

SYDNEY WEST REGIONAL PLANNING PANEL MEETING HELD AT BANKSTOWN CITY COUNCIL ON THURSDAY 27 OCTOBER 2011 AT 10.30AM

PANEL PRESENT:

Mary-Lynne Taylor	Chair
Stuart McDonald	Panel Member
Paul Mitchell	Panel Member
Councillor Tania Mihailiuk	Panel Member
Councillor Glenn Brookes	Panel Member

COUNCIL STAFF IN ATTENDANCE:

Scott Pedder	Director City Planning & Environment
Ian Woodward	Manager Development Services
Ray Lawlor	Senior Development Assessment Officer
Mazhar Berke	Urban Designer

APOLOGIES: NIL

1. The meeting commenced at 10.30am

2. Declarations of Interest

Nil

3. Business Items

ITEM 1 - 2011SYW027 Bankstown City Council DA-76/2011 - Construction of part two/part three storey residential flat development containing 144 dwellings pursuant to SEPP (Affordable Rental Housing) 2009, 81-95 Boronia Rd Greenacre

4. Public Submissions

Jenny Eggins - Principal - Banksia Road Public School addressed the Panel against the item

Nicole Gerschel - Project Manager Impact Group addressed the Panel in favour of the item

Ben Tesoriero - Principal Planner from CPS addressed the Panel in favour of the item

Peter Malone - Affordable Community Housing Ltd addressed the Panel in favour of the item

5. Business Item Recommendations

The Panel unanimously agreed to defer development application No.DA76-2011 for the applicant to provide legal advice regarding State Environmental Planning Policy (Affordable Rental Housing) 2009.

Should the applicant seek to obtain legal advice, this must be submitted to the Joint Regional Planning Panel within 14 days. The legal advice is to address the following:

Whether in forming the opinion mentioned in Clause 5(1)(b) of State Environmental Planning Policy (Affordable Rental Housing) 2009 as to whether a land use zone is one in which (in the opinion of the Panel) equivalent land uses are permitted to those permitted in a named land use zone, does the Panel:

- a) Compare all uses permitted in each of the subject and named land use zones to determine in its opinion if there is an overall equivalence;
- b) Determine whether there are any uses permitted in both the subject and named land use zones to determine whether there is any equivalence amongst those permitted uses;
- c) Determine the suite of permitted land uses in the subject land use zone that should be used as the relevant comparator for equivalence with the permissible land uses in the named land use zone; or
- d) Determine whether there is equivalence in terms of permissibility of the particular development proposed to be carried out in both the subject and named land use zones.

Upon receipt of any legal advice, the Panel will then meet to decide whether there will be a decision on the permissibility of the development and any other matters required to be addressed.

MOTION CARRIED

The meeting concluded at 12.00pm

Endorsed by:-

Mary-Lynne Taylor
Chair,
Sydney West Region
Joint Regional Planning Panel
Date: 02 November 2011