

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held electronically between 2 July 2015 and 17 July 2015

Panel Members: Sue Francis (A/Chair), Julie Savet Ward, Jason Perica, Brian McDonald, Deborah Laidlaw

Apologies: none Declarations of Interest: None

Determination and Statement of Reasons

2014SYE144 – Leichhardt Council - DA/2014/646 [at 30-40 George Street, Leichhardt] as described in Schedule 1.

Date of determination: 17 July 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 application followed a specific rezoning of the land to facilitate residential development as well as a site specific DCP;
- The proposal is generally consistent with the planning controls including the specific DCP prepared to guide development on the site;
- The concern regarding contamination has been addressed, the process agreed to by the NSW EPA in their letter to Council dated 26 March 2015, and the effectiveness of remediation will be validated by an EPA accredited auditor.
- The impact of the development in terms of its design and amenity is satisfactory;
- The proposal provides acceptable solar access and amenity within the constraints established by the site orientation and the site specific DCP.

Conditions: The development application was approved subject to the conditions forwarded by Leichhardt Municipal Council on 13 July 2015, with the following amendment:

Delete condition 21A

Reason: This condition is unnecessary, as it is covered by Condition 16.

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SCHEDULE 1

1	JRPP Reference – 2014SYE144 LGA- Leichhardt Council - Council Reference: D2014/646
2	Proposed development: Site preparation works (including diversion of services, demolition of existing structures and excavation) and construction of 2 buildings of between 4 and 8 storeys in height.
3	Street address: 30-40 George Street, Leichhardt.
4	Applicant: Stithos Pty Ltd Owner: Mr T D Rowney
5	Type of Regional development: CIV > \$20 million
6	Relevant mandatory considerations • State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP 65) • State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP Basix) • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005); • Leichhardt Local Environmental Plan 2013 (LLEP 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 30 January 2015 Written submissions during public exhibition: 116 Verbal submissions at the panel meeting on 2 April 2015: Against- Scott Birrell and Rachel Mitchell; On behalf of the applicant- Giovanni Cirillo – Planning Lab, Ian Swane (Ian Swane & Associates) and Steven Nordan (Nordan Jago Architects) Supplementary Council Assessment Report dated 15 May 2015 Applicant responses to Supplementary Council Assessment Report and proposed conditions of consent dated 25 May 2015 Supplementary Council Assessment Report dated 1 July 2015
8	Meetings and site inspections by the panel: Briefing meeting on 4 February 2015, public determination meeting on 2 April 2015, Teleconference for panel members held 28 May 2015, Electronic mail discussion between 15 May 2015 and 3 June 2015, Private panel discussion at Leichhardt Administration Office on 4 June 2015, Electronic mail discussion between 2 July 2015 and 17 July 2015
9	Council recommendation: Refusal
10	Draft conditions: Revised conditions of consent received from Council on 13 July 2015