

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY SOUTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	7 December 2021
<b>PANEL MEMBERS</b>	Helen Lochhead (Chair), Stuart McDonald, Susan Budd, Bilal El-Hayek
<b>APOLOGIES</b>	Nadia Saleh
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 7 December 2021.

#### MATTER DETERMINED

PPSSSH-31 – Canterbury-Bankstown - DA-776/2020 - 137 Campbell Hill Road Chester Hill

#### 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, notably, the proposed development complies with applicable planning controls, with the exception of setbacks, deep soil and building separation stipulated in the Apartment Design Guide and BDCP 2015. However, given the minor nature of the non-compliances and impacts, the Panel supports the recommendation that the proposed development be approved.





#### CONDITIONS

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

- Merge Condition 1.10 and Condition 1.21 to provide consistency in requirements
- Delete Condition 1.1a, Typo

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Stuart McDonald
 Susan Budd	 Bilal El-Hayek

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-31 – CANTEBURY BANKSTOWN - DA-776/2020
2	PROPOSED DEVELOPMENT	Site remediation, demolition of existing structures and construction of a shop top housing development containing 100 residential apartments, two ground level retail tenancies, with at-grade and basement car parking and associated civil works.
3	STREET ADDRESS	137 Campbell Hill Road Chester Hill 2162
4	APPLICANT/OWNER	Waldron Hill Properties Pty Ltd / David Finneran
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>○ State Environmental Planning Policy 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017. State Environmental Planning Policy (Infrastructure) 2007.</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.</li> </ul> </li> <li>• Bankstown Local Environmental Plan 2015</li> <li>• Draft environmental planning instruments: <ul style="list-style-type: none"> <li>○ Draft Consolidated 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 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</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: <b>22 November 2021</b></li> <li>• List any clause 4.6 variation requests here</li> <li>• List any council memo or supplementary report received: <b>22 November 2021</b></li> <li>• Written submissions during public exhibition: 0</li> <li>• Total number of unique submissions received by way of objection: 0</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 11 March 2021, <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd, Bilal El-Hayek, Nadia Saleh</li> <li>○ <u>Council assessment staff</u>: Michael Bonnici, Daniel Bushby, Casandra Gibbons</li> <li>○ <u>DPIE</u>: Leanne Harris, Carolyn Hunt, Michelle Burns</li> </ul> </li> <li>• Site inspection: Panel members visited the site individually on different days due to Covid-19 precautions.</li> </ul>

		<ul style="list-style-type: none"> <li>• Final briefing to discuss council's recommendation: 6 December 2021 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd, Bilal El-Hayek</li> <li>○ <u>Council assessment staff</u>: Michael Bonnici, Stephen Arnold, Narelle Bowly, Monir Korkis, Rosemarie Barretto, Emmett Burns</li> <li>○ <u>DPIE</u>: Leanne Harris, Carolyn Hunt, Holly McCann</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report