

SYDNEY WEST JOINT REGIONAL PLANNING PANEL






Meeting held at Bankstown City Council on Thursday 15 October at 1.30pm
Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Paul Mitchell, Cr Michael Tadros, Cr Ian Stromborg
Apologies: None Declarations of Interest: None
Determination and Statement of Reasons
2014SYW152 – Bankstown – DA-1036/2014 [348 Hume Highway Bankstown] as described in Schedule 1.
Date of determination: 15 October 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 and the matters observed at site inspections listed at item 8 in Schedule 1.
Reasons for the panel decision: The Panel unanimously approves the application subject to the conditions in the Council Assessment Report and as amended for the following reasons: <ol style="list-style-type: none"> 1. The proposed development will add to the supply and choice of housing, including affordable housing, in the South West Metropolitan Subregion and the City of Bankstown in a location with ready access to Bankstown CBD. 2. The Panel has considered the Applicant's request to vary the development standard contained in Clause 36A (Height of Buildings) contained in Bankstown LEP 2001 and considers that compliance with the standard would be 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 approved and planned for this locality and the development remains consistent with the underlying intent of the standards and the objectives of the LEP. 3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including, SEPP (Affordable Housing) 2009, SEPP 55 Remediation of Land, SEPP (Infrastructure) 2007 and SEPP 65 Design Quality Residential Flat Development. 4. The proposal adequately satisfies the provisions and objectives of Bankstown LEP 2001 and Bankstown DCP 2005 Part D5. 5. The architectural treatment, site development treatment and the landscape treatment adopted for the proposal will adequately integrate the proposed development into the existing and planned character and scale of the developing commercial and higher density residential precinct in which it is located. In this regard the Panel noted the perimeter landscape treatment to George Street existing on the site and will condition a requirement to seek to retain where practicable much of the established vegetation to present an appropriate landscape treatment to the local residential street. 6. The proposed development, subject to the conditions imposed will have no significant adverse impacts on the natural or built environments including the amenity of adjoining or nearby residential premises, or the operation of local road networks. In this regard the Panel notes there is excess supply of car parking including visitor parking provided for this development over and above the SEPP minimum requirement. 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.
Conditions: The panel approved the application subject to the conditions in the Council Assessment Report and with the following amendments: <ol style="list-style-type: none"> 1) Clause (12) A landscape plan shall be prepared and submitted for approval with the Construction Certificate. The landscape plan is to be generally in accordance with Drawing No. 0935.L.01 and 0899.L.02 by Greenland Design, is to ensure that all new tree plantings are advanced specimens of minimum 200 litre pot size, and is to include Eucalypt species, in particular at the southern (Hume Highway) end of the site. The plan is to provide for the retention of trees, shrubs and groundcovers in

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

the landscape treatment of the George Street frontage, where practicable. The plan shall also make provision for a new 1.8m fence to be erected along all side and rear boundaries of the subject allotment at full cost to the developer. The colour of the fence is to complement the development and the fence is to be constructed of lapped and capped timber paling, sheet metal or other suitable material unless the type of material is stipulated in any flood study prepared for the site. The selection of materials and colours of the fence is to be determined in consultation with the adjoining property owners. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.

- 2) Clause (38) (new) Prior to the commencement of works, unimpeded, legal access to the site over the extension of Kearns Lane on the neighbouring property Lot 350 in DP 1190796 No. 350 Hume Highway, Bankstown must be available. Documentary evidence confirming this access is to be submitted to the Principal Certifying Authority.
- 3) Clause (85a) For 10 years from the date of the issue of the occupation certificate:
 - a. Dwellings 23, 32, 44, 51, 57, 63, 72, 78, 92, 98, 103, 112, 124, 129, 131, 134, 142, 145, 149, 155, 165, 173, 176, 184, 195, 202, 207, 214, 223 and 230 must be used for the purposes of affordable housing, and

Panel members:

		
Mary-Lynne Taylor (Chair)	Bruce McDonald	Paul Mitchell
		
Cr Ian Stromborg	Cr Michael Tadros	

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2014SYW152 – Bankstown – DA-1036/2014
2	Proposed development: Demolition of existing structures and construction of 2 x 3-8 storey residential flat buildings and 1 x 8 storey mixed use building including 1,560sq.m showroom space, 245 residential dwellings with basement car parking for 371 spaces, the extension of Kearns Lane and associated landscaping and civil works under the provisions of the Affordable Rental Housing SEPP 2009.
3	Street address: 348 Hume Highway Bankstown
4	Applicant: Chanine Design Pty Ltd Owner: Kiem Dang Investment Pty Ltd and Dang & Nguyen Pty Ltd
5	Type of Regional development:
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • State Environmental Planning Policy No 65—Design Quality of Residential Flat Developments • State Environmental Planning Policy (Affordable Rental Housing) 2009 • State Environmental Planning Policy No 55—Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • Bankstown Local Environmental Plan 2014 (Draft) • Bankstown Development Control Plan 2005 (Part D4 & D5) • 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 Dated 6 October 2015 Written submissions during public exhibition: 67 Verbal submissions at the panel meeting: Against- Robert Bragg, Joe Cincotta; On behalf of the applicant – Adam Byrnes
8	Meetings and site inspections by the panel: Site Inspection, Final Briefing & Determination Meeting 15 October 2015
9	Council recommendation: Approved
10	Draft conditions: As per Council Assessment Report