

# MINUTES OF THE SYDNEY EAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT LEICHHARDT COUNCIL ON THURSDAY 15 MAY 2014 AT 4.00PM

## PRESENT:

|                |              |
|----------------|--------------|
| John Roseth    | Chair        |
| David Furlong  | Panel Member |
| Sue Francis    | Panel Member |
| Brian McDonald | Panel Member |
| Jacinta Reid   | Panel Member |

## IN ATTENDANCE

|                      |                    |
|----------------------|--------------------|
| Anna Walker          | Leichhardt Council |
| Elizabeth Richardson | Leichhardt Council |
| Rachel Josey         | Leichhardt Council |
| Linda Rodriguez      | Leichhardt Council |

## APOLOGY: NIL

1. The meeting commenced at 4.00pm.

## 2. Declarations of Interest -

Nil

## 3. Business Items

***ITEM 1 - 2013SYE089 – Leichhardt - D/2013/406 – Mixed use development - 100-102 Elliott Street Balmain***

## 4. Public Submission -

|                                                   |                                                |
|---------------------------------------------------|------------------------------------------------|
| Dave Saxelby                                      | Addressed the panel <b>against</b> the item    |
| Andrew Burns                                      | Addressed the panel <b>against</b> the item    |
| Peter Jollie                                      | Addressed the panel <b>against</b> the item    |
| Mary Caporal                                      | Addressed the panel <b>against</b> the item    |
| David Anderson                                    | Addressed the panel <b>against</b> the item    |
| Jenny Mortimer                                    | Addressed the panel <b>against</b> the item    |
| Wayne Mortimer                                    | Addressed the panel <b>against</b> the item    |
| Geoff Sturday                                     | Addressed the panel <b>against</b> the item    |
| Linley Power                                      | Addressed the panel <b>against</b> the item    |
| Rian Aldridge                                     | Addressed the panel <b>against</b> the item    |
| Kim Smyth                                         | Addressed the panel <b>against</b> the item    |
| Jacqui Freeman                                    | Addressed the panel <b>against</b> the item    |
| Julie Tuhetoka                                    | Addressed the panel <b>against</b> the item    |
| Cr Craig Channels spoke on behalf of Jamie Parker | Addressed the panel <b>against</b> the item    |
| Debbie Ross                                       | Addressed the panel <b>against</b> the item    |
| Wes Gardner                                       | Addressed the panel on behalf of the applicant |

Guy Lake  
Tim Rogers

Addressed the panel on behalf of the applicant  
Addressed the panel on behalf of the applicant

## 5. Business Item Recommendations

### ***ITEM 1 - 2013SYE089 – Leichhardt - D/2013/406 – Mixed use development - 100-102 Elliott Street Balmain***

1. The Panel resolves unanimously that it will accept the recommendation of the planning assessment report to approve the application subject to a revised set of conditions.
2. The conditions recommended in the report are to be amended as follows:
  - a. All deferred commencement conditions that have not been deleted become operational conditions.
  - b. Deferred commencement conditions 1(a), 1(b), 1(c), 1(e), 1(f) and 1(m) are deleted.
  - c. Deferred commencement conditions 1(j) and 1(l) are replaced by conditions drafted by agreement between the council's and the applicant's traffic engineer.
  - d. The timing of the above operational conditions that had been deferred commencement conditions are either prior to the relevant Construction Certificate or prior to the relevant Occupation Certificate, as is appropriate.
  - e. Deferred commencement condition 2 is replaced by a condition drafted by agreement between the council's and the applicant's traffic engineer.
  - f. Deferred commencement condition 3 is to be replaced by the requirement for a single plan that shows all the information that the council seeks, with council giving special attention to minimising the required information to that absolutely essential.
  - g. Condition 38(a) is deleted.
  - h. Condition 49, which refers to s94 contributions, shall be recalculated having regard to the method shown in the planning assessment officer's memo to the Panel of 15 May 2014.
  - i. Condition 114 is deleted.
  - j. A new condition is inserted deleting the top floor of Building C4.
3. In requiring the above changes in the conditions, the Panel decided not to delete the top levels of buildings C1 and C2. The justification for the deletion of those floors recommended in the planning assessment report was to reduce the scale of the proposal as seen from the Harbour. The Panel considers that this is not justified in view of the heavy vegetation and generous landscaped area dedicated to the public between the buildings and the Harbour. Moreover, the buildings are presented as short facades with generous spaces between, maintaining views to and from the Harbour.
4. However, the Panel has deleted the top floor of Building C4, as this deletion will reduce the solar and privacy impact on 2 Broderick Street as well as the impact on views from 3 and 5 Broderick Street. The applicant's claim that non-compliance with the height control will not impact on views was not correct with the top floor of Building C4 intact; however, it will be correct with the deletion of that floor.
5. The Panel requests the planning assessment officer to prepare the new set of conditions by 23 May 2014 and requests the applicant to comment on them by 30 May 2014. Following receipt of the above, the Panel will determine the application by communicating by electronic means unless it decides that another public meeting is necessary.

The meeting concluded at 7.21pm.

Endorsed by

A handwritten signature in blue ink, appearing to read "John Roseth". The signature is written in a cursive style with a large initial "J".

John Roseth  
Chair, Sydney East  
Joint Regional Planning Panel  
15 May 2014