak and Timothy Cook</li> </ul> </li> <li>• Briefing: 29 August 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James and Karl Saleh</li> <li>○ <u>Council assessment staff</u>: Stephen Arnold, Christopher Phu, Daniel Bushby, Abdel Albaba and Ian Woodward</li> <li>○ <u>Applicant representatives</u>: Paul Neilsen, Asher Richardson, Mark Wilson and Lorenzo Lun</li> <li>○ <u>Department staff</u>: Lillian Charlesworth and Lisa Foley</li> </ul> </li> <li>• Determination Briefing (decision deferred): 25 September 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James, Khal Asfour and Karl Saleh</li> <li>○ <u>Council assessment staff</u>: Stephen Arnold and Christopher Phu</li> <li>○ <u>Department staff</u>: Lillian Charlesworth, Lisa Foley</li> <li>○ <u>Applicant representatives</u>: Paul Neilsen, Asher Richardson and Lorenzo Lun</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council assessment report (Issue D)