

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christie Conference Centre on Thursday 19 February 2015 at 12.30 pm

Panel Members: John Roseth (chair), David Furlong, Tim Moore, Michael Megna and Paul Hanly

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2014SYE083 City of Canada Bay Council DA 248/14 [at 30 Shoreline Drive Rhodes] as described in Schedule 1.

Date of determination: 19 February 2015

Decision:

The panel determined to accept the recommendation of the assessment report to approve the development application as described in Schedule 1 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 notes that the site has been earmarked for community use for a long time and that the proposal complies with planning controls and is well below the permissible height.

The Panel considered the submission of the two objectors who put their case to the Panel eloquently. In response to those objections, in the Panel's opinion:

Given that the decision making body is the Panel and not the council, the fact that the assessment planner is a council officer does not create a conflict of interest.

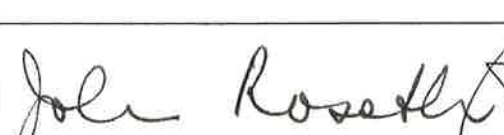

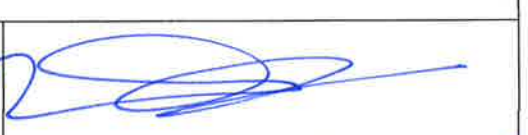


The Panel acknowledges that the proposal will cause a material loss of view for the nearby townhouses, in particular for their ground floor. However, the Panel agrees with the assessment report's conclusion that this view loss is both inevitable and reasonable. The site of the proposal has been intended for a community centre and this intention has been known for a long time.

The Panel is satisfied that the level of the remediated land is as low as practicable and that the height of the proposal is well below the permissible height of 12m.

The Panel accepts that the provision of more parking on the site would not be practicable. The Panel requests the council to ensure that as many as possible of the spaces provided in the road reserve are given over to disabled parking.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report.

Panel members:

 John Roseth (chair)	 David Furlong	 Sue Francis TIMOTHY MOORE
 Michael Megna	 Paul Hanly	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE083 City of Canada Bay Council DA 248/14
2	Proposed development: Construction of four (4) buildings to be used as a community hall, resource centre, meeting spaces, café / restaurant with landscaping and public domain works
3	Street address: 30 Shoreline Drive Rhodes
4	Applicant: Mr John Calvani (City of Canada Bay Council) Owners: <ul style="list-style-type: none"> • Lot 310, DP 1163025 – City of Canada Bay Council • Lot 311, DP 1163025 – City of Canada Bay Council • Lot 312, DP 1163025 – City of Canada Bay Council • Lot 313, DP 1163025 – City of Canada Bay Council • Lot 142, DP 1163025 – City of Canada Bay Council • Lot 316, DP 1163025 (sea wall) – Roads and Maritime Services • Homebush Bay – Roads and Maritime Services
5	Type of Regional development: Capital Investment Value (CIV) greater than \$5 million (\$13,925,000 declared) and is a Council related application
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy No. 55 - Remediation of Land • Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005; deemed SEPP • Canada Bay Local Environmental Plan 2013 • Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005 • Rhodes West Development Control Plan 2011 • 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: 5 February 2015 Written submissions during public exhibition: Thirteen (13) Submissions (11 of Objection and 2 of Support) Verbal submissions at the panel meeting: Against- Raul Senise and Delip Jadeja; On behalf of the applicant- John Calvani and Alison Brown
8	Meetings and site inspections by the panel: Briefing Meeting on 3 September 2014
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report