

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Tuesday 7 October 2014 at 1.30pm

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

Apologies: Nil - Declarations of Interest: Nil

Determination and Statement of Reasons

2014SYE050 – Rockdale - DA-2014/319 - Demolition of existing structures and construction of a mixed use development including community facilities with basement carparking and subdivision - 213 Princes Highway and 4 Wardell Street Arncliffe as described in Schedule 1.

Date of determination: 7 October 2014

Decision:

The panel determined to accept the recommendation of the planning assessment report 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:

- 1) In the Panel's view, parts of the proposal do not meet the definition of shop top housing, which requires dwellings to be located above ground floor retail premises or ground floor business premises.
- 2) However, if the Panel is wrong in the above conclusion, the Panel believes that the proposal does not have sufficient merit to justify approval for the following reasons:
- 3) The principal negative feature of the proposal, and one that would require fundamental re-design, is its structure involving a linear open space which is far too constricted for the height of buildings on either side of it. Consequently some apartments on ground level 4 and level 1 look on to a blank wall at close proximity and to an undercroft area.
- 4) The separation between buildings generally, and between Buildings D and G in particular, is too narrow and would produce a canyon-like effect, notwithstanding the arrangement of windows to produce some privacy.
- 5) The Panel notes numerous other poor design features, which were also noted by the Design Review Panel, for example:
 - The poor location of the Youth Centre;
 - The poor relationship to the low buildings surrounding the site;
 - The poor quality of the public domain and communal open space;
 - The failure to retain existing trees;
 - The poor ground level treatment which creates the impression of private driveways rather than public streets;
 - The failure to provide adequate separation distances;
 - The inadequate floor to floor dimensions, which would lead either to taller buildings than indicated or to apartments with poor amenity;
 - The inadequate through ventilation for a large proportion of apartments;
 - The lack of clarity concerning the variation required to FSR control;
 - The confusion in the layout of car parking and its lack of clear connection to the apartments; and

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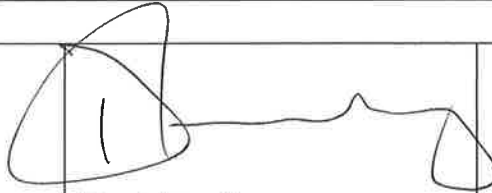
- The poor ground level treatment, with street connections that do not provide for clear and direct movement.

Conditions: not applicable

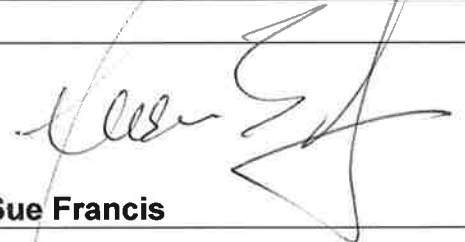
Panel members:



John Roseth (chair)



David Furlong



Sue Francis

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE050 – Rockdale - DA-2014/319
2	Proposed development: Demolition of existing structures and construction of a mixed use development including community facilities with basement carparking and subdivision
3	Street address: 213 Princes Highway and 4 Wardell Street Arncliffe
4	Applicant/Owner: EG Funds Management c/o Scott Barwick - SJB
5	Type of Regional development: CIV > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy Building Sustainability Index (BASIX) • State Environmental Planning Policy No.55 - Contaminated Land (SEPP 55) • State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) • State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development (SEPP 65) • Rockdale Local Environmental Plan 2011 (RLEP 2011) • Rockdale Development Control Plan 2011(DCP 2011) • Environmental Planning and Assessment Regulations 2000 • 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: 23 September 2014 Written submissions during public exhibition: 239 Verbal submissions at the panel meeting: Against- Lucy Smith, Fr Brendan Quirk and Kevin Bryson; On behalf of the applicant- Stuart Harding and Stephen Bowers
8	Meetings and site inspections by the panel: Briefing Meeting 4 June 2014
9	Council recommendation: Refusal
10	Draft conditions: N/A