

SYDNEY WEST JOINT REGIONAL PLANNING PANEL MEETING HELD AT BANKSTOWN CITY COUNCIL ON THURSDAY 9 MAY 2013 AT 10.30AM

PANEL PRESENT:

Mary-Lynne Taylor	Chair
Bruce McDonald	Panel Member
Paul Mitchell	Panel Member
Mayor Khal Asfour	Panel Member
Clr Ian Stromborg	Panel Member

COUNCIL STAFF IN ATTENDANCE:

Daniel Bushby	Special Projects Officer
Steve Arnold	Team Leader - Development Assessment

APOLOGIES: NIL

1. The meeting commenced at 10.40am

2. **Declarations of Interest** - Nil

3. **Business Item** -

2012SYW066 – Bankstown – DA 420/2012, Consolidation of lots, demolition of existing structures, construction of 188 residential units, commercial floor space, basement parking, 350 Hume Highway and 18 George Street, Yagoona

4. **Public Submission** -

Addressing the Panel against the development –

- Dr Olatago Doorbinnia
- Mr Kamal Doorbinnia
- Mr Jim Zanetti
- Mr Michael Ivanisevic
- Mr Joseph Cincotta

Addressing the Panel in favour of the development –

- Mr Aris Dimos – applicant for the development

11.50am to 12.05pm - The Panel adjourned to discuss the submissions.

5. Panel's Decision

The Panel believes that this development application is consistent with the specific rezoning placed over this site.

The residents' concerns expressed at this meeting and comprehensively in letters to Council previously, have now been met by the application and its amendments.

The main concern of most of the residents is the impact of existing and future traffic conditions in the area. The Panel recommends to Council that, together with the Local Traffic Committee, there is a review of the existing traffic conditions in the area, commencing at Rookwood Road and extending to Graf Park and its environs, to see if there can be any improvements to the existing "rat run" impact.

In light of the current zoning, which allows for higher density than that proposed in this application, the Panel accepts the rationale of Council's planning and assessment, noting that the proposed traffic arrangements for this development have been found satisfactory to the Roads and Maritime Services and the Council's traffic engineers, including the supply of onsite parking, and further noting that the only real non-compliance with the Development Control Plan is an extension of the height by half a floor of some parts of the proposed buildings, located away from the adjoining residential development,

The justification for this non-compliance is that it allows lower height on the part of the development close to residences.

The Panel unanimously approves the application because of its general compliance with council controls, its placement of height away from residences, its generous and complying setbacks and the reasons given in the assessment report, subject to the proposed conditions attached to the Council report, with the following changes:-

1. The three (3) deferred commencement conditions are to be incorporated into the general conditions and move them to that part of the conditions headed "Prior to Construction Certificate" and reword as follows:-

"Prior to the issue of any construction certificate, documentary evidence of Bankstown Airport Limited's approval of the proposed development is to be submitted to Council..."

3. Deferred conditions 2 & 3 should be deleted and replaced with the following conditions:-

CONTAMINATION CONDITION (HUME HIGHWAY)

PRIOR TO CC

Prior to the issue of a construction certificate for works associated with the 'Hume Highway Building', a Detailed Site Contamination Investigation must be undertaken over the part of the development site that is located south of the southern property boundary of No. 18 George Street, Yagoona (Lots 10, 11 and 12 in DP 872968) and its prolongation to the west. The investigation and reporting must be undertaken by a suitably qualified and experienced environmental consultant in accordance with relevant guidelines including, but not limited to, the EPA "Guidelines for Consultants Reporting on Contaminated Sites 2011" and "Sampling Design Guidelines 1995".

Following the detailed site investigation, a report outlining the results of the assessment must be submitted to the satisfaction of Council. This report must also consider and provide an indication of remedial action required to ensure that the site will be suitable for the proposed residential and commercial use.

Following the completion of the Detailed Site Contamination Investigation, a Remedial Action Plan (RAP) must be prepared by a suitably qualified and experienced environmental consultant. The RAP must be prepared in accordance with relevant guidelines including, but not limited to, the EPA "Guidelines for Consultants Reporting on Contaminated Sites 2011". The RAP must set the remediation objectives and determine the most appropriate remedial strategy to ensure that the site will be suitable for the proposed residential and commercial land use. The RAP must be submitted to the satisfaction of Council and must also be reviewed by a NSW EPA accredited site auditor to determine the appropriateness of the RAP.

