



CONNECTING PEOPLE, POLICY AND PLACE.

20 April 2026

Silvio Falato
Team Leader – Housing Delivery Authority SSD Assessment
Department of Planning, Housing and Infrastructure
4 Parramatta Square,
12 Darcy Street,
Parramatta NSW 2150

Dear Silvio,

REQUEST FOR INDUSTRY-SPECIFIC SEARS FOR THE PROPOSED MIXED USE DEVELOPMENT AT 167 HUME HIGHWAY, CHULLORA (THE PALMS)

1 INTRODUCTION

This scoping letter has been prepared on behalf of Palms (Chullora) Pty Ltd (the Proponent) in relation to the land known as 167 Hume Highway, Chullora.

It has been prepared in support of a request for industry-specific Secretary's Environmental Assessment Requirements (SEARs) under the Rapid Assessment Framework (RAF). The proposed development involves the demolition of the existing pub and hardstand area and for the construction of a 12-storey mixed use development, including the reinstatement of the Palms Hotel. The proposal incorporates a concurrent spot rezoning to revise the maximum height limit and the floor space ratio (FSR) controls that apply to the site.

The proposal's expression of interest (EOI) reference 275126 was accepted by the Housing Delivery Authority (HDA) on 16 September 2025 with the formal recommendation that the proposal is of State significance and adequately satisfies the objectives and criteria of the HDA EOI. The proposal was declared by the Minister for Planning and Public Spaces as State Significant Development (SSD) on 24 September 2025 under Part 2, Section 4(1)(r) of *State Significant Development Declaration Order (No 14) 2025*.

The proposal is considered to meet the criteria for industry-specific SEARs because it:

- Is wholly permissible;
- Would not constitute designated development; and
- Does not comprise a concept development application.

This letter describes the site, the proposal, and the relevant planning framework that applies to enable the issuance of SEARs, which will then guide the preparation of a formal Environmental Impact Statement. This letter should be read in conjunction with:

- **Attachment 1** – Concept Architectural Plans, prepared by Tony Owens Architects; and
- **Attachment 2** – Aboriginal Cultural Heritage Due Diligence Advice Letter, prepared by OzArk Environment & Heritage.

This letter has been prepared by Patch Planning on behalf of the Proponent, whose details are provided in Table 1 below.





CONNECTING PEOPLE, POLICY AND PLACE.

Table 1. Proponent Details

Proponent	Palms (Chullora) Pty Ltd
Postal Address	Level 7, 30-32 Carrington Street, Sydney NSW 2000
Nominated Contact	Lauren Manias, Associate Director lmanias@patchplanning.com.au 0423 363 260

2 SITE DESCRIPTION

The site is located in the suburb of Chullora, within the Canterbury-Bankstown Local Government Area (LGA). It comprises one allotment known as 167 Hume Highway, Chullora and is legally described as Lot 402 of Deposited Plan (DP) 631754.

The site occupies a large single landholding with an approximate area of 11,754.35 square metres (sqm). It has a single frontage of approximately 175 metres (m) along the Hume Highway to the west. The remaining frontages adjoin other residential properties.

The site currently accommodates a pub and accommodation premises known as The Palms Hotel, several retail food and drink premises, and an associated hardstand parking lot. The site has one street frontage to the west along the Hume Highway. The other boundaries adjoin low density residential properties and a public park.

The Hume Highway essentially divides the surrounding locality into two distinct areas. Land to the north-west comprises the Chullora industrial and logistics hub, characterised by a range of industrial operations, distribution centres, warehousing, and factories. Land to the south-east is primarily low density residential, with a range of local services and public spaces further to the north and south.

The site is located in proximity to several commercial centres of varying sizes. Chullora Marketplace, a village centre, is located approximately 830m north-east of the site and provides a number of retail offerings and civic services. Greenacre, a larger local centre, is situated approximately 1 kilometre (km) south-east of the site with a similar offering of retail premises, civic services, and restaurants. The city centre of Bankstown (which is a strategic centre) is located within 1.5km of the site to the south, with a direct vehicle connection via the Hume Highway.

The site is serviced by the Hume Highway, a classified State highway, which provides vehicle connectivity to the broader locality. The site is also well serviced by frequent bus services along the Hume Highway (approximately every 10–15 minutes) providing connections to Bankstown, Strathfield, Burwood, Liverpool, Lidcombe and East Hills. The Yagoona railway station and Berala railway station are located approximately 1.7km from the site.

Refer to Figure 1 for a locality context map and Figure 2 for an aerial map of the site.



CONNECTING PEOPLE,
POLICY AND PLACE.

