

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 17 June 2015 at 2:00 pm

Panel Members: John Roseth (chair), Sue Francis, Jason Perica, Brian Robson and Gillian Dawson

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE032 Canterbury DA-24/2014/A [at 195 Lakemba Street and 3-5 Hampden Road, Lakemba] as described in Schedule 1.

Date of determination: 17 June 2015

Decision:

The panel determined to accept the recommendation of the assessment report to approve the modification application as described in Schedule 1 pursuant to section 96 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:

1. The Panel is aware that the notification for this application did not include the information that the Panel, rather than the council, is the consent authority. The Panel nevertheless considered that this was not sufficient reason to defer the application because:
 - a. There was only one objector;
 - b. The notification of the modification application was the second notification neighbours received and the first notification included the information regarding the Panel being the consent authority.
2. The modification application requested the removal of the requirement to provide screening to various rooms and balconies of the proposal. The principal reason for which the Panel approved the application was that it was satisfied that, either there was no privacy impact from the relevant windows and balconies or, where there was an impact, it was negligible.

Conditions:

The Panel adopted the conditions recommended in the assessment report as amended by the applicant's memorandum dated 17 June 2015 (with the amendment of "C7.03" to "B7.03" in the last line of the memorandum).

Panel members:

 John Roseth (chair)	 Sue Francis	 Jason Perica
 Brian Robson	 Gillian Dawson	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE032 Canterbury DA-24/2014/A
2	Proposed development: Section 96(2) modification to amend layout and design of an approved mixed use and residential development
3	Street address: 195 Lakemba Street and 3-5 Hampden Road, Lakemba
4	Applicant: Benson McCormack P/L Owner: SNAC Investments P/L
5	Type of Regional development: The Section 96(2) application is referred to the Joint Regional Planning Panel (Sydney East Region) for determination as per the provisions of Section 96 (2) of the Act and Section 118 of the Environmental Planning and Assessment Regulation 2000
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Section 96(2) of the Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy (State and Regional Development) 2011a • State Environmental Planning Policy (Building Sustainability Index) BASIX 2004 • State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development • Canterbury Local Environmental Plan 2012 • Canterbury Development Control Plan 2012 • 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 3 June 2015 Written submissions during public exhibition: one (1) Verbal submissions at the panel meeting: On behalf of the applicant – Glenn McCormack
8	Meetings and site inspections by the panel: Briefing Meeting on 20 May 2015
9	Council recommendation: Approval
10	Draft conditions: Attached to Council Assessment Report