

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Bankstown City Council** on **Wednesday 23 September 2015 at 12.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Stuart McDonald, Cr Khal Asfour and Cr Allan Winterbottom

**Apologies:** Cr Ian Stromborg

**Declarations of Interest:** None

### Determination and Statement of Reasons

2014SYW105 – Bankstown City Council – DA739/2014, Construction of a mixed commercial and residential development comprising of 12 commercial tenancies, 143 residential units and basement car parking, 8, 8A and 10-14 West Terrace, Bankstown

**Date of determination:** 23 September 2015

**Decision:**

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

**Panel consideration:**

The panel considered: the matters listed at item 6 and the material listed at item 7 and the matters observed at site inspections listed at item 8 in Schedule 1.

**Reasons for the panel decision:**

1. The proposed development will add to the supply and choice of housing in the Southwest Metropolitan Subregion and the City of Bankstown in a location with ready access to the transport facilities and the amenities and services offered by Bankstown Town Centre and will add to the commercial capacity of the Town Centre.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 65 Design Quality of Residential Flat Development, SEPP 55 Remediation of Land, SEPP (Infrastructure) 2007.
3. The proposal adequately satisfies the provisions and objectives of Bankstown LEP 2001 and Bankstown DCP 2005. In this regard the Panel considers the proposed development design satisfactorily integrates the bonus FSR secured under Cl.30 A of the LEP.
4. The architectural treatment, site development treatment and the landscape treatment adopted for the proposal will effectively integrate the proposed development into the planned character and the scale of the Bankstown Town Centre precinct in which the site is located.
5. The proposed development, subject to the conditions imposed will have no significant adverse impacts on the natural or built environments including impacts on the amenity of adjoining or nearby residential premises or the operation of local road network.
6. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

**Conditions:** The development application was approved subject to the conditions in the Council Assessment Report with a new condition relating to unexpected protocol.

New Condition to read as follows:

If unexpected soil contaminants are unearthed during demolition, excavation and/or construction works, which has the potential to alter previous conclusions made regarding site contamination, all work is to cease and Council notified immediately. The contaminated land situation is to then be evaluated by a suitably qualified and experienced environmental consultant and an appropriate response determined by the applicant which is agreed to by Council, prior to the re-commencement works.

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Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the new contamination information. The applicant must also adhere to any additional conditions, which may be imposed by the accredited site auditor, if required.

### Panel members:

 <b>Mary-Lynne Taylor (Chair)</b>	 <b>Bruce McDonald</b>	 <b>Stuart McDonald</b>
 <b>Allan Winterbottom</b>	 <b>Khal Asfour</b>	

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## SCHEDULE 1

1	<b>JRPP Reference – 2014SYW105, LGA – Bankstown City Council, DA739/2014</b>
2	<b>Proposed development:</b> Construction of a mixed commercial and residential development comprising of 12 commercial tenancies, 143 residential units and basement car parking.
3	<b>Street address:</b> 8, 8A and 10-14 West Terrace, Bankstown.
4	<b>Applicant/Owner:</b> (Applicant) – Architecture and Buildings Works Pty Ltd. (Owner) – Kaymet Corporation Pty Limited, T. B. & L. Kayrouz and W. J. & Y. W. Metlej.
5	<b>Type of Regional development:</b> The development application has a capital investment value of greater than \$20 million.
6	<p><b>Relevant mandatory considerations</b></p> <p>Environmental planning instruments:</p> <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy No. 55 Remediation of Land</li> <li>○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Greater Metropolitan Regional Environmental Plan No. 2 Georges River Catchment</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ Bankstown Local Environmental Plan 2001</li> </ul> <p>Draft environmental planning instruments: Nil</p> <p>Development control plans:</p> <p>Bankstown Development Control Plan 2005</p> <p>Planning agreements: Nil</p> <p>Regulations:</p> <p>Environmental Planning and Assessment Act Regulation 2000</p> <p>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</p> <p>The suitability of the site for the development.</p> <p>Any submissions made in accordance with the EPA Act or EPA Regulation.</p> <p>The public interest.</p>
7	<p><b>Material considered by the panel:</b></p> <p>Council assessment report, Recommended conditions of consent, Plans and written submissions.</p> <p>Verbal submissions at the panel meeting:</p> <ul style="list-style-type: none"> <li>• Stanley Jane</li> <li>• Theo Lucas</li> </ul>
8	<p><b>Meetings and site inspections by the panel:</b></p> <p>23 September 2015 - Site Inspection and Final Briefing meeting.</p>
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report