

**RECORD OF DEFERRAL
SYDNEY EAST JOINT REGIONAL PLANNING PANEL
MEETING HELD AT LEICHHARDT TOWN HALL
ON THURSDAY 4 JUNE 2015 AT 5:30 PM**

Panel members:

John Roseth - Chair
David Furlong – Panel Member
Sue Francis – Panel Member
Brian McDonald – Panel Member
Deborah Laidlaw – Panel Member

Council staff in attendance:

Adele Cowie
Nicholas Lawler

Apologies: None

Declarations of interest: None

Matter deferred:

2015SYE014 Leichhardt D/2014/713: Kolotex - Site preparation works including remediation and construction of five residential flat buildings, incorporating 287 apartments and 5 commercial tenancies and associated landscaping and basement parking at 22 George Street, Leichhardt

Public submissions made at this meeting:

Against: Scott Birrell, Mark Bolduan on behalf of elected Leichhardt Councillors, Simon Emsley, Sharon Birrell, Kristna Gurney and Paul Bidwell

On behalf of the applicant: Peter Strudwick, Jason Clay, Alex Mikov and Marco Damic

Panel Decision:

The panel resolved unanimously that it is minded to approve the application subject to a set of conditions, which is coordinated with the conditions to be applied to the approval of the northern adjoining site (the Labelcraft site), which is also to be decontaminated.

The Panel requests the council to prepare, by 12 June 2015, a revised set of conditions, which are compatible with the conditions to be applied to the approval of the Labelcraft site. Following receipt of the conditions, the Panel will determine the application by communicating by electronic means.

The applicant is requested, also by 12 June 2015, to comply with the requirements of Condition 2, so that this condition can be deleted from the final set to be submitted to the Panel.

The Panel has carefully considered the planning assessment report, which comes to the conclusion that the only issue that justifies refusal is contamination. In coming to the decision to approve the application, the Panel has relied on a letter of the Environment Protection Authority, dated 26 March 2015, which says that, on the material before it, the Panel can be satisfied that the land will only be occupied if it is suitable for residential use as long as the approval is subject to a satisfactory set of conditions in relation to remediation. The Panel has also relied on the statement of Mr Jason Clay, an accredited site auditor under the Contaminated Land Management Act, who told the Panel unequivocally that the material before it is sufficient to satisfy it that the land will be able to be certified as suitable for residential use before it is allowed to be occupied.

The Panel has considered the views of objectors. In the Panel's opinion, many of the objections relate to the density and height that is allowed by the rezoning of the site. While the objectives of the new zone include a reference to medium density housing, the FSR and height permit high density development. The applicant has a reasonable expectation for achieve a development at somewhere near the permissible density.

Finally, the Panel notes that the proposal has departed to some extent from the site-specific DCP that was prepared in conjunction with the rezoning. The Panel is satisfied that these departures have resulted in a design that has a lesser overshadowing impact on the external neighbours than it would if the DCP had been strictly applied.

Endorsed by

A handwritten signature in black ink, appearing to read 'John Roseth', written in a cursive style.

John Roseth
Chair, Sydney East Joint Regional Planning Panel
Date: 4 June 2015