

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Bankstown City Council** on **Wednesday 28 January 2015 at 11.30 am**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Lindsay Fletcher, Cr Ian Stromborg and Cr Khal Asfour

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014SYW048 – Bankstown - DA-1285/2010/3, University of Western Sydney, Modify Ashford Avenue access arrangements, 2 Bullecourt Avenue, Milperra.

Date of determination: 28 January 2015

Decision:

This is a S96(2) application to amend Ashford Avenue access arrangements approved in DA1285/2010. The applicant seeks to add an additional access gate to the existing sporting fields in the western boundary fence, to provide an automated security boom gate to the boundary gate to access the student accommodation, and to provide an additional pedestrian access way to the western boundary fence.

The panel recommends to the Minister that the first two amendments be made subject to the conditions recommended in the council report but refuses to recommend approval of the pedestrian access way.






Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings (including the applicant's legal advice) and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The additional access requirements for access to the sporting fields for community events is considered to be in the public interest as the community sporting groups presently use the fields and the access is only for that particular use and not otherwise.
2. The provision of a controlled security gate adjacent to the student accommodation will allow an appropriate access for residents of the accommodation but will otherwise present unauthorised entry.
3. In both cases the public interest is served and local amenity will not be affected.
4. The submissions from the local residents relating to traffic congestion and parking being facilitated by the pedestrian access proposed has been verified in council's report and the panel accepts that the loss of residential amenity is unacceptable in the manner set out in those submissions and does not recommend approval in these circumstances.
5. The community benefit of access by this gate for the purposes by the public for the use of recreation purposes on the UWS campus is unnecessary when there are two public parks closely available.
6. The panel considered whether to recommend a trial period for the use of the pedestrian gate but has concluded that a trial period has effectively already taken place where upon the residential response to the gate been unavailable has shown that the gate does in fact facilitate the congestion complaints.

Panel members:

		
Mary-Lynne Taylor (Chair)	Bruce McDonald	Lindsay Fletcher
		
Ian Stromborg	Khal Asfour	

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SCHEDULE 1

1	JRPP Reference – 2014SYW048, LGA – Bankstown City Council, DA/1285/2010/3
2	Proposed development: 2014SYW048 – Bankstown - DA-1285/2010/3, University of Western Sydney, Modify Ashford Avenue access arrangements.
3	Street address: 2 Bullecourt Avenue, Milperra
4	Applicant/Owner: Applicant – Department of Education (Applicant and Owner)
5	Type of Regional development: Section 96(2) modification to a Crown development over \$5 million
6	<p>Relevant mandatory considerations</p> <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ Bankstown Local Environmental Plan 2001 • Draft environmental planning instruments: Draft Bankstown Local Environmental Plan 2014 • Development control plans: <ul style="list-style-type: none"> ◦ Bankstown Development Control Plan 2005 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ◦ Environmental Planning and Assessment Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	<p>Material considered by the panel:</p> <p>Panel considered this application on 24 July 2014 and resolved to defer the application. The majority of the Panel deferred the application for provision of the appropriate reports answering of 3 access ways to the university and the applicant's confirmation with the agreement of point one and whilst this additional material is being provided the Panel gives no permission for the gate at the pedestrian gateway at the middle of the site to be opened.</p> <p>The two members of the council on the Panel agreed with the recommendation of the Council staff report to approve all aspects of the application except for the unlocking of the pedestrian gate and would determine the application accordingly.</p> <p>Council supplementary report, Council assessment report with draft conditions of consent, site plan and written submissions.</p> <p>Verbal submissions at the panel meeting:</p> <ul style="list-style-type: none"> • Alice Spizzo on behalf of the University
8	<p>Meetings and site inspections by the panel:</p> <p>1 May 2014 - Briefing Meeting, 24 July 2014 - Site Inspection and Final Briefing meeting, 28 January 2015 – Final Briefing Meeting.</p>
9	Council recommendation: Part-approval and part-refusal
10	Conditions: Attached to council supplementary report