

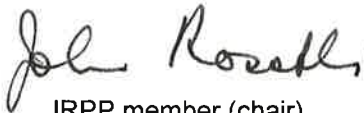
**Determination of development application under s80**

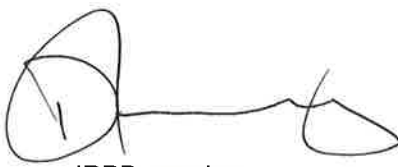
**SYDNEY EAST JOINT REGIONAL PLANNING PANEL**

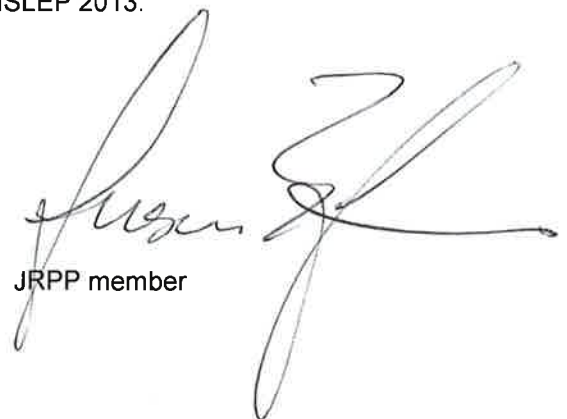
**DECISION**

This decision is made under section 80 of the *Environmental Planning and Assessment Act 1979* (NSW) by the Sydney East Joint Regional Planning Panel as the relevant consent authority.

<b>JRPP No</b>	2014SYE007	<b>DA Number</b>	446/13
<b>Local Government Area</b>	North Sydney		
<b>Proposed Development</b>	Construction of serviced apartment building		
<b>Street Address</b>	80 Arthur Street North Sydney		
<b>Applicant/Owner</b>	Karimbla Construction Services (NSW) Pty Ltd		
<b>Determination of application by JRPP</b>	Upon receipt of the certification from the Director General of Planning and Infrastructure pursuant to clause 6.5 (2) of the NSLEP 2013 consent will be granted to the development application		
<b>Members of Panel present for the making of determination</b>	John Roseth, David Furlong, Sue Francis and Michel Reymond		
<b>Members of Panel in favour of determination</b>	4	<b>Members of Panel against determination</b>	0
<b>Date of determination</b>	10 April 2014		
<b>Conditions of consent</b>	Consent to the development application is granted subject to the conditions specified in the council assessment report, upon receipt of the certification from the Director General of Planning and Infrastructure pursuant to clause 6.5 (2) of the NSLEP 2013.		

  
JRPP member (chair)

  
JRPP member

  
JRPP member

  
JRPP member

JRPP member



## **SYDNEY EAST JOINT REGIONAL PLANNING PANEL**

### **STATEMENT OF REASONS** **for decision under the *Environmental Planning and Assessment Act 1979*** **(NSW)**

The Sydney East Joint Regional Planning Panel provides the following Statement of Reasons for its decision under section 80 of the *Environmental Planning and Assessment Act 1979* (NSW)(the Act) to:

grant consent to the development application subject to conditions

for:

Construction of serviced apartment building - 80 Arthur Street North Sydney - 446/13  
– 2014SYE007

made by:

Karimbla Construction Services (NSW) Pty Ltd

type of regional development:

Capital Investment Value is greater than \$20 million

#### **A. Background**

##### *1. JRPP meeting*

Sydney East Joint Regional Planning Panel meeting held:

Date: 10 April 2014

Time: 10.30am

Venue: Christies Conference Centre

Panel Members present:

John Roseth – panel chair

David Furlong

Sue Francis

Michel Reymond

Council staff in attendance:

Geoff Mossemeneer

Apologies:

Thomas Robertson

Declarations of Interest:

Nil

## *2. JRPP as consent authority*

Pursuant to s 23G(1) of the Act, the Sydney East Joint Planning Panel (the Panel), which covers the North Sydney Council's area, was constituted by the Minister.

The functions of the Panel include any of a council's functions as a consent authority as are conferred upon it by an environmental planning instrument [s 23G(2)(a) of the Act], which in this case is the *State Environment Planning Policy (State and Regional Development) 2011*.

Schedule 4A of the Act sets out development for which joint regional planning panels may be authorised to exercise consent authority functions of councils.

## *3. Procedural background*

A briefing meeting was held with council on 23/3/14

A site visit was undertaken by:

John Roseth on 9/4/14

David Furlong on 26/3/14

Sue Francis on 9/4/14

Michel Reymond on 9/4/14

A final briefing meeting was held with council on 10/4/14

## **B. Evidence or other material on which findings are based**

In making the decision, the Panel considered the following:

- (i) North Sydney LEP 2013:
  - Zoning – B3 Commercial Core
  - Item of Heritage – No
  - In Vicinity of Item of Heritage - No
- (ii) North Sydney LEP 2013:  
Environmental Planning & Assessment Act 1979
  - SEPP 55 – Contaminated Lands
  - SREP (Sydney Harbour Catchment) 2005
- (iii) Development Control Plan 2013 – North Sydney  
Centre Planning Area/Central Business District
- (iv) Environmental Planning & Assessment Regulation 2010

The Panel was provided with 6 submissions made in accordance with the Act or the regulations, 6 of which objected to the proposal. In making the decision, the Panel considered all of those submissions.

In making the decision, the Panel also considered the following material:

1. Council's Assessment Report on the application dated 26/3/2014
2. Briefing notes from the council at the briefing meeting on 23/3/14

There were no submissions made at the meeting of the Panel on 10 April 2014.

### **C1. Findings on material questions of fact**

The Panel has carefully considered all of the material referred to in Section B above.

**(a) Environmental planning instruments.** The Panel has considered each of the environmental planning instruments referred to in Section B above.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to each of the environmental planning instruments referred to in Section B above.

**(b) Draft environmental planning instruments.** The Panel has considered the draft environmental planning instrument/s referred to in Section B above.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to the draft environmental planning instrument referred to in Section B above.

**(c) Development control plan.** The Panel has considered North Sydney Development Control Plan 2013 referred to in Section B above.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to the Development Control Plan.

**(d) Regulations.** The panel agree with and adopt the analysis in Council's Assessment Report in relation to the Regulations.

**(e) Likely environmental impacts on the natural environment.** In relation to the likely environmental impacts of the development on the natural environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the natural environment as listed in the Council's Assessment Report.

**(f) Likely environmental impacts of the development on the built environment.** In relation to the likely environmental impacts of the development on the built environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the built environment as listed in the Council's Assessment Report.

**(g) Likely social and economic impacts.** In relation to the likely social and economic impacts of the development in the locality, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely social and economic impacts of the development as listed in the Council's Assessment Report.

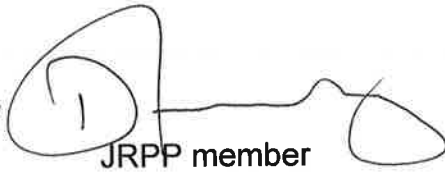
**(h) Suitability of site.** Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that the site is suitable for the proposed development.

**(i) Public Interest.** Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that granting consent to the development application is in the public interest. In particular, the Panel is of the view that the following matters lead to the conclusion that granting consent to the development application is in the public interest.

#### **D1. Why the decision was made**

In light of the Panel's findings in Section C1 above, the Panel unanimously decided that upon receipt of the certification from the Director General of Planning and Infrastructure pursuant to clause 6.5 (2) of the NSLEP 2013 consent will be granted to the development application

John Rosell  
JRPP member (chair)

  
JRPP member

  
JRPP member



JRPP member

