

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Bankstown City Council Chambers** on
Thursday 10 March 2016 at 1.00 pm

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

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015SYW082 – Bankstown City Council – DA353/2015, Consolidation of five (5) allotments, construction of two 3-storey residential flat buildings comprising of twenty two (22) units and six (6) 2-storey multi dwelling housing with associated car parking and landscaping under State Environmental Planning Policy (Affordable Rental Housing) 2009, 2-10 Cammarlie Street, Panania.

Date of determination: 10 March 2016

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 as addressed in the Council Assessment Report, the material listed at item 7 the matters presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for the panel decision:






1. The proposed development will add to the supply of affordable and social housing within Central West Metropolitan Subregion and the Bankstown local government area in a manner optimizing the utility of land owned by the NSW Land and Housing Corporation in a location with ready access to the metropolitan transport services provided at Panania Rail Station.
2. The Panel has considered the applicant's request to vary the development standards contained in Clause 4.3 (Height of Buildings) and Clause 4.4 (Floor Space Ratio) of Bankstown LEP 2015 and considers that compliance with these standards is unreasonable and unnecessary in the circumstances of this case as the additional height and floor space will not result in buildings that are unacceptably inconsistent with the scale of buildings planned for this locality, will have negligible impacts, and development remains consistent with the objectives of the standards Bankstown LEP 2015. In this regard the Panel recognises that the provisions of the Affordable Housing SEPP prevail over the LEP and that the development is consistent with the objectives of the SEPP.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP (Affordable Rental Housing) 2009, SEPP 55 Remediation of Land and SEPP 65 (Design Quality of Residential Flat Development and its associated Residential Flat Design Code.
4. The proposal adequately satisfies the applicable provisions and objectives of Bankstown LEP 2015 and Bankstown DCP 2015. In this regard the Panel notes that a number of provisions contained in the Affordable Housing SEPP prevail over those contained in the BLEP. (eg. a residential flat building is allowable under this SEPP when otherwise it would not be permitted under the BLEP)
5. The proposed development is considered to be of appropriate scale and form adequately consistent with the character of the locality in which it is placed. The Panel notes that a Site Compatibility Certificate has been issued by the Department of Planning & Environment as required under the Affordable Housing SEPP 2009 which finds the site suitable for residential flat building.
6. The proposed development, subject to the conditions imposed, will have no unacceptable 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 a new condition to improve landscaping to off-set the loss of some substantial trees in the north-east corner of the site.

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The Jacaranda to the north-east of the site is to be retained and protected so long as this will only require the loss of one car parking space. The landscape plan is to include the provision for screening plants to the minimum height of 4 metres to the north-east corner of the development.

Panel members:

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

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SCHEDULE 1

1	JRPP Reference – 2015SYW082, LGA – Bankstown City Council, DA353/2015
2	Proposed development: DA353/2015, Consolidation of five (5) allotments, construction of two 3-storey residential flat buildings comprising of twenty two (22) units and six (6) 2-storey multi dwelling housing with associated car parking and landscaping under State Environmental Planning Policy (Affordable Rental Housing) 2009.
3	Street address: 2-10 Cammarlie Street, Panania.
4	Applicant/Owner: (Applicant) – Emmanuel Torres. (Owners) – NSW Land and Housing Corporation.
5	Type of Regional development: The development application exceeds the capital investment value of greater than \$5 million for Crown development.
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 (Deemed SEPP) ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX 2004) ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Affordable Rental Housing) 2009 ○ Bankstown Local Environmental Plan 2015 • Draft environmental planning instruments: Nil • Development control plans: Bankstown Development Control Plan 2015 • 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"> • Ian Lacy on behalf of Melissa Howell • Maria Fincher on behalf of residents group • Suzie Vom-Bruch • Peter May • Glen Fincher • Daniel Ouma-Machio on behalf of the applicant
8	Meetings and site inspections by the panel: 10 March 2016 - Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report