

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Bankstown Knowledge and Library Centre** on
Wednesday 18 November 2015 at 1.00 pm

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

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015SYW018 – Bankstown City Council – DA3/2015, Demolition of existing structures and construction of a commercial and residential development comprising 177 residential apartments, 14 townhouses, basement and at grade car parking, new driveway access off Hillcrest Avenue and Northcote Road and associated site landscaping, 225-241A Hume Highway, 112 Northcote Road and 24 Hillcrest Avenue, Greenacre.

Date of determination: 18 November 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 and retail/commercial services within the Bankstown local government area and Southwest Metropolitan subregion in a location planned for urban renewal.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 30 (Floor Space Ratio) 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 for this locality and the development remains consistent with the underlying intent of the standard and the objectives of the LEP.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 65 Design Quality of Residential Flat Development and its associated Residential Flat Design Code, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the provisions and objectives of Bankstown LEP 2001 and Bankstown DCP 2005. Further the Panel notes that the proposal is consistent with the North East Local Area Plan adopted by Council to guide redevelopment of this locality and strengthen its connection to the Hume Highway Enterprise Corridor.
5. The proposed development is consistent in scale and form with that of development planned for this locality.
6. The proposed development will have no significant adverse impacts on the natural or built environments including the amenity of nearby residential premises or the operation of the local road system.
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 development application was approved subject to the conditions in the Council Assessment Report with amendments to Conditions 3, Condition 9, Condition 38 and Condition 45 – 2nd paragraph.

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Condition 3 to read as follows:

No approval is granted or implied for the use of the commercial/retail/office floor space within the approved buildings. Separate Development Consent for the use of the commercial floor space is required prior to occupation of these premises.

Condition 9 to read as follows:

The landscape plan shall include the provision for the replacement of all boundary fencing. A new 2.0m fence is 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 with the exception of the boundary fencing provided along the northern and southern boundaries of No. 24 Hillcrest Avenue which is to be constructed of brick. 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.






Condition 38 to read as follows:

The internal road from Hillcrest Avenue shall include footpaths on both sides and street lighting designed to Council's Traffic Engineer's satisfaction with the street lighting to comply with the relevant designed standards relating to light spill.

Condition 45 – 2nd paragraph to read as follows:

Any variation or modification to the Remedial Action Plan in terms of compliance work must be requested from the Consent Authority (Bankstown City Council) in writing prior to validation. With regard to remediation work, any proposed variation of works must be approved by Bankstown City Council's Environmental Health Office in writing prior to the works being undertaken.

Panel members:

		
Mary-Lynne Taylor (Chair)	Bruce McDonald	Stuart McDonald
		
Ian Stromborg	Michael Tadros	

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SCHEDULE 1

1	JRPP Reference – 2015SYW018, LGA – Bankstown City Council, DA3/2015
2	Proposed development: Demolition of existing structures and construction of a commercial and residential development comprising 177 residential apartments, 14 townhouses, basement and at grade car parking, new driveway access off Hillcrest Avenue and Northcote Road and associated site landscaping.
3	Street address: 225-241A Hume Highway, 112 Northcote Road and 24 Hillcrest Avenue, Greenacre.
4	Applicant/Owner: (Applicant) – Platinum Design Architects. (Owner) – Bernies Auto Sales (Distribution) Pty Ltd.
5	Type of Regional development: The development application has a capital investment value of greater than \$20 million.
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development ○ Draft Bankstown Local Environmental Plan 2015 ○ Bankstown Local Environmental Plan 2001 ○ SEPP (Infrastructure) 2007 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Bankstown Development Control Plan 2005 (relevant parts of BDCP 2005) • 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, attachment to the report and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Jason Duda on behalf of the applicant.
8	Meetings and site inspections by the panel: 19 November 2015 - Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report