

MINUTES OF THE SYDNEY EAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT HURSTVILLE COUNCIL ON THURSDAY, 11 APRIL 2013 AT 4.00PM

PRESENT:

John Roseth	Chair
David Furlong	Panel Member
Sue Francis	Panel Member
Philip Sansom	Panel Member
Vince Badalati	Panel Member

IN ATTENDANCE

Ilyas Karaman	Hurstville Council
Paula Bizimis	Hurstville Council

APOLOGY: NIL

1. The meeting commenced at 4.00pm.

2. Declarations of Interest -

Nil

3. Business Items

ITEM 1 - 2012SYE108 – Hurstville - 12/DA-325 - Demolition of Existing Buildings/Structures and Construction of a Fifteen Storey Mixed Use Development with Basement Parking - 454-456 Forest Road, Hurstville

4. Public Submission -

Brett Daintry	Addressed the panel against the item
Eugene Sarich	Addressed the panel on behalf of the applicant
Nick Lychenco	Addressed the panel on behalf of the applicant

5. Business Item Recommendations

ITEM 1 - 2012SYE108 – Hurstville - 12/DA-325 - Demolition of Existing Buildings/Structures and Construction of a Fifteen Storey Mixed Use Development with Basement Parking - 454-456 Forest Road, Hurstville

1. The Panel has carefully considered the recommendation of the planning assessment report to approve the application; however, it is unable to accept it. The Panel resolves unanimously to refuse the application.
2. The reasons for the Panel's decision are:
 - a. The DCP and the draft Hurstville City Centre LEP 2012 set a height control for this site that allows a seven-storey building. The proposal is 15 storeys high.
 - b. The Panel notes that the height that the DCP and draft LEP set for this site is lower than that for nearby sites. The Panel assumes that the reason for this is that the site is very small and narrow. While the Panel believes that some latitude in

applying the height control is appropriate, this does not mean that the height can be doubled.

- c. The proposed building is built to the side boundaries. Combined with the 15-storey height, the lack of setback would be a constraint on the development potential of the site adjoining to the west. Alternatively, if an existing approval for the adjoining site is implemented, the amenity of the apartments facing the subject site would be compromised.
 - d. The Panel notes that the applicant justifies the height of the proposal on the tower building on the site adjoining to the east. While the proposed building is only a little higher than the adjoining tower, it is set closer to the street, so that its impact on the streetscape is much more dominant.
3. Given the context of the site and the difficulty of designing a building on such a narrow site, the Panel would accept a building somewhat higher than seven storeys as long as
 - a. the amenity of the apartments on adjoining sites is not threatened;
 - b. the tower part of the proposed building is set back further from Forest Road; and
 - c. reasonable solar access to the apartments is achieved.
 4. If it proves impossible to achieve the above requirements at a FSR of 3:1, then this must be regarded as a constraint arising out of the narrowness of the site.
 5. The Panel acknowledges that in designing the proposed building, the applicant has followed the advice of the council's Design Review Panel. However, this is not sufficient reason for the Panel to approve a development it believes would be out of scale in the street, adversely affect the adjoining site, provide poor amenity for its occupants and negatively impact on residents on the other side of Forest Road, who have a reasonable expectation, because of the height control, of a lower building.

The Panel suggests that the applicant consider submitting a planning proposal for a height control somewhat greater than seven storeys with any new application, after discussion with council's planning officers.

6. Business Items

ITEM 2 - 2013SYE013 – Hurstville - 12/DA-367 - Demolition of existing structures and construction of a sixteen storey mixed use development with basement parking - 1-5 Treacy Street, Hurstville

7. Public Submission -

Chris Tsioulos

Addressed the panel on behalf of the applicant

8. Business Item Recommendations

ITEM 2 - 2013SYE013 – Hurstville - 12/DA-367 - Demolition of existing structures and construction of a sixteen storey mixed use development with basement parking - 1-5 Treacy Street, Hurstville

1. The Panel unanimously accepts the recommendation of the planning assessment report to refuse the application for the reasons mentioned in the report.
2. The Panel considered the applicant's request for deferring the determination of the application; however, this application is so far outside of what is appropriate for the site that a new application is required.

9. Business Items

ITEM 3 - 2013SYE014 – Hurstville - 12/DA-241REV1 - S96(2) application to modify approved mixed use development - 9 Dora Street Hurstville

10. Public Submission -

George El Khouri

Addressed the panel on behalf of the applicant

11. Business Item Recommendations

ITEM 3 - 2013SYE014 – Hurstville - 12/DA-241REV1 - S96(2) application to modify approved mixed use development - 9 Dora Street Hurstville

The Panel resolves unanimously to accept the recommendation of the planning assessment report to approve the application, for the reasons mentioned in the report and subject to the conditions recommended in the report with one additional condition requiring that the floor to ceiling height should be a minimum of 2.7m without any increase in the height of the roof or the lift tower.

The meeting concluded at 7.30pm.

Endorsed by

John Roseth
Chair, Sydney East
Joint Regional Planning Panel
11 April 2013