


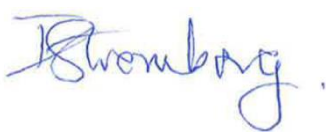



SYDNEY WEST JOINT REGIONAL PLANNING PANEL

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		
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: 28 January 2015		
Decision: The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the <i>Environmental Planning and Assessment Act 1979</i> .		
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: <ol style="list-style-type: none"> 1. The proposed development will add to the supply of housing including affordable housing in a location with ready access to the services and amenities provided by Bankstown Town Centre. 2. The proposal adequately complies with all relevant State Environmental Planning Policies including SEPP (Affordable Rental Housing) 2009 and SEPP 65 Design Quality of Residential Flat Buildings and its associated Residential Flat Design Code. 3. The proposal adequately complies with Bankstown LEP 2001 and Bankstown DCP 2005. 4. Previous investigation of the heritage significance of No. 3 Marshall Street has concluded that its retention is not warranted and it is not now proposed to be listed as a local heritage item in Draft Bankstown LEP 2014. 5. The proposed development is consistent in scale and form with the emerging character of the locality in which it is located and will not impose unacceptable impacts on the occupants of adjoining housing. 6. The proposed development will not result in unacceptable impacts on the built or natural environments including performance of the local road network. 7. In consideration of conclusions 1-6 above the Panel considers the proposal is a suitable use of the site and approval is in the public interest. 		
Conditions: The development application was approved subject to the conditions in the Original Council Assessment Report except for condition 2 which is amended to include the amended plan reference.		
Panel members:		
 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 Lindsay Fletcher
 Ian Stromborg	 Khal Asfour	

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – 2014SYW106, LGA – Bankstown City Council, DA/757/2014
2	Proposed development: 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	Street address: 1-5 Marshall Street, Bankstown.
4	Applicant/Owner: Applicant – TSA Management, Owner – Theodore Moulas and Evdoxia Moulas.
5	Type of Regional development: CIV > \$5M - Private infrastructure and community facilities
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment ○ State Environmental Planning Policy (Affordable Rental Housing) 2009 ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ 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	Material considered by the panel: <p>Panel considered this application on 11 December 2014 and resolved to defer the application because the Panel considered that there was non-compliance with the depth soil requirements of SEPP Affordable Rental Housing 2007, accordingly the Panel required 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.</p> <p>Council supplementary report, Original Council assessment report, Conditions of consent and written submissions.</p>
8	Meetings and site inspections by the panel: 3 October 2014 - Briefing Meeting, 11 December 2014 - Site Inspection and Final Briefing meeting, 28 January 2015 Final Briefing Meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council supplementary report