

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 17 December 2014 at 11.30am

Panel Members: John Roseth (chair), David Furlong, Sue Francis, Victor Macri and Sam Iskandar

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2014SYE089 – Marrickville - DA201400354 [at 72-90 Old Canterbury Road, Lewisham] as described in Schedule 1.

Date of determination: 17 December 2014

Decision:

The panel determined 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:

1. The proposal is generally consistent with the Concept Approval.
2. The final proposal has been shaped by an architectural competition, as required by the Concept Approval, thus leading to design excellence.
3. The proposal is generally consistent with the principles of SEPP 65 and the intentions of the Marrickville DCP and provides for neighbourhood amenity, streetscape, solar access, stormwater, crime prevention and accessibility.

Conditions: The development application was approved subject to the conditions recommended in Marrickville Council's Memorandum to the JRPP dated 17 December 2014.

Panel members:

 John Roseth (chair)	 David Furlong	 Sue Francis
 Victor Macri	 Sam Iskandar	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE089 – Marrickville - DA201400354
2	Proposed development: To construct a mixed use development comprising 7 multi-storey buildings, between 4 & 10 storeys, over 2 levels of basement car parking, containing 298 dwellings, 113m2 retail tenancy, 120m2 community facility, 248 car parking spaces, dedication and embellishment of public open space, road works and new pedestrian access routes, to be undertaken in 5 stages
3	Street address: 78-90 Old Canterbury Road, and William, Brown, and Hudson Streets, Lewisham
4	Applicant: Karimbla Constructions Services (NSW) Pty Ltd
5	Type of Regional development: Development with a Capital Investment Value of more than \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Part 3A Concept Plan No.MP08_195 • Part 3A Concept Plan No.MP08_195 – Mod 1 • Part 3A Concept Plan No.MP08_195 – Mod B1, B2, B3 • Part 3A Concept Plan No.MP08_195 – Mod 2 • Part 3A Concept Plan No.MP08_195 – Mod 4 • Part 3A Concept Plan No.MP08_195 – Mod 5 • Part 3A Concept Plan No.MP08_195 – Mod 6 • NSW 2021 – State Plan • Metropolitan Plan for Sydney 2036 • Draft South Sub-regional Strategy • Sydney Metropolitan Strategy • Integrated Land Use and Transport Policy Package • Major Projects Community Consultation Guidelines (2007) • Marrickville Employment Lands Study (2008) • Marrickville Urban Strategy (2007) • Contaminated Land Management Act 1997 • Airports Act 1996 and the Airports (Protection Airspace) Regulations 1996 • Water Management Act 2000 • Water Act 1912 • Roads Act 1919 • Protection of the Environment Administration Act 1991 • Protection of the Environment Operations Act 1997 • Heritage Act 1977 • Threatened Species Conservation Act 1995 • Statement Environmental Planning Policy (Major Projects) 2005 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development • Draft State Environmental Planning Policy No. 65 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Affordable Housing) • Draft SEPP 66 – Integration of Land Use and Transport • Marrickville Local Environmental Plan 2011 • Draft Marrickville Local Environmental Plan 2011 – Amendment No. 2 • Marrickville Development Control Plan 2011 • Marrickville Section 94/94A Contributions Plan 2014 • Sydney Airport 2029 Australian Noise Exposure Forecast • National Construction Code (Building Code Australia) • Civil Aviation (Building Control) Authority • Marrickville Voluntary Planning Agreement Policy 2014 • DECC Threatened Species Assessment Guidelines • RTA's Guide to Traffic Generating Development

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	<ul style="list-style-type: none"> • NSW Flood Plain Development Manual (2005) • Interim Guidelines for Development near Rail Corridors and Busy Roads • 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 4 December 2014 Applicant submission dated 12 December 2014 Supplementary Council Assessment Report dated 17 December 2014 Revised letter of concurrence from Sydney Trains dated 15 December 2014, received on 17 December 2014 Memorandum from Council dated 17 December 2014 Written submissions during public exhibition: 12 Verbal submissions at the panel meeting: Against- David Rollinson on behalf of No Lewisham Towers, Jillian Grove, Vincent Scaturro; On behalf of the applicant- Walter Gordon
8	Meetings and site inspections by the panel: Briefing Meeting on 24 September 2014
9	Council recommendation: Approval
10	Draft conditions: Attached to memorandum from Council dated 17 December 2014