

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 16 September 2015 at 11:30 am

Panel Members: David Furlong (chair), Sue Francis, Julie Savet Ward and Meredith Wallace

Apologies: Karin Hartog - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE022 Rockdale DA-2015/279 at 15-21 Willis Street Wolli Creek as described in Schedule 1.

Date of determination: 16 September 2015

Decision:

The panel determined to approved 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 as addressed in the Council Assessment Report, 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 variation to the FSR standard in the Rockdale LEP 2011 has been justified by a submission under cl 4.6 of the Rockdale LEP 2011 and the Panel considers that the request to vary the standard is well founded. In that regard, the Panel notes that the Council has recently varied the FSR standard on a nearby site, that is subject to the same numerical standard, and as a result compliance in this instance is unreasonable and unnecessary.
2. While the proposal does not meet the required separation distances between buildings required by State Environmental Planning Policy N. 65 – Design Quality of Residential Apartment Development, this matter can be overcome by conditions of consent, requiring a minor re-design
3. The Council's Design Review Panel was generally satisfied with the proposed development and suggested improvements have been incorporated into the design during the assessment process.

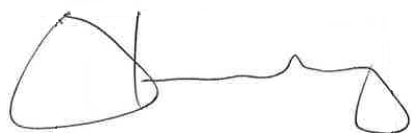
Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting as follows:

Add the following note to Condition 11: "NOTE: Compliance with the car parking rates will result in 72 resident and 14 visitor spaces on site."

The inclusion of the following condition: "In order to satisfy the objectives of SEPP 65 the window proposed to the living/dining areas of units B2-05-01, B2-06-01 and B2-07-01 are to be replaced with highlight windows with minimum sill heights of 1.6m and the fixed louvres are to be removed."

Condition 44 is to be deleted.

Panel members:



David Furlong (acting chair)



Sue Francis



Julie Savet Ward



Meredith Wallace

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE022 Rockdale DA-2015/279
2	Proposed development: Construction of two x eight (8) storey residential flat buildings comprising 67 residential units, basement parking and demolition of existing structures
3	Street address: 15-21 Willis Street Wolli Creek
4	Applicant: Lateral Estate Pty Ltd Owner: Josif Sazdanovski, Ljubica Sazdanovski; Trajco Trajkov, Slavica Trajkova Konstandinos Panagopoulos; R C Beers and K L Beers
5	Type of Regional development: General development with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy 65 – Design Quality of Residential Flat Development • State Environmental Planning Policy 55 – Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • Rockdale Local Environmental Plan 2011 • Rockdale Development Control Plan 2011 • Environmental Planning and Assessment Regulations 2000 • 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 September 2015 Written submissions during public exhibition: none Applicant submission dated 10 September 2015 Applicant submission dated 11 September 2015 Council Supplementary Assessment Memorandum dated 14 September 2015 Applicant submission dated 15 September 2015 Privileged legal advice sought by Rockdale City Council, supplied by Michael Astill Verbal submissions at the panel meeting: On behalf of the applicant- Tony Caro, Rohan Dickson, Aaron Gadiel and Benjy Levy
8	Meetings and site inspections by the panel: Briefing Meeting on 18 March 2015
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report