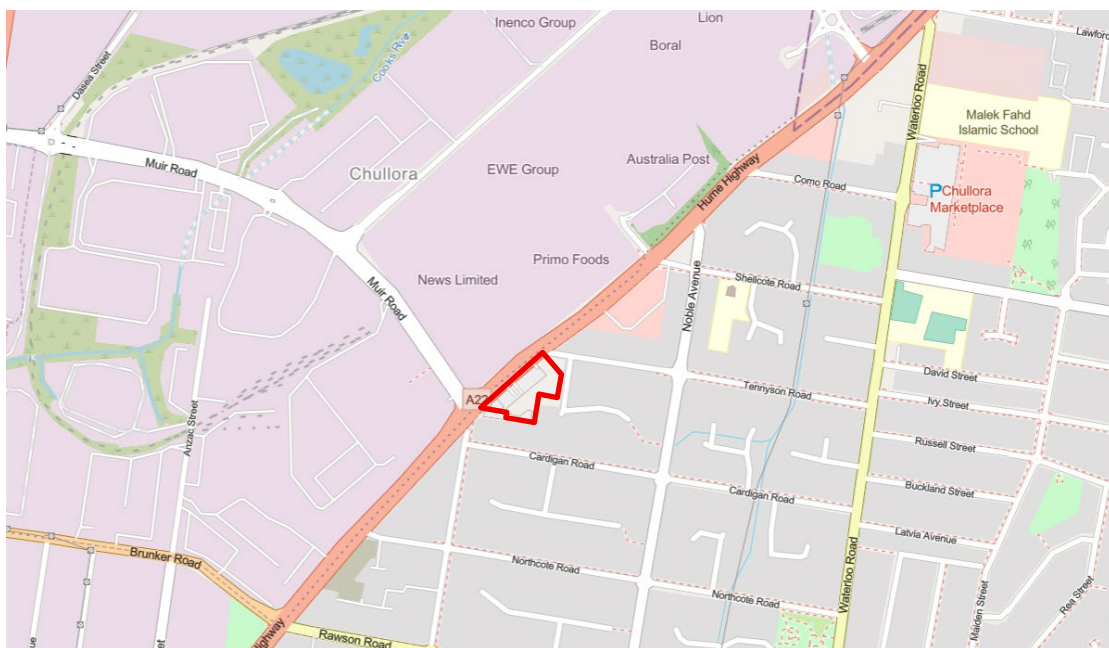


Figure 1. Locality Context Map
Source: SEED Map, 2025



Figure 2. Site Context Map
Source: MetroMap, 2025



CONNECTING PEOPLE, POLICY AND PLACE.

3 THE PROPOSAL

3.1 STRATEGIC CONTEXT

The proposal demonstrates clear alignment with national, state, and local policies and prioritises, in particular:

- **National Housing Accord:** The context and policy position on housing delivery has changed significantly since 2022 with the establishment of the National Housing Accord targets in August 2023. The NSW Government has committed under the National Housing Accord to deliver 377,000 new well-located homes across the state by 2029. The NSW Government has put in place numerous planning policies to assist to shift the dial on housing, including the establishment of the HDA, the transport orientated development (TOD) program and the low to mid rise housing policy.
- **Greater Sydney Region Plan:** The Greater Sydney Region Plan provides the overarching strategic plan for growth across the Sydney metropolitan area. It sets out a 20-year plan and 40-year vision that seeks to establish Greater Sydney as a metropolis of three cities – the Western Parkland City, Central River City, and Eastern Harbour City. Chullora is situated within the Eastern Harbour City.
- **South District Plan:** The South District Plan, which forms part of the Eastern Harbour City, sets out a blueprint for the growth and development of the 'South District' which comprises LGAs from Bankstown in the north to Sutherland in the south. The South District forms part of the Eastern Harbour City.
- **Connective City 2036 Canterbury Bankstown Local Strategic Planning Statement:** Council adopted the Connective City 2036 Local Strategic Planning Statement (LSPS) in 2023, setting a comprehensive city-wide vision for growth across the Canterbury-Bankstown LGA. The LSPS frames the City's strategic directions and infrastructure priorities out to 2036, including housing, employment, transport, and environmental resilience. While the LSPS identifies a hierarchy of 34 strategic centres to guide growth and provides a framework for Local Environmental Plan (LEP) updates.
- **Canterbury Bankstown Housing Strategy:** Council adopted the Canterbury Bankstown Local Housing Strategy (CBLHS) in 2020. The Strategy outlines a broader vision to deliver up to 50,000 new dwellings by 2036 across the LGA. The CBLHS focuses on locating the majority of new housing within centres and areas with access to infrastructure, services and public transport.

3.2 BUILT FORM DEVELOPMENT

The proposal comprises the demolition of the existing Palms Hotel and hardstand parking lot and for the construction of a mixed use development. Specifically, the proposed development will include:

- The demolition of the existing Palms Hotel (pub and hotel accommodation) and hardstand parking lot.
- Excavation for a five (5) level basement for car parking, servicing and loading, and waste facilities. A total of 624 car parking spaces will be provided, including 346 residential spaces, 30 visitor spaces, and 248 commercial spaces.



CONNECTING PEOPLE, POLICY AND PLACE.

- A mixed use development that comprises three 12-storey buildings, referred to as Buildings A, B and C. The development will comprise commercial uses across the lower ground, ground floor level, and Level 1, and part 10-11 levels of residential accommodation.
- The Palms Hotel (pub and hotel accommodation) will be reinstated across the lower levels of Buildings A, B and C. The pub and back-of-house operations will be contained within Building A, whilst Buildings A, B and C comprise the hotel accommodation operations. Hotel accommodation will comprise 53 hotel rooms, with 40 rooms across the lower ground, ground floor, and Level 1 of Building A and 13 rooms on the lower ground floor of Building B. Hotel accommodation facilities, including a business centre, gym, and outdoor pool will be provided in Building C.
- 10 levels of residential development across the three (3) buildings (part 11 levels in Buildings B and C), with a total of 322 apartments delivered across Buildings A, B and C. A total of 96 apartments will be provided in Building A, 114 in Building B, and 112 in Building C. The apartment mix will consist of 38 one-bedroom units (12%), 260 two-bedroom units (82%), and 24 three-bedroom units (7%).
- Affordable housing units will comprise 5% of the total yield, resulting in the delivery of 17 affordable housing units to be used as affordable housing for a minimum of 15 years. This is consistent with EOI 275126 declared under State Significant Development Declaration Order (No 14) 2025.
- A network of residential amenities, communal open spaces, and landscaping.

