

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 27 August 2014 at 10.30am

Panel Members: John Roseth (chair), Sue Francis, David Furlong and George Glinatsis

Apologies: Ben Keneally - Declarations of Interest: Nil

Determination and Statement of Reasons

2014SYE019 – Botany Bay – DA13/279 – Integrated Development – 47 Rhodes Street, Hillsdale (also known as Hillsdale Bowling Club) as described in Schedule 1.

Date of determination: 27 August 2014

Decision:

The panel determined to refuse the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

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

Reasons for the panel decision:

The Panel resolves unanimously not to accept the recommendation in the council assessment report to approve the application.

The Panel resolves to refuse the application for the following reason:

1. The proposed clause 4.6 variations for FSR and height of building have not been justified having regard to the objectives of those standards.
2. The council assessment report has not demonstrated a better planning outcome from those variations.
3. The proposal fails to satisfy a number of the criteria contained in SEPP 65 and the associated RFDC for example building separation, building depth, number of units off a corridor and solar access

Note 1: The Panel notes there is an offer of community benefit from the applicant however there is no comment of acceptability from the Council and this in any case has no bearing on the Panel's decision.

Note 2: The Panel notes that this is the first development application in this precinct since the gazettal of Botany Bay LEP 2013; therefore any variations to development standards should be fully justified.

Panel members:

 John Roseth (chair)	 David Furlong	 Sue Francis
George Glinatsis		

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE019 – Botany Bay – DA13/279
2	Proposed development: Integrated Development
3	Street address: 47 Rhodes Street, Hillsdale (also known as Hillsdale Bowling Club)
4	Applicant/Owner: Krikis Taylor Architects Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M and Integrated Development
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ <i>Environmental Planning & Assessment Act 1979 – Integrated Development</i> ○ SEPP 55 – Remediation of Land ○ SEPP (Infrastructure) 2007 ○ SEPP (Building Sustainability Index: BASIX) 2004 ○ SEPP 65 – Design Quality of Residential Flat Buildings ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 ○ Botany Bay LEP 2013 • Draft environmental planning instruments: Nil • Development control plans: Botany Bay DCP 2013 • Planning agreements: Nil • Regulations: 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated: 15 August 2014 Written submissions during public exhibition: 15 Verbal submissions at the panel meeting: Support- Nil; Against- John Aerlic; On behalf of the applicant- Nick Krikis and Larissa Brennan
8	Meetings and site inspections by the panel: Briefing Meeting 16 April 2014
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report