

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Bankstown City Council** on **Thursday 13 August 2015 at 11.30 am**

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

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014SYW116 – Bankstown City Council – DA 501/2014, Demolition of existing site structures and the construction of a four (4) storey residential flat building containing thirty-one (31) residential units with basement car parking and associated landscaping, 133-139 Chapel Road, Bankstown

Date of determination: 13 August 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, as no material was presented at meetings: and also considered the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed facility will add to the supply and choice of housing within the Central West Metropolitan Subregion and the Bankstown local government area in a location with ready access to metropolitan transport services and the amenity and services offered by Bankstown Town Centre and will add to the availability of affordable rental housing in proximity to services requiring the employment of key workers.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 30B – (Height of Buildings) Bankstown LEP 2001 and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the variation will not result in a building that is inconsistent with the scale of buildings existing in and planned for this locality and the development remains consistent with the underlying intent of the standard and the objectives of the Residential B Zone.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP (Affordable Rental Housing) 2009, SEPP 65 Design Quality of Residential Flat Development and associated Residential Flat Design Code, SEPP (Infrastructure) 2007 and SEPP 55 Remediation of Land.
4. The proposal adequately satisfies the provisions and objectives of Bankstown LEP 2001 and Bankstown DCP 2005.
5. The scale, architectural treatment and landscape treatment, adopted for the proposal are consistent with the character of existing and anticipated residential development in the locality.
6. The proposed development will have no significant adverse impacts on the natural or built environments including the amenity of nearby established dwellings or the performance of the local road network.
7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

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Conditions: The development application was approved subject to the conditions in the Council Assessment Report with amendments to –






Deferred commencement condition which becomes added to Condition 26.

Condition 2a to replace the word 31 with 24.

Condition 48 - delete references to flood study.

New condition - Prior to issue of occupation certificate for written evidence of a legal agreement to be in place with a registered housing provider.

Panel members:

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

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SCHEDULE 1

1	JRPP Reference – 2014SYW116, LGA – Bankstown City Council, DA 501/2014
2	Proposed development: Demolition of existing site structures and the construction of a four (4) storey residential flat building containing thirty-one (31) residential units with basement car parking and associated landscaping.
3	Street address: 133-139 Chapel Road, Bankstown
4	Applicant/Owner: (Applicant) – Designcorp Aust P\L. (Owner) – Jean-Claude El-Sabbagh and Hanan El-Sabbagh.
5	Type of Regional development: The development application has a capital investment value of greater than \$5 million that incorporates affordable rental housing.
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Affordable Rental Housing) 2009 ○ State Environmental Planning Policy No 1 – Development Standards ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Greater Metropolitan Regional Environmental Plan No. 2 Georges River Catchment ○ Bankstown Local Environmental Plan 2001 ○ Bankstown Local Environmental Plan 2015 and Development Control Plan 2015(which are now made but were draft instruments at the time of lodgement of the application) ○ The Residential Flat Design Code. • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Bankstown Development Control Plan 2005 (as the application was lodged prior to LEP 2015 and DCP 2015 commencing) • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act 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: Council assessment report, Recommended conditions of consent, Locality plan, Objectors map and written submissions. Verbal submissions at the panel meeting: None
8	Meetings and site inspections by the panel: 3 October 2014 – Briefing Meeting 13 August 2015 - Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report