Excerpts of the preliminary architectural plans (refer to **Attachment 1**) have been provided below.

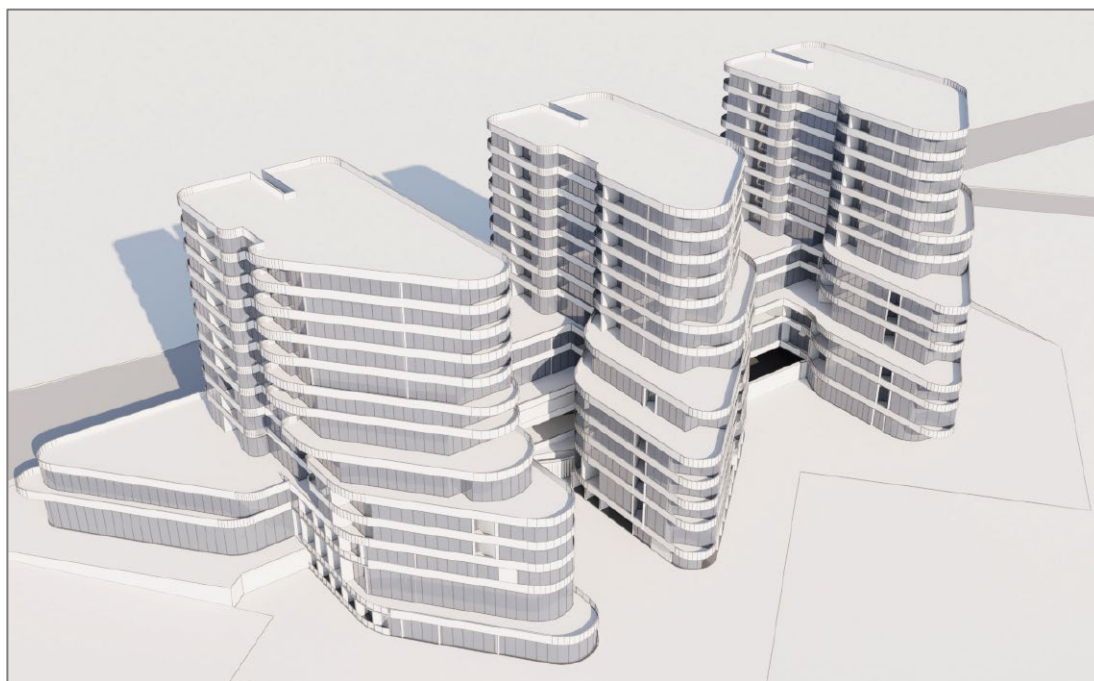


Figure 3. Perspective of proposed building massing
Source: Tony Owens Partners, 2026



CONNECTING PEOPLE, POLICY AND PLACE.

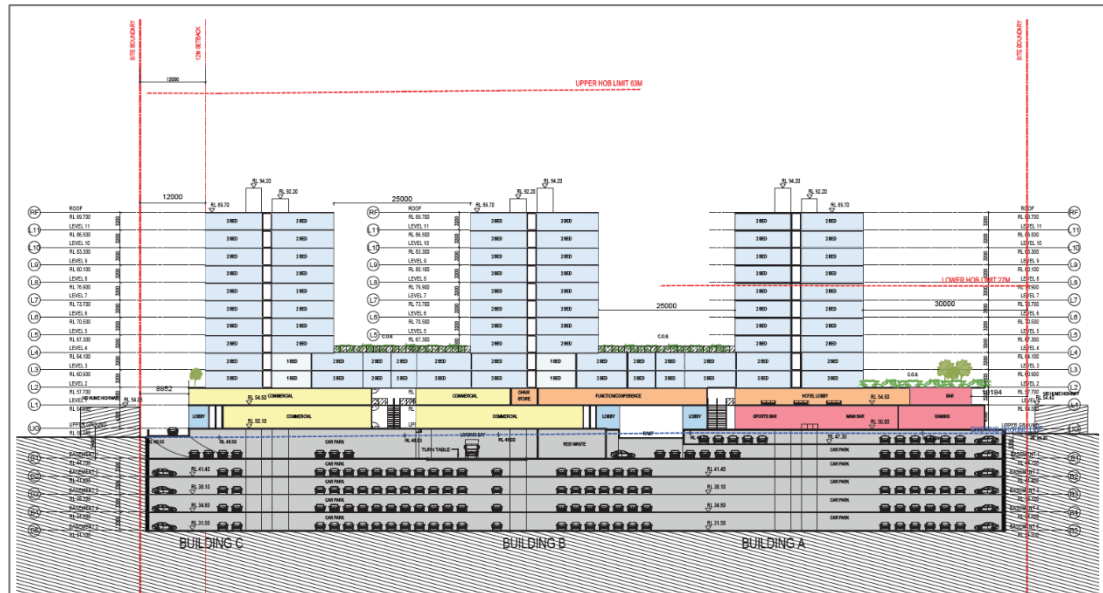


Figure 4. Section plan
Source: Tony Owens Partners, 2026



Figure 5. Lower ground floor plan
Source: Tony Owens Partners, 2026



CONNECTING PEOPLE,
POLICY AND PLACE.

