

# SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at Bankstown City Council on Wednesday 11 May 2016 at 10.40am

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, John Colvin,  
Cllr Ian Stromborg, Cllr Michael Tadros

Apologies: none    Declarations of Interest: none

## Determination and Statement of Reasons

**2015SYW174 – Bankstown – DA988/2015 [326 Hume Highway Bankstown] as described in Schedule 1.**

**Date of determination:** 11 May 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, 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.

The Panel adjourned to formulate a resolution.



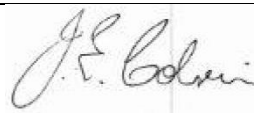
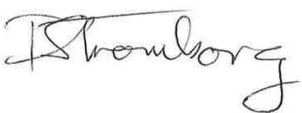

### Reasons for the panel decision:

The Panel unanimously agreed to approve the application, subject to the conditions imposed, for the following reasons:

1. The proposed development will add to the supply and choice of housing within the Southwest Metropolitan Subregion and the Bankstown local government area in a location with ready access to services and amenities available in Bankstown CBD and the transport facilities available from the CBD and the Hume Highway.
2. The Panel has considered the Applicant's request to vary the development standard contained in the Bankstown LEP 2015 (Clause 4.3) relating to building height and considers that compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation will result in a preferred building design which remains consistent with the underlying intent of the standard and the objectives of the zone on this significant corner site.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including, SEPP 65 (Design Quality of Residential Apartment Development) and its associated Apartment Design Guide, SEPP 55 - Remediation of Land and SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the provisions and objectives of the Bankstown LEP 2015 and Bankstown DCP 2015. In this regard The Panel notes that there are substantial departures from the height and setback provisions of the DCP in relation to the Hume Highway, Rookwood Road and Davis Lane frontages. These are considered acceptable as no significant adverse impacts result and an improved corner location design is achieved.
5. 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. In this regard the Panel accepts approval of this application does not isolate 324 Hume Highway as there will still be a potential for independent development on that site for a range of permitted uses.
6. The proposal 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 is in the public interest.

**Conditions:** The development application was approved subject to the conditions in the Council Assessment Report.

### Panel members:

		
<b>Mary-Lynne Taylor (Chair)</b>	<b>Bruce McDonald</b>	<b>John Colvin</b>
		
<b>Cllr Ian Stromborg</b>	<b>Cllr Michael Tadros</b>	

# SYDNEY WEST JOINT REGIONAL PLANNING PANEL

## SCHEDULE 1

1	<b>JRPP Reference – LGA – Council Reference:</b> 2015SYW174 – Bankstown – DA988/2015
2	<b>Proposed development:</b> demolition of existing structures and construction of a mixed commercial and residential flat building comprising of a total 123 residential units, a 2-storey commercial building fronting Hume Highway, basement car parking and associated site works and landscaping
3	<b>Street address:</b> 326 Hume Highway Bankstown
4	<b>Applicant / Owner:</b> Ibtisam Fahd c/- Mecone Pty Ltd
5	<b>Type of Regional development:</b> Capital Investment Value >\$20 million
6	<b>Relevant mandatory considerations:</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development)</li> <li>○ State Environmental Planning Policy (BASIX) 2004</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Bankstown Local Environmental Plan 2015</li> </ul> </li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Bankstown Development Control Plan 2015</li> </ul> </li> <li>• Environmental Planning and Assessment Regulation 2000</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and EPA Regulation.</li> <li>• The public interest, including the principles of ecologically sustainable development.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated 19 April 2016 Written submissions during public exhibition: 4 Late Submission received 6 May Verbal Submissions at Public Meeting 11 May 2016: Against - Mr Joseph Cincotta, Ms Margaret Roberts on behalf of property owners 324 Hume Highway Bankstown; On behalf of the Applicant – Kate Bartlett;
8	<b>Meetings and site inspections by the panel:</b> Site Inspection & Briefing: 18 November 2015 Final Briefing: 11 May 2016 Public Determination Meeting: 11 May 2016
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> As per Assessment Report