

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Bankstown City Council Chambers** on
Thursday 10 December 2015 at 11.00 am

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

2015SYW109 – Bankstown City Council – D576/2015, Construction of a seven (part six) storey residential flat building containing 156 residential apartments above two levels of basement car parking, 74-80 Restwell Street and 1-9 Leonard Street, Bankstown.

Date of determination: 10 December 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 within the West Central Metropolitan Subregion and the City of Bankstown in a location with ready access to the metropolitan transport, amenities and services available within the Bankstown Central Business District.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 4.4 (2) Floor Space Ratio Bankstown LEP 2015 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 and pattern of buildings within and planned for this locality and the development remains consistent with the underlying intent of the standard and the objectives of the zone.
3. The proposed development is consistent in scale and form with the pattern of development planned for the locality in which the subject site is located.
4. 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.
5. The proposal adequately satisfies the provisions and objectives of Bankstown LEP 2015 and Bankstown DCP 2015.
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, the quality of adjacent heritage items 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 deletion of Condition 45, 81 and amendments to Condition 51.

Condition 51 to read as follows:






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No approval is granted for the removal of the following trees:

Species – Callistemon viminalis (Bottlebrush)

Location – Council naturestrip, forward of the property line of 9 Leonard Street.

Panel members:

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

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SCHEDULE 1

1	JRPP Reference – 2015SYW109, LGA – Bankstown City Council, DA576/2015
2	Proposed development: Construction of a seven (part six) storey residential flat building containing 156 residential apartments above two levels of basement car parking.
3	Street address: 74-80 Restwell Street and 1-9 Leonard Street, Bankstown.
4	Applicant/Owner: (Applicant) – Le Chateau Developments Pty Ltd. (Owner) – Le Chateau Developments 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 (State and Regional Development) 2011 ◦ SEPP (Infrastructure) 2007 ◦ 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 2015 • Draft environmental planning instruments: Nil • Development control plans: • Bankstown Development Control Plan 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"> • Andrew Magoffin on behalf of the applicant.
8	Meetings and site inspections by the panel: 10 December 2015 - Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report