

MINUTES OF THE SYDNEY EAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT LEICHHARDT COUNCIL ON WEDNESDAY, 21 MARCH 2012 AT 5.00PM

PRESENT:

John Roseth	Chair
David Furlong	Panel Member
Sue Francis	Panel Member
Margaret Lyons	Panel Member
Brian McDonald	Panel Member

IN ATTENDANCE

Ian Betts	Leichhardt Council
David Ruston	Leichhardt Council
Elizabeth Richardson	Leichhardt Council

APOLOGY: NIL (IT WAS NOTED THAT ROCHELLE PORTEOUS WAS ABSENT FROM THE MEETING)

1. The meeting commenced at 5.10pm.

2. Declarations of Interest -

Nil.

3. Business Items

ITEM 1 - 2011SYE105 – Leichhardt - D/2011/529 - Mixed use development comprising of commercial/retail uses, 118 residential units over basement car park and associated works including remediation - 100-102 Elliott Street, Balmain

4. Public Submission -

Lynne Pickering	Addressed the panel against the item
David Saxelby	Addressed the panel against the item
Debby Ross	Addressed the panel against the item
Stephen Galssop	Addressed the panel against the item
Catherine Saxelby	Addressed the panel against the item
Isabelle Guyot	Addressed the panel against the item
Jenny Mortimer	Addressed the panel against the item
Wayne Mortimer	Addressed the panel against the item
Julie Tuhetokah on behalf of Bob Sidoti	Addressed the panel against the item
Kerry Nash - consultant from KRNash & Associates Pty Ltd – on behalf of 3 neighbouring properties	Addressed the panel against the item
Andrew Burns	Addressed the panel against the item
Stuart Harding, Willana - on	Addressed the panel against the item

behalf of the Leichhardt
Councillors

David Anderson	Addressed the panel against the item
Peter Jollie	Addressed the panel against the item
Cr Jamie Parker	Addressed the panel against the item
Kathryn Clark	Addressed the panel against the item
Cr Michele McKenzie	Addressed the panel against the item
Geoff Sturday	Addressed the panel against the item
Linley Power	Addressed the panel against the item
Cr Darcy Byrne	Addressed the panel against the item
Peter de Waal	Addressed the panel against the item
Susan Murray spoke for Colin Tinkler	Addressed the panel against the item
Peter Bonsall-Boone	Addressed the panel against the item
Valisia Jollie	Addressed the panel against the item
Wayne Driver	Addressed the panel against the item
Johnnie Walker	Addressed the panel against the item
Wes van der Gardner as General Manager – Development for Roche Group Pty Limited	Addressed the panel on behalf of the applicant
Matthew Cumming the architect for the project from Mijollo International	Addressed the panel on behalf of the applicant

5. Business Item Recommendations

ITEM 1 - 2011SYE105 – Leichhardt - D/2011/529 - Mixed use development comprising of commercial/retail uses, 118 residential units over basement car park and associated works including remediation - 100-102 Elliott Street, Balmain

- 1) The Panel has carefully considered the planning assessment report recommending deferred commencement approval. The Panel considers the report to be of high professional standard. However, because planning conclusions are value judgments, in this case the Panel cannot accept the recommendation.
- 2) The Panel has resolved unanimously to refuse the application for four principal reasons:
 - a) its bulky appearance from the water;
 - b) the relationship of the proposal to the water;
 - c) the inadequate transition from the small-scale environment of Broderick and Elliott Streets; and
 - d) the view impact on 13 Broderick Street, which I, in the opinion of the Panel, is catastrophic.
- 3) As concerns the proposal's appearance from the water, the three buildings facing the Harbour appeal as one building and the length of Building A is excessive. The Panel notes that the photomontage view from the water shows trees covering almost all the buildings.
- 4) As concerns the proposal's relationship to the water, the Panel notes that there are no views of the water from most of the internal open spaces. There are also few views of the water through the proposal from public spaces behind.
- 5) As concerns the transition from the small-scale of Broderick and Elliott Streets, the Panel believes that the scale of the proposal at the edges is too large and alien to the existing residential character.

- 6) As concerns the view loss from the Broderick Street properties, of which the loss from No 13 is the worst, the Panel accepts that the maintenance of these views is probably not possible. However, before it accepts the complete obliteration of views, it would need to be convinced that some sort of view corridor to compensate for the loss is unachievable.
- 7) In general, the Panel agrees with the planning assessment report that an applicant has a reasonable expectation to achieve the FSR control applying to a site. In this case, however, there are criteria, mentioned above, that are so important that they override this expectation. It is unlikely that the FSR of 1.5:1 can be achieved on this site at the same time as other planning objectives.
- 8) David Furlong and Sue Francis, while agreeing to the refusal of the application, believe that there are only two valid reasons for it, namely the view to and from the water and the view impact on the Broderick Street properties. In their view, amending the current proposal would not respond to those issues.

The meeting concluded at 9.50pm.

Endorsed by

John Roseth
Chair, Sydney East
Joint Regional Planning Panel
21 March 2012