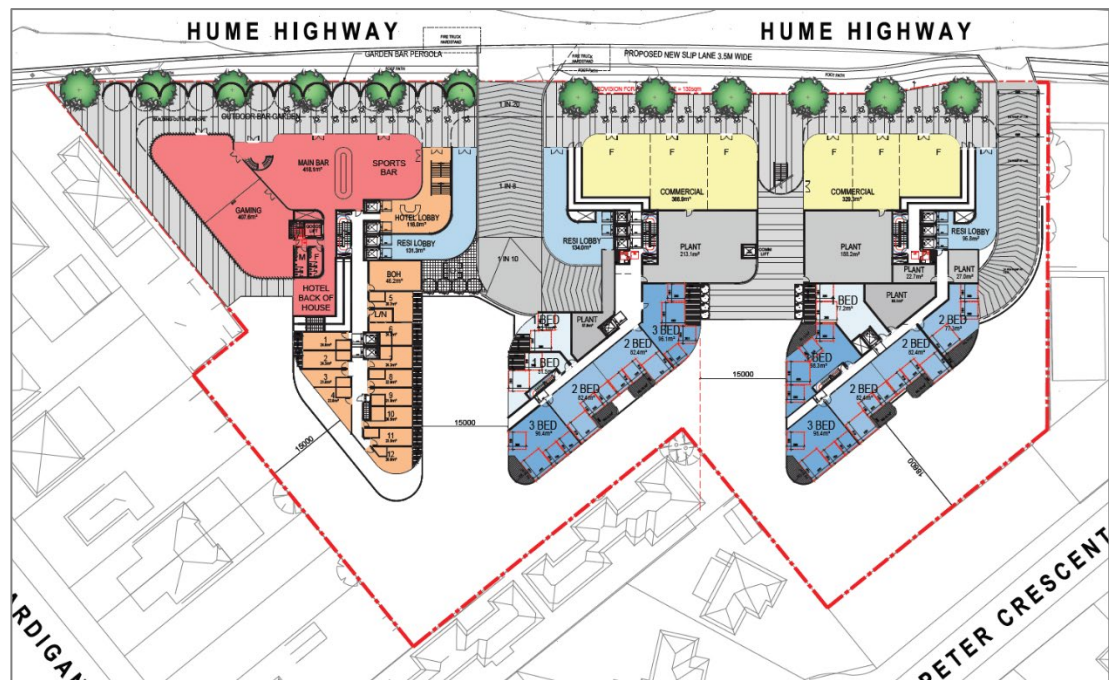


Figure 6. Ground floor plan
Source: Tony Owens Partners, 2026

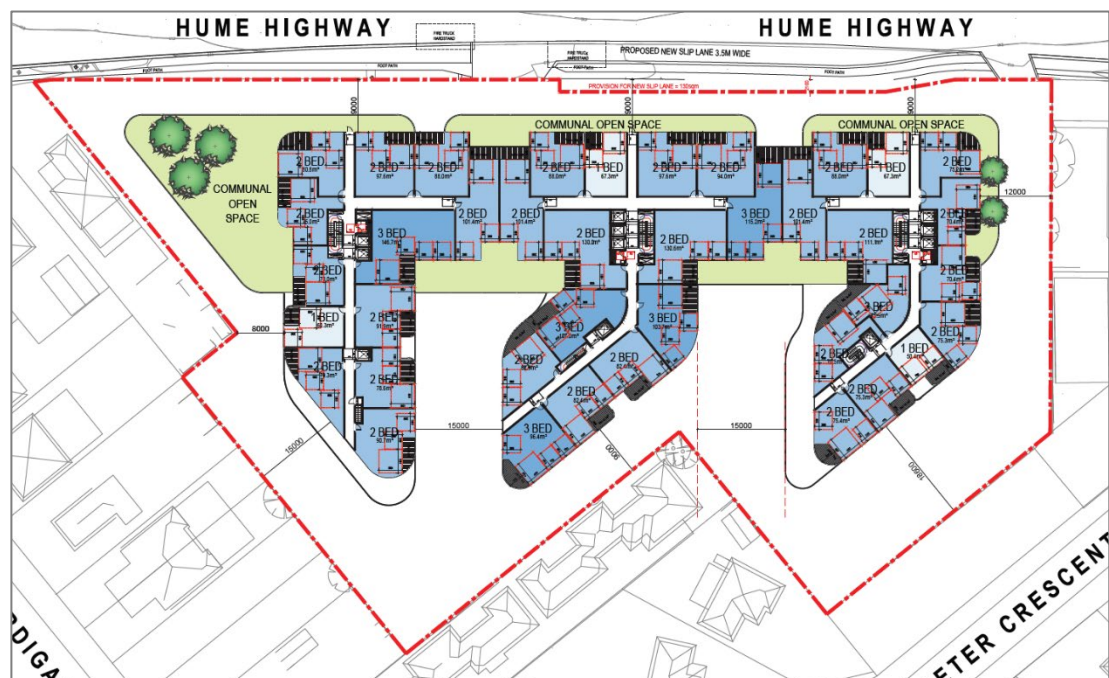


Figure 7. Typical residential floor plan
Source: Tony Owens Partners, 2026



CONNECTING PEOPLE, POLICY AND PLACE.

