

DATE OF DETERMINATION	08 November 2017
PANEL MEMBERS	Morris Iemma (Chair), Bruce McDonald and Nicole Gurran
APOLOGIES	Jane Fielding and Peter Smith
DECLARATIONS OF INTEREST	None

Public meeting held at City of Canterbury-Bankstown City Council Chambers on Wednesday 08 November 2017 opened at 1.30pm and closed at 1.50pm.

MATTER DETERMINED

Panel Ref – 2017SSH014 - LGA – Canterbury-Bankstown, DA-107/2017, Address – 30-46 Auburn Road, Regents Park (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

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*. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution. The decision was unanimous.

REASONS FOR THE DECISION

1. The proposed development will add further supply and choice of housing within the Sydney South District and the Canterbury Bankstown local government area in a location with ready access to the metropolitan transport service available from Regents Park and Birrong rail stations and the amenities and services available from Regents Park and Birrong local centres.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 65 Design Quality of Residential Apartment Development SEPP 55 Remediation of Land. In regard to SEPP 65 and its associated Apartment Design Guide the Panel noted that this consent relates to a broad concept design and that more rigorous analysis of more detailed stages of approval will be required to determine satisfactory compliance or otherwise of those stages with those instruments.
3. The Panel notes that a planning proposal relating to the subject site is currently under consideration and that it has not been given weight in determining this matter as a decision on that proposal is not considered to be imminent or certain.
4. The proposal adequately satisfies the applicable provisions and objectives of Bankstown LEP 2015 Bankstown DCP 2015. Here too the Panel notes that later more detailed designed stages of the proposal will need to be further analysed to ensure they satisfy the objectives and provisions of these instruments.

5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the local ecology, or riparian systems, the amenity of nearby residential premises or the operation of the local road system.
6. In consideration of conclusions 1-5 above it is considered the proposed development is a suitable and planned 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 the following modifications to Condition 7 and Condition 11, and the addition of a new condition relating to compliance with the relevant planning instruments.

Condition 7 is to read as follows –




Section 94A contributions will be levied for future stages of the development in accordance with Council's *Section 94A Development Contributions Plan*. The contributions will be levied on the basis of the estimated capital investment value (CIV) of each stage of the development, complete with detailed costings from a registered quantity surveyor.

Condition 11 is to read as follows –

The maximum height of buildings A, B, C, D, E, F and G is to be 7 metres above existing ground level if the ground floor is to be used for residential purposes, and 8 metres if the ground floor is to be used for non-residential purposes. The maximum height of buildings H, J and K is to be 10 metres above existing ground level.

The following new condition is added –

Development applications for future stages of the development must demonstrate compliance with the *State Environmental Planning Policy No. 65 Apartment Design Guide*, the *Bankstown Local Environmental Plan 2015* and, where relevant, the *Bankstown Development Control Plan 2015*.

PANEL MEMBERS	
 Morris Iemma (Chair)	 Bruce McDonald
 Nicole Gurran	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSH014 - LGA – Canterbury-Bankstown, DA-107/2017
2	PROPOSED DEVELOPMENT	Proposed concept design for a high density residential development
3	STREET ADDRESS	30-46 Auburn Road, Regents Park

4	APPLICANT/OWNER	Applicant – Pacific Planning Pty Ltd Owner – 30 Auburn Road Pty Limited
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value exceeds \$20million.
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 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • Bankstown Local Environmental Plan 2015 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> • Bankstown Development Control Plan 2015 • Planning agreements: Nil • <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report, recommended conditions and written submissions. • Written submissions during public exhibition: 5 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – James Matthews ○ On behalf of Council – Stephen Arnold and Daniel Bushby
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing Meeting – 16 May 2017 • Site Inspection – 16 May 2017 • Final Briefing Meeting – 8 November 2017 from 1.00 pm to 1.30 pm • Public Meeting – 8 November 2017 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Morris Iemma, (Chair), Bruce McDonald and Nicole Gurran ○ <u>Council assessment staff</u>:

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Submitted with report