

DATE OF DETERMINATION	4 August 2021
PANEL MEMBERS	Helen Lochhead (Chair), Stuart McDonald, Susan Budd
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Heather Warton - I have a Conflict of interest (as I do work for the council on contract, also I am friends with the assessment planner).</p> <p>Con Hindi and Nick Katris declared a conflict of interest due to the site being partly on Council owned land.</p> <p>Stuart McDonald's firm SJB Planning assessed the previous planning proposal on this site that has now been withdrawn. SJB Planning has never acted for the applicant.</p>

MATTER DETERMINED

PPSSSH-51 – Georges River – DA2020/0425 at 3 Cross Street HURSTVILLE 2220 - Alterations to Westfield Hurstville Shopping Centre including demolition works and construction of a new entertainment and leisure precinct split over levels 3, 4 and 5 (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.

CONDITIONS

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

- **Condition 2 - Ancillary Amusement Devices** to be amended to read: No approval is granted for the use or fit-out of the refreshment rooms or recreational facility. A Separate Development Consent or Complying Development Consent for the use and fit-out is required prior to the occupation of the refreshment room component of the development. A further development application must be submitted for the fit-out and use of the recreational facility that has regards to the concept plan referenced in this consent and indicates that the maximum gross floor area for ancillary amusement machines including walkways does not exceed 125m².

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	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-51 – Georges River – DA2020/0425 at 3 Cross
2	PROPOSED DEVELOPMENT	Alterations to the Westfield Hurstville Shopping Centre including demolition works and construction of a new leisure precinct split over levels 3, 4, and 5.
3	STREET ADDRESS	3 Cross Street, Hurstville
4	APPLICANT/OWNER	Georges River Council PT Limited Westfield Management Limited RE1 Limited DWPL Nominees Pty. Ltd.
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Council interest
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act 1979 ○ Environmental Planning and Assessment Regulation 2000 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No. 64 – Advertising and Signage ○ Greater Metropolitan Regional Environmental Plan No 2— Georges River Catchment ○ Hurstville Local Environmental Plan 2012 ○ Draft State Environmental Planning Policy – Remediation of Land ○ Draft State Environmental Planning Policy – Environment ○ Draft Georges River Local Environmental Plan 2020 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hurstville Development Control Plan No. 2 – Hurstville City Centre – Amendment 5 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • 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	<ul style="list-style-type: none"> • Council assessment report: 14 July 2021
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: Thursday, 11 March 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd ○ <u>Council assessment staff</u>: Nicole Askew, Ryan Cole, Liam Frayne, Cassandra McFarlane ○ <u>DPIE staff</u>: Michelle Burns, Leanne Harris, Carolyn Hunt

		<ul style="list-style-type: none"> • Final briefing to discuss council’s recommendation: Thursday, 29 July 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd ○ <u>Council assessment staff</u>: Nicole Askew, Ryan Cole, Liam Frayne, Cassandra McFarlane ○ <u>DPIE staff</u>: Michelle Burns, Leanne Harris, Carolyn Hunt
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report