3.3 CONCURRENT LEP AMENDMENT

The subject site offers significant development potential for new housing. The development proposed under EOI 275126, endorsed by the HDA on 16 September 2025 and declared as SSD on 24 September 2025, sought to revise the prescribed height limit to 63m and the FSR control to 3.2:1.

In light of subsequent advice received from the HDA team, the proposed development has been amended. The proposal now seeks to amend the prescribed height limit to 46m and prescribed FSR control to 3.1:1 under the *Canterbury-Bankstown Local Environmental Plan 2023* (CBLEP 2023).

Extensive design analysis and testing undertaken has demonstrated the development will comply with the provisions of the Apartment Design Guide (ADG). Supporting documentation will be provided in the forthcoming EIS.

STRATEGIC MERIT

The strategic merit of the proposed development was formally recognised by the HDA in their recommendation to the Minister that stated *the proposal adequately satisfies the objectives and criteria of the HDA EOI*. The assessment criteria include consideration of whether a site is well located in proximity to transport and services, and whether the proposal demonstrates strategic merit by aligning with relevant strategic plans.

As part of the declaration, one of the recommendations was that a merits-based assessment be undertaken to address the interface with the adjoining R2-zoned land. Following the declaration of the EOI, further design development has been undertaken to minimise potential amenity impacts to the adjoining low-scale residential area and to establish an appropriate transition in height and built form. These matters will be further examined and addressed in detail as part of the EIS package.

The proposal will deliver approximately 322 new dwellings, making a meaningful contribution toward achieving the LGA's housing targets. The development will provide a mix of residential typologies, including 5% of the residential yield as affordable housing, supporting housing diversity and improved affordability outcomes.

Overall, the proposal represents a proactive and strategic evolution of the site. It seeks to deliver additional housing supply in an area experiencing employment growth and housing demand. The proximity of the site to the Chullora employment precinct makes it well suited to accommodate additional housing to support a growing local workforce, offering shorter commutes and higher liveability outcomes.

The delivery of a housing component will contribute to housing diversity and affordability within Canterbury-Bankstown whilst ensuring that densification remains focused along major transit corridors. This proposal demonstrates a balanced response to competing land use and housing demands by facilitating urban renewal, supporting employment, delivering essential housing, and enhancing local amenity in an accessible and well-served location.

Additionally, it will generate additional employment opportunities to those currently on the site through the inclusion of a pub, hotel accommodation, and new retail floor space. The development is estimated to generate approximately 125 ongoing jobs, contributing to local economic activity and employment within the corridor particularly with the impact of improved amenity and investment, and job creation during the construction phase.



CONNECTING PEOPLE, POLICY AND PLACE.

SITE-SPECIFIC MERIT

The proposal's site-specific merit is demonstrated as follows:

- **Permissibility:** The proposal is permissible and demonstrates alignment with the zoning intentions of the E3 zone. The site is predominantly zoned E3 Productivity Support under the CBLEP 2023. A small eastern portion of the site is zoned RE1 Public Recreation but does not form part of the proposed development. The proposed mixed use development demonstrates a land use outcome that is consistent with the intentions and permissibility of the E3 zone.

Under the E3 zone, hotel or motel accommodation is permissible with consent. The site also benefits from two additional permitted uses in accordance with the CBLEP 2023 which are residential flat buildings that form part of a mixed-use development, and serviced apartments.

- **Proximity to surrounding centres:** The site is located in proximity to several key centres providing employment, services and community infrastructure, including the strategic centres of Bankstown and Burwood, the local centres of Strathfield, Homebush, Lakemba, and Greenacre, and the village centre of Chullora.
- **Emerging built form:** Bankstown is currently undergoing significant renewal and investment, having been identified as a Health and Education Precinct. The centre is experiencing major infrastructure and investment, including the delivery of the Sydney Metro City & Southwest, expansion of university and education facilities, renewal of key development sites, and the investigation of a new hospital by Health Infrastructure NSW.

Strategic centres within the broader area accommodate significantly greater building heights, generally ranging from 18 to 43 storeys, while some surrounding local centres permit heights of 16 to 33 storeys. In this context, the proposed building height of 12 storeys represents a moderate and appropriate scale of development. The proposal therefore responds to the emerging intensification of centres within the corridor, while remaining well below the scale of nearby strategic and local centres.

- **Proximity to employment lands:** The site is situated adjacent to the Chullora industrial area and is also close to several strategic and local centres. This proposal presents an opportunity to provide additional housing in proximity to employment opportunities, supporting both residential growth and access to jobs.
- **Corridor intensification along a State arterial road (Hume Highway):** The site occupies a prominent location along the Hume Highway, which functions as a major arterial road and state-classified transport corridor. Its strategic location provides exceptional accessibility to public transport, employment areas, and regional infrastructure, making it highly suitable for increased urban intensity.

A review of existing land use patterns along the Hume Highway corridor, between Bankstown and Chullora, demonstrates a clear and emerging structure characterised by a mix of E3 Productivity Support and R4 High Density Residential land. These land uses indicate a clear intention to create an established interface and buffer between the Chullora industrial precinct to the west and low-density residential suburbs to the east. These pockets of E3 zoned land establishes a series of village centres along the Hume Highway, supporting higher density development by providing for local businesses that can cater to the daily needs of residents.



CONNECTING PEOPLE, POLICY AND PLACE.

Sites with large land parcels along major arterial corridors, such as the subject site, are suitable for higher density development due to their accessibility and capacity to support increased activity. The proposed development would act as a catalyst for greater uplift along the Hume Highway on existing R4 zoned land, generating more dwellings in highly desirable locations within compromising the low-density character of established suburbs.

