

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Bankstown City Council** on **Thursday 11 December 2014 at 1.00 pm**

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

**Apologies:** None

**Declarations of Interest:** None

### Determination and Statement of Reasons

2014SYW106 – Bankstown - DA-757/2014, Demolition of existing dwellings, construction of a four (4) storey residential flat building containing thirty-two (32) apartments including basement and associated landscaping, 1-5 Marshall Street, Bankstown.

**Date of determination:** 11 December 2014

**Decision:**

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

**Panel consideration:**




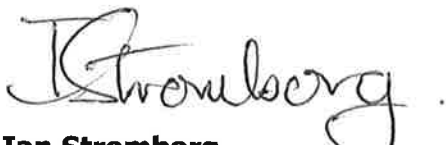

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings (including the applicant's legal advice) and the matters observed at site inspections listed at item 8 in Schedule 1.

**Reasons for the panel decision:**

At its meeting on 11 December 2014 the Sydney West JRPP took the following decision on this application:

The Panel resolves to defer the application because the panel is considered that there is non-compliance with the depth soil requirements of SEPP Affordable Rental Housing 2007, accordingly the panel requires the basement to be redesigned to achieve compliance and to ensure retention of the neighbouring trees, by provision of a 3 metres setback of the building from the southern boundary.

**Panel members:**

 <b>Mary-Lynne Taylor (Chair)</b>	 <b>Bruce McDonald</b>	 <b>Lindsay Fletcher</b>
 <b>Ian Stromborg</b>	 <b>Allan Winterbottom</b>	

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### SCHEDULE 1

1	<b>JRPP Reference – 2014SYW106, LGA – Bankstown City Council, DA/757/2014</b>
2	<b>Proposed development:</b> 2014SYW106 – Bankstown - DA-757/2014, Demolition of existing dwellings, construction of a four (4) storey residential flat building containing thirty-two (32) apartments including basement and associated landscaping.
3	<b>Street address:</b> 1-5 Marshall Street, Bankstown.
4	<b>Applicant/Owner:</b> <b>Applicant</b> – TSA Management, <b>Owner</b> – Theodore Moulas and Evdoxia Moulas.
5	<b>Type of Regional development:</b> CIV > \$5M - Private infrastructure and community facilities
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>◦ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment</li> <li>◦ State Environmental Planning Policy (Affordable Rental Housing) 2009</li> <li>◦ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development</li> <li>◦ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>◦ Bankstown Local Environmental Plan 2001</li> </ul> </li> <li>• Draft environmental planning instruments: Draft Bankstown Local Environmental Plan 2014</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Bankstown Development Control Plan 2005</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: <ul style="list-style-type: none"> <li>◦ Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council assessment report with conditions of consent and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>• Julieanne Doai</li> <li>• Deborah Bar</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 3 October 2014 - Briefing Meeting, 11 December 2014 - Site Inspection and Final Briefing meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report