The accredited site auditor shall prepare an Interim Site Audit Advice or a Section B Site Audit Statement and submit the document to Council. The Site Audit Advice or Site Audit Statement shall indicate that the RAP is appropriate for the purpose of remediating the site to ensure that it is suitable for residential and commercial use. If the RAP cannot be determined as appropriate, then the accredited site auditor shall provide further requirements or conditions. The applicant must adhere to any additional requirements or conditions imposed by the accredited site auditor.

CONTAMINATION CONDITION (GEORGE STREET)

PRIOR TO CC

Prior to the issue of a construction certificate for works associated with the 'George Street Front Building' and 'George Street Central Building', a Detailed Site Contamination Investigation must be undertaken over the part of the development site that is located north of the southern property boundary of No. 18 George Street, Yagoona (Lots 10, 11 and 12 in DP 872968) and its prolongation to the west. The investigation and reporting must be undertaken by a suitably qualified and experienced environmental consultant in accordance with relevant guidelines including, but not limited to, the EPA "Guidelines for Consultants Reporting on Contaminated Sites 2011" and "Sampling Design Guidelines 1995".

Following the detailed site investigation, a report outlining the results of the assessment must be submitted to the satisfaction of Council. This report must also consider and provide an indication of remedial action required to ensure that the site will be suitable for the proposed residential and commercial use.

Following the completion of the Detailed Site Contamination Investigation, a Remedial Action Plan (RAP) must be prepared by a suitably qualified and experienced environmental consultant. The RAP must be prepared in accordance with relevant guidelines including, but not limited to, the EPA "Guidelines for Consultants Reporting on Contaminated Sites 2011". The RAP must set the remediation objectives and determine the most appropriate remedial strategy to ensure that the site will be suitable for the proposed residential and commercial land use. The RAP must be submitted to the satisfaction of Council and must also be reviewed by a NSW EPA accredited site auditor to determine the appropriateness of the RAP.

The accredited site auditor shall prepare an Interim Site Audit Advice or a Section B Site Audit Statement and submit the document to Council. The Site Audit Advice or Site Audit Statement shall indicate that the RAP is appropriate for the purpose of remediating the site to ensure that it is suitable for residential and commercial use. If the RAP cannot be determined as appropriate, then the accredited site auditor shall provide further requirements or conditions. The applicant must adhere to any additional requirements or conditions imposed by the accredited site auditor.

4. A revised landscape plan shall be provided to the satisfaction of Council's Landscape Architect showing the retention, where practicable, of any existing trees on the western boundary of the George Street site, with the addition of a one (1) metre landscape strip along the whole of the western side boundary, for the purpose of screening for the residential properties and the public view of the buildings on the site.
5. Delete sub-condition (f) & (g) in condition 26 and insert a new condition as follows:-
 - (f) The road reserve for Kearns Lane shall be dedicated to Council, as Public Road, to the eastern boundary of the development site, prior to the issue of a construction certificate for works associated with the "Hume Highway Building".
 - (g) Prior to the issue of an occupation certificate for the "Hume Highway Building", Kearns Lane is to be extended to Council's satisfaction. The developer shall extend the road surface to be a minimum 8 metres beyond the driveway serving the basement for the "Hume Highway Building". The road surface shall match the configuration of the existing laneway road surface and shall be constructed to Council's satisfaction.
6. New conditions to be added as follows:-
 - The balustrade to each balcony is to be of solid, non-transparent construction. The construction certificate plans are to be consistent with this requirement.
 - Any glass blocks in the western wall of the "Hume Highway Building" shall be deleted.
 - A Construction Management Plan is to be prepared and submitted for approval by Council's Environmental Officer and must include relevant provisions of the DECC's Interim Construction Noise Guidelines.
7. Replace the wording for Condition 26 to read as follows:-

"Permission is granted for the demolition of XXX currently existing on the property, subject to strict compliance with the following:-"with

"Permission is granted for the approved demolition works, subject to strict compliance with the following:-"
8. Condition 54 - delete "or as stipulated in a flood study prepared for the site".
9. Condition 74 - insert after Section 88E "*Conveyancing Act 1919*".

MOTION CARRIED

The meeting concluded at 12.15pm

Endorsed by:-

A handwritten signature in black ink, appearing to read 'Mary-Lynne Taylor', written in a cursive style.

Mary-Lynne Taylor
Chair
Sydney West Joint Regional Planning Panel
Date: 17 May 2013