

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Leichhardt Town Hall on 23 October 2014 at 3:30 pm

Panel Members: John Roseth (Chair), David Furlong, Sue Francis, Brian McDonald and Deborah Laidlaw

Apologies: None Declarations of Interest: None

Determination and Statement of Reasons

2014SYE090 – Leichhardt DA D/2014/312 [at 22 George St, Leichhardt] as described in Schedule 1.

Date of determination: 23 October 2014

Decision:

The panel determined to refuse the development application, as recommended in the assessment report, 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:


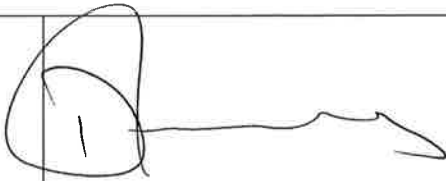
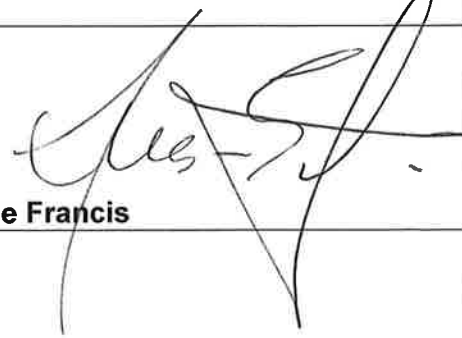


The Panel adopts the reasons for refusal listed in the assessment report.

The principal reasons for the Panel's decision are:

- 1) The Panel cannot, on the basis of the material before it, be satisfied that the site is suitable for residential development, because of possible high-level contamination. To be so satisfied, the Panel would require a section B Site Audit Statement certifying that the site can be made suitable if the Remediation Action Plan is implemented. In addition, the Panel would require that the Remediation Action Plan is exhibited at the same time that either an amended application or a new application is exhibited.
- 2) The proposal does not perform well against SEPP 65 or the Residential Flat Design Code principally in relation to the proportion of apartments that receive adequate sunshine in mid-winter.
- 3) The Panel has considered the applicant's request that it should defer, rather than refuse, the application. The Panel has opted for refusal mainly because of the long period for which the application would need to be deferred. Moreover, there is no certainty that the site can be made suitable for residential development independently of other neighbouring sites. If it can be made suitable, there is a possibility that it may take a very long time.
- 4) Finally, the Panel considers that there have been so many versions of this application already that a new application is justified. This would enable the applicant to respond to the issues raised by the council and the community. A major issue raised is that the proposed buildings do not provide a reasonable transition of scale to the existing development on the other side of the surrounding streets.

Conditions: Not applicable

Panel members:

 <p>John Roseth (Chair)</p>	 <p>David Furlong</p>	 <p>Sue Francis</p>
 <p>Brian McDonald</p>	 <p>Deborah Laidlaw</p>	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE090 – Leichhardt DA D/2014/312
2	Proposed development: Site preparation works (including diversion of services, remediation, demolition of existing structures and excavation) and construction of a mixed use development of 5 buildings of 4 to 9 storeys in height. The buildings shall comprise 2 commercial tenancies and 290 residential units above a basement car park containing 283 parking spaces. Associated landscaping and public domain works
3	Street address: 22 George St, Leichhardt
4	Applicant/Owner: Greenland Sydney George St Development Pty Ltd / KGS Victoria Pty Ltd
5	Type of Regional development: Capital investment value more than \$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy No.55 – Remediation of Land • State Environmental Planning Policy No.64 – Advertising and Signage • State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Leichhardt Local Environmental Plan 2013 • 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 10 October 2014 Written submissions during public exhibition: 98 Verbal submissions at the panel meeting: Support- XX; Against- Stuart Harding; On behalf of the applicant- Peter Strudwick and Alex Mikov
8	Meetings and site inspections by the panel: Briefing meeting on 11 September 2014
9	Council recommendation: Refusal
10	Draft conditions: as attached to assessment report