The site is distinguished by its substantial lot area and extensive frontage to the Hume Highway, attributes that are increasingly rare within the corridor. Large, consolidated land parcels along major arterial routes are particularly well suited to comprehensive, master-planned redevelopment, as they can accommodate increased building scale, deliver improved urban design outcomes, and efficiently integrate vehicular access, servicing, and pedestrian connectivity.

In this case, the proposal demonstrates an appropriate and strategic response to the site's locational advantages and existing planning context. The integration of existing and new active ground floor uses will contribute to streetscape activation, support its function as a village centre, and provide amenity to existing and future residents. Furthermore, it can act as a catalyst for broader corridor renewal, encouraging the progressive redevelopment of underutilised land along the Hume Highway within existing R4 zoned land. This uplift will allow for the delivery of much-needed housing within an accessible location whilst maintaining the established character and amenity of the low-density residential suburbs to the east.

- **Appropriate transition in built form:** The proposed built form establishes a strong urban edge along the Hume Highway, appropriate for a major arterial corridor. Building heights step down toward the southern boundary, providing an appropriate transition to the surrounding lower-scale residential development. This design approach minimises potential amenity impacts including overshadowing, privacy and perceived bulk and scale. A detailed solar analysis will be provided with the EIS package to support the proposed heights.
- **Existing infrastructure capacity and accessibility:** The site benefits from proximity to existing infrastructure and community facilities, including Chullora Marketplace (which provides Coles, Woolworths, Aldi and a number of smaller retail shops), Lockwood park, Gosling Park and Northcote Park, and schools including Greenacre Christian College, Chullora Public School, Malek Fahd Islamic School and St John Vianney Catholic School.

The site is also located near the Chapel Road Precinct, an area identified in the LSPS that encourages taller commercial and residential towers and includes sections along the Cooks River designated for large ecological parks.

The site is well serviced by frequent bus services along the Hume Highway (approximately every 10–15 minutes) providing connections to Bankstown, Strathfield, Burwood, Liverpool, Lidcombe and East Hills. Yagoona railway station and Berala railway station are located approximately 1.7 km from the site.

- **Future transport opportunities:** The LSPS identifies the potential for a future mass transit corridor over the next 20 years including a station at Chullora, which would connect to Parramatta, Bankstown and the wider metropolitan rail network. This infrastructure would support urban renewal, economic investment and job growth within Chullora.



CONNECTING PEOPLE, POLICY AND PLACE.

The proposal provides a development outcome that supports a range of facilities and services that cater to the day-to-day needs of workers, residents, and the surrounding employment precinct, without undermining the role or economic viability of nearby local or commercial centres. The ground floor retail and service uses are appropriately scaled to serve local demand and are complementary in nature, ensuring that they do not compete with the nearby higher-order centres.

The proposal demonstrates strong strategic merit having regard to its location, land use zoning, and state and local policies. The site is benefits from a primary frontage to the Hume Highway, providing direct access to public transport and key transit routes. Its proximity to the Chullora employment precinct, as well as three commercial centres of varying scale, establishes an intensive and diverse pattern of land use that balances employment, housing, and commercial services.

4 STATUTORY CONTEXT

The key relevant statutory requirements for the project, having regard to the *Environmental Planning and Assessment Act 1979* (EP&A Act), other NSW and Commonwealth legislation, and environmental planning instruments are summarised below.

Table 2 has been set out in accordance with the *State Significant Development – preparing an environmental impact statement Appendix B to the State Significant Development guidelines* (DPIE 2021d) (EIS Guidelines), to the cover the following:

- Power to grant approval (i.e. approval pathway);
- Permissibility;
- Other approvals; and
- Mandatory matters for consideration.

Detailed consideration of relevant statutory requirements will be provided in the EIS.

Table 2. Statutory Context

Approval	Requirement
Power to grant approval	
<i>Environmental Planning and Assessment Act 1979</i> (EP&A Act 1979)	The EP&A Act 1979 is the overarching governing statute for all development in NSW. Pursuant to section 4.36(3) of the EP&A Act 1979, the Minister may declare specified development on land to be State significant development. An EOI (ref. 275126) was submitted for the proposal on 2 July 2025. The proposal was accepted by the HDA on 16 September 2025 as SSD. Pursuant to Section 4.5(a) of the EP&A Act 1979 the applicable consent authority for SSDAs is the Minister.
Permissibility	
Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023)	The site is zoned E3 Productivity Support and RE1 Public Recreation, pursuant to the CBLEP 2023. Hotel or motel accommodation is permissible with consent in the E3 zone.



CONNECTING PEOPLE, POLICY AND PLACE.

Table 2. Statutory Context

Approval	Requirement
	It is also identified as “APU 18” and “APU 34” on the Additional Permitted Uses Map of the CBLEP 2023. In accordance with these additional permitted uses, the development of land zoned E3 for serviced apartments or residential flat buildings that form part of a mixed-use development is permissible with consent .
Other Approvals	
<i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)	Under the EPBC Act, any action (development, project, or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) must be referred to the Commonwealth Minister or the Environment. The purpose of referral is to allow a decision to be made as to whether an action requires approval at the Commonwealth level. If an action is considered likely to have a significant impact on MNES, it is declared a ‘controlled activity’ and formal approval under the EPBC Act is required. The proposal comprises the redevelopment of an existing pub and associated hard-stand car park, with a few trees interspersed around the property. Given the highly disturbed and fully developed site, it is considered unlikely that the site would comprise any MNES requiring formal Commonwealth approval. Notwithstanding, further ecological investigations will be undertaken as part of the SDDA if required.
<i>Biodiversity Conservation Act 2016</i> (BC Act)	The BC Act and <i>Biodiversity Conservation Regulation 2017</i> (BC Regulation) provides the statutory framework for the maintenance, protection, and conservation of biodiversity in line with the principles of ecologically sustainable development. Part 7 of the BC Act sets out the requirements for biodiversity assessments and approvals under the EP&A Act. Pursuant to section 7.2(1) of the BC Act, development is likely to significantly affect a threatened species if: a) <i>it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or</i> b) <i>the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or</i> c) <i>it is carried out in a declared area of outstanding biodiversity value.</i> Furthermore, section 7.9(2) of the BC Act requires an application to be accompanied by a Biodiversity Development Assessment Report (BDAR) <i>unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.</i>



CONNECTING PEOPLE, POLICY AND PLACE.

Table 2. Statutory Context

Approval	Requirement
	The development is not likely to have any significant impact on biodiversity values as the development involves works to a highly disturbed and impervious-natured site. The site is currently developed as a pub and accommodation premises, with other retail and a hard-stand at-grade car park. The likelihood of any threatened species or populations on the site is low and as such it is considered that the proposal would not result in a significant impact on any biodiversity values. Considering this, a BDAR is not likely to be required, and we anticipate that a BDAR waiver will be submitted alongside the SSDA. This request would seek a waiver of the requirement to submit a BDAR under clause 7.9(2) of the BC Act. This waiver would be obtained prior to the submission of the EIS.
<i>Protection of the Environment Operations Act 1997</i> (POEO Act)	Schedule 1 of the POEO Act sets out the activities requiring an environmental protection licence before commencing. An 'activity' is defined in the POEO Act as <i>an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping or a substance or an animal)</i>. The proposal comprises a mixed use development and as such, an environmental protection licence is not expected to be required.
<i>National Parks and Wildlife Act</i>	The <i>National Parks and Wildlife Act 1974</i> provides for the regulation and protection of natural and cultural heritage values, including Aboriginal objects, places, or features. A preliminary search of the Aboriginal Heritage Information Management System (AHIMS) confirmed that there are no Aboriginal sites or declared Aboriginal places within two kilometres of the site. Aboriginal Heritage Due Diligence Advice has been obtained for the development which has concluded that the proposal presents no risk to Aboriginal cultural heritage values, and an Aboriginal Cultural Heritage Assessment Report (ACHAR) would not be necessary. This has been provided as Attachment 2. Confirmation from DPHI that an ACHAR is not required is requested.
<i>Roads Act 1993</i> (Roads Act)	The Roads Act provides overarching legislation for the construction and management of public roads. The site abuts the Hume Highway, which is a classified State road under the management of Transport for NSW (TfNSW). Pursuant to section 138 of the Roads Act, consent is required from TfNSW in order to carry out works in a public road, including works associated with the provision of site vehicle access. The proposed development comprises the widening of the accessway and provision of a dedicated slip lane so it is likely that section 138 approval will be required.



CONNECTING PEOPLE, POLICY AND PLACE.

Table 2. Statutory Context

Approval	Requirement
<i>Water Management Act 2000</i> (WM Act)	The WM Act is the statutory framework for the protection and management of water sources for present and future generations. It sets out the circumstances in which approval must be obtained from the Minister prior to undertaking a specified activity. Approval is required under section 89 for water use, section 90 relates to water supply work, drainage work, and flood work, and section 91 regulates the carrying out of controlled activities in specified locations. The construction works associated with the proposed basement may alter the water table and require dewatering. As such, it is likely that section 91 approval will be required.
Mandatory matters for consideration	
<i>Environmental Planning and Assessment Act 1979</i>	The EP&A Act 1979 is the overarching legislation for all development within NSW. Pursuant to section 4.36(3), the proposal is considered SSD as declared by the Minister. Section 1.3 – Objects of the Act Section 1.3 sets out the objectives of the EP&A Act 1979. Of relevance are: <i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i> <i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i> <i>(c) to promote the orderly and economic use and development of land,</i> <i>(d) to promote the delivery and maintenance of affordable housing,</i> <i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i> <i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i> <i>(g) to promote good design and amenity of the built environment,</i> <i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i> <i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i> The above objectives will be addressed in the forthcoming EIS. Section 4.15 – Matters for consideration Pursuant to section 4.15(1) of the EP&A Act 1979, a consent authority must take into consideration the following matters when determining a development application:



CONNECTING PEOPLE, POLICY AND PLACE.

Table 2. Statutory Context

Approval	Requirement
	<i>(a) the provisions of—</i> <i>(i) any environmental planning instrument, and</i> <i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i> <i>(iii) any development control plan, and</i> <i>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i> <i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i> <i>(v) (Repealed)</i> <i>that apply to the land to which the development application relates,</i> <i>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i> <i>(c) the suitability of the site for the development,</i> <i>(d) any submissions made in accordance with this Act or the regulations,</i> <i>(e) the public interest.</i> The forthcoming EIS will consider and address all matters outlined in section 4.15(1) of the EP&A Act 1979. Section 4.46 – Integrated Development Section 4.46 of the EP&A Act 1979 defines ‘Integrated Development’ as matters which require consent from the consent authority and one or more authorities under related legislation. Pursuant to section 4.46(1), integrated development cannot be SSD.
<i>Environmental Planning & Assessment Regulation 2021</i>	The <i>Environmental Planning and Assessment Regulation 2021</i> (the EP&A Regulation) is relevant to the preparation and assessment of this SSDA in that it: • Outlines the form of development applications in section 24; • Sets out the form of an Environmental Impact Statement in section 190; • Identifies the ecologically sustainable development principles that must be considered in an SSDA in section 193; and • It classifies what development is considered designated development under section 7 and schedule 3.



CONNECTING PEOPLE, POLICY AND PLACE.

Table 2. Statutory Context

Approval	Requirement
	The forthcoming EIS will be prepared in accordance with the Regulation as relevant. All necessary requirements will be provided pursuant to sections 24 and 190 and the proposal will appropriately respond to the ecologically sustainable development principles established in section 193. The proposal, being for a mixed use development, would not trigger designated development pursuant to schedule 3 of the Regulation.
Mandatory considerations – Environmental planning instruments	
<i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP)	Design Excellence Requirements for SSDs The design excellence requirements of the Planning Systems SEPP only apply to SSDs where: <i>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</i> <i>(b) the development is specified in Schedule 1 or 2.</i> The design excellence requirements do not apply to this proposal as the development of the land is permissible with consent under the CBLEP 2023 and the development is not specified in Schedule 1 or 2 of the Planning Systems SEPP.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (RH SEPP)	Chapter 4 Remediation of land Chapter 4 of the RH SEPP outlines the controls relating to the remediation of land across NSW. Clause 4.6 states that the consent authority must not provide consent to development until it is satisfied that the land has been appropriately managed in terms of contamination. A Detailed Site Investigation Report and Remediation Action Plan will be prepared and considered as part of the forthcoming EIS.
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> (BC SEPP)	Chapter 2 Vegetation in non-rural areas Chapter 2 of the BC SEPP aims to protect the biodiversity value of trees and vegetation in non-rural areas of NSW. Chapter 2 requires consent for any vegetation or tree clearing that is not ancillary to development. Any proposed tree or vegetation removal will be ancillary to the proposed development and included as part of the SSDA. Therefore, this chapter is not required to the proposal.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> (SB SEPP)	Chapter 2 Standards for residential development – BASIX Chapter 2 of the SB SEPP sets out the standards for BASIX development. Schedule 1 sets out the standards for the erection of a BASIX building. The proposal meets the definition of a BASIX building in accordance with the EP&A Regulation. A BASIX Certificate will be provided to support the forthcoming EIS.



CONNECTING PEOPLE, POLICY AND PLACE.

Table 2. Statutory Context

Approval	Requirement
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (TI SEPP)	Subdivision 2 Development in or adjacent to road corridors and road reservations Section 2.119 of the TI SEPP is relevant to the proposed development as it has a primary frontage to a classified road. Section 2.122 sets out the requirements for traffic-generating developments, including the requirement for referral to Transport for NSW (TfNSW). Traffic-generating developments are defined in Schedule 3 of the TI SEPP, wherein the threshold for residential accommodation is defined as 75 or more dwellings on a site with access to a classified road or with access to a road that connects to a classified road (within 90m). The site has a primary frontage to the Hume Highway, which is a classified road. Therefore, the proposal will likely require referral to TfNSW.
<i>Canterbury-Bankstown Local Environmental Plan 2023</i> (CBLEP 2023)	Land Use Zoning The site is zoned E3 Productivity Support and RE1 Public Recreation, under the CBLEP 2023. Hotel or motel accommodation is permissible with consent in the E3 zone. Residential flat buildings associated with a mixed-use development and serviced apartments are permissible with consent in accordance with the additional permitted uses of the CBLEP 2023. Clause 4.3 Height of Buildings The site is subject to a height of building control of 11m, 17m and 20m. The application is seeking a concurrent rezoning of the site and will be supported by a proposal to revise the maximum height of building control across the site to approximately 46m (subject to confirmation at lodgement). Clause 4.4 Floor Space Ratio The site is subject to a floor space ratio control of 1.3:1. The application is seeking a concurrent rezoning of the site and will be supported by a proposal to revise the FSR control to approximately 3.1:1 (subject to confirmation at lodgement). Clause 5.10 Heritage Conservation The site is not identified as a heritage item nor within a heritage conservation area under the CBLEP 2023. Land Reservation Acquisition The portion of the site zoned RE1 is identified as land reserved for acquisition for local open space.
Mandatory considerations – Development control plans	



CONNECTING PEOPLE, POLICY AND PLACE.

Table 2. Statutory Context

Approval	Requirement
<i>Canterbury-Bankstown Development Control Plan 2023</i>	Section 2.10 of the Planning Systems SEPP exempts SDDs from requiring consideration of development control plans. Nevertheless, the <i>Canterbury-Bankstown Development Control Plan 2023</i> will be considered in the forthcoming EIS.

5 CONCLUSION

This letter has been prepared on behalf of the proponent and provides a description of the subject site and the proposed mixed-use development at 167 Hume Highway, Chullora.

It is considered that this letter provides sufficient information to enable the industry-specific SEARs for the project to be issued. However, should you require any further information please do not hesitate to contact me at any time on 0423 363 260 or via email at Imanias@patchplanning.com.au.

Yours sincerely,

Lauren Manias
ASSOCIATE DIRECTOR