

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christie Conference Centre on Tuesday 29 September 2015 at 11.00am

Panel Members: David Furlong (chair), Sue Francis and Gillian Dawson

Apologies: None Declarations of Interest: None

### Determination and Statement of Reasons

**2014SYE136 Canterbury DA-505/2014 at 364-374 Canterbury Road, Canterbury as described in Schedule 1.**

**Date of determination:** 29 September 2015

**Decision:**

The panel determined to approve 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 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings listed at item 8 in Schedule 1.

**Reasons for the panel decision:**

The Panel adopted the assessment of those matters in the Council Assessment Report. The reasons for the Panel's decision are:

1. The proposal generally satisfies the prevailing standards of relevant planning framework.
2. The breach in the LEP Building Height Standard relates to the lift and stair overrun to provide access to the roof top open space. In this regard the Panel formed the view that the Clause 4.6 request to vary the standard was well founded.
3. The amended plans overcome the previous non compliances with the Council's DCP particularly in relation to the 45degree rear set back requirement.
4. The Panel also formed the view that the conditions (as amended) dealt with the other outstanding issues mentioned in the public submissions.

**Conditions:**

The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting.

Conditions 6 (a) and (b) are amended as follows:

- a) The window to the bedroom 1 of units 18, 40 and 62 shall be fitted with an external fixed louvre at 45 degrees (north west) 600mm wide to full height
- b) The balconies to units 18, 40 and 62 shall have a solid opaque screen 1m wide from the north eastern corner, fitted as above.

**Panel members:**

  
**David Furlong (chair)**

  
**Sue Francis**

  
**Gillian Dawson**

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### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2014SYE136 Canterbury DA-505/2014
2	<b>Proposed development:</b> Mixed Use Development: Demolition of existing structures and construction of a 6 storey mixed use development containing 10 commercial tenancies and 102 residential units and 3 levels of car parking (207 car spaces)
3	<b>Street address:</b> 364-374 Canterbury Road, Canterbury
4	<b>Applicant:</b> Porter Lane Pty Ltd <b>Owner:</b> Maria and Alkis Kadi
5	<b>Type of Regional development:</b> General development with a Capital Investment Value of more than \$20 million
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy (Building Sustainability Index) BASIX 2004</li> <li>• State Environmental Planning Policy 65 – Design Quality of Residential Flat Development</li> <li>• Canterbury Local Environmental Plan 2012</li> <li>• Canterbury Development Control Plan 2012</li> <li>• Canterbury Development Contributions Plan 2013</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report dated 15 September 2015 Written submissions during public exhibition: 3 Verbal submissions at the panel meeting: Support: Nil ; Against: Nil ; On behalf of the applicant: Garry Chapman and Dougall MacKenzie
8	<b>Meetings and site inspections by the panel:</b> Briefing meeting on 15 December 2014
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> As attached to the Council Assessment Report