

DATE OF DETERMINATION	3 December 2025
DATE OF PANEL DECISION	3 December 2025
DATE OF PANEL BRIEFING	1 December 2025
PANEL MEMBERS	Annelise Tuor (Chair), Penelope Holloway, Glennis James, Khal Asfour, Karl Saleh
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 25 November 2025.

MATTER DETERMINED

PPSSSH-189 – CANTERBURY-BANKSTOWN – DA-39/2025 at 115 - 117 Dutton Street YAGOONA 2199 (Lot 18 & Lot 19, DP 9795) - Demolition of existing structures and construction of a 4-storey residential flat building comprising of 28 units with 6 affordable housing units, 2 levels of basement parking for 42 vehicles, associated site and civil works, landscaping and fencing. (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 Assessment Report.

- The proposed development is a permissible development with consent within the R4 – High Density Residential zone pursuant to the *Canterbury Bankstown Local Environmental Plan 2023* and is consistent with the relevant zone objectives.
- The application has been assessed having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
- The development complies with the applicable State Environmental Planning Policies and satisfies the relevant provisions of the *Canterbury Bankstown Local Environmental Plan 2023* and the *Canterbury Bankstown Development Control Plan 2023*.
- The proposed development is located adjacent to land zoned E1 Local Centre which envisages greater residential density close to the Yagoona Railway station and the local town centre.
- The proposed development will positively contribute to the desired future character of the area and will not adversely impact on residential amenity.

CONDITIONS

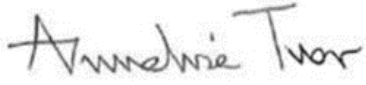
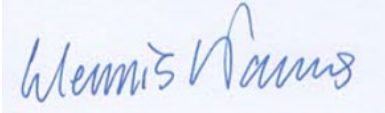
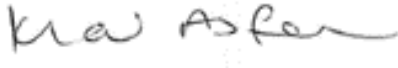
The Development Application was approved subject to the conditions in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

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

- Overshadowing impacts
- Service Infrastructure Placement
- Waste Storage Location
- Demolition and Asbestos Risk

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

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-189 – CANTERBURY-BANKSTOWN – DA-39/2025
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a 4-storey residential flat building comprising of 28 units with 6 affordable housing units, 2 levels of basement parking for 42 vehicles, associated site and civil works, landscaping and fencing.
3	STREET ADDRESS	115 - 117 Dutton Street YAGOONA 2199 (Lot 18 & Lot 19, DP 9795)
4	APPLICANT/OWNER	Applicant: Khaled Kabbout Owner: David Chau Lam, Nguyet Nga Quach, Jennifer Lam
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Housing) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Canterbury-Bankstown Local Environmental Plan 2023 - Draft environmental planning instruments: Nil - Development control plans: - Canterbury-Bankstown Development Control plan 2023 - 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: 21 November 2025 - Written submissions during public exhibition: 1 - Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 12 May 2025 <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Khal Asfour <u>Council assessment staff</u>: Daniel Bushby, Stephen Arnold <u>Applicant representatives</u>: Khaled Kabbout (Cedar Design & Construct), George Alagah (Goodwill Studio Australia), William Clarke (Goodwill Studio Australia) <u>DPHI</u>: Nikita Lange - Site inspection: 19 May 2025 <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James, Karl Saleh <u>Council assessment staff</u>: Daniel Bushby

		• Assessment Briefing: 18 August 2025 ○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Khal Asfour, Karl Saleh ○ <u>Council assessment staff</u>: Ryan Bevitt, Stephen Arnold ○ <u>Applicant representatives</u>: Khaled Kabbout (Cedar Design & Construct), George Alagah (Goodwill Studio Australia), Malek Shafie (Goodwill Studio Australia) ○ <u>DPHI</u>: Tracey Gillett • Final briefing to discuss council's recommendation: 1 December 2025 ○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James, Khal Asfour, Karl Saleh ○ <u>Council assessment staff</u>: Ryan Bevitt, Stephen Arnold ○ <u>Applicant representatives</u>: Khaled Kabbout (Cedar Design & Construct) ○ <u>DPHI</u>: Amanda